



# city council minutes

## MINUTES CC Regular Session April 7th, 2020 Virtual Conference 6:30 pm

The Belle Isle City Council met in a Regular Session on April 7th, 2020, at 6:30 p.m. on a Virtual Webinar (zoom.us/j/338217479).

Present was:

Mayor Nicholas Fouraker  
Commissioner Ed Gold  
Commissioner Anthony Carugno  
Commissioner Mike Sims  
Commissioner Karl Shuck  
Commissioner Jim Partin  
Commissioner Sue Nielsen

Absent was:

Commissioner Harv Readey

Also present were Attorney Langley, City Manager Francis, Chief Houston, and City Clerk Yolanda Quiceno.

### CALL TO ORDER

Mayor Fouraker called the meeting to order at 6:55 pm and confirmed quorum.  
Comm Partin led the invocation and pledge to the flag.

Mayor Fouraker read the following statement,

Pursuant to Executive Order No. 20-69, issued by the Office of Governor Ron Desantis on March 20, 2020, municipalities may conduct meetings of their governing boards without having a quorum of its members present physically or at any specific location, and utilizing communications media technology such as telephonic or video conferencing, as provided by Section 120.54(5)(b)2, Florida Statutes. Procedures for the public comment will be explained by the City Manager shortly. The members of the City Council appearing remotely for this meeting are Ed Gold, Jr., Anthony Carugno, Karl Shuck, Mike Sims, Jim Partin, Sue Nielsen, and me, Nicholas Fouraker, Mayor.

City Manager Bob Francis stated the procedures to be followed during this virtual meeting.

Mayor Fouraker called for a motion to excuse the absence of Comm Readey from this meeting.

**Comm Sims motioned to excuse Comm Readey from the April 7<sup>th</sup> meeting.  
Comm Nielsen seconded the motion, which passed unanimously.**

### RESOLUTION 20-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELLE ISLE, FLORIDA, WAIVING PHYSICAL QUORUM REQUIREMENTS FOR CITY COUNCIL AND OTHER BOARD MEETINGS; ESTABLISHING PROCEDURES FOR PUBLIC MEETINGS CONDUCTED VIA COMMUNICATIONS MEETING TECHNOLOGY ("CMT"), AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

Mr. Francis said As a result of the States of Emergency imposed by the Governor and Mayors of Orange County and Belle Isle and in accordance the Governor's Executive Order No. 20-69, suspending any Florida Statute that requires a quorum to be present in person or requires a local government body to meet at a specific public place and authorizing the use of telecommunications media technology such as telephonic and video conferencing, as provided in § 120.54(5)(b)2., Florida Statutes; and in an effort to curb the spread of COVID-19 and avoid jeopardizing the safety of the public, its boards and City Council, and City staff, the City Council will conduct its meetings remotely via Communications Media Technology ("CMT") as permitted pursuant to the Governor's Executive Order No. 20-69 and must establish rules pertaining to the conduct of such meetings.

**Comm Nielsen moved to adopt Resolution 20-03, providing for procedures and rules for conducting meetings via CMT until further directed.**

**Comm Sims seconded the motion, which passed unanimously upon roll call.**

## CONSENT ITEMS

Mayor Fouraker called for a motion to approve Consent items,

- a) Approval of City Council workshop minutes – February 26, 2020
- b) Approval of City Council minutes – March 18, 2020
- c) Proclamation declaring April as Water Conservation Month.

**Comm Sims motioned to approve consent items as presented.**

**Comm Nielsen seconded the motion, which passed unanimously upon roll call.**

## CITIZEN COMMENTS

Mayor Fouraker opened for citizen comments.

City Clerk said one comment was received and read into the record as follows,

Rick Miller: "Why are we proceeding now with a camera system at a fixed expense with limited traffic during the pandemic. It seems like an inappropriate use of resources during this period of time. The item should be tabled until after the pandemic."

Mayor Fouraker asked how long the installation will take of the cameras.

Mr. Francis said at this time Council will have to pass an Ordinance to approve the Red Light Camera Contract. The first reading is on tonight's agenda for approval, and a second reading is scheduled for April 21<sup>st</sup>. The contract and installation will not be ready to go until after the 1<sup>st</sup> of July. Mayor Fouraker asked if the vendor will be able to allow 30-90 days to work out all the kinks, and if things are better, we can move forward.

Mr. Francis said as part of the contract; they will have to hold their bid for 90-days. Mayor Fouraker said he would like to see the approval of the ordinance to start the process, and Council can advise when to move forward with the installation. Council consensus was to move forward with the reading of the ordinance, as stated.

There being no citizen comment, he closed citizen comments.

## UNFINISHED BUSINESS

### ORDINANCE NO. 20-04 – FIRST READING AND CONSIDERATION

AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA PROVIDING THAT THE BELLE ISLE LAND DEVELOPMENT CODE BE AMENDED BY REVISING CHAPTER 50, ARTICLE II, SECTION 50-36 RELATING TO IMPROVEMENTS CONCERNING THE SPECIFICATIONS TO BE USED FOR CONCRETE SURFACES; AMENDING CHAPTER 50, ARTICLE III TO CREATE A NEW SECTION 50-77 PROVIDING FOR THE PRIVATE INSTALLATION OF PAVER SIDEWALKS AND DRIVEWAYS IN RESIDENTIAL AREAS UNDER CERTAIN CONDITIONS; ESTABLISHING CRITERIA FOR CONSTRUCTION AND MAINTENANCE OF PAVER SIDEWALKS AND DRIVEWAYS; PROVIDING FOR SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

Mayor Fouraker read Ordinance 20-04 by title.

City Manager Francis said at the February 18th meeting; the City Council approved for a first reading. This proposed ordinance allows for,

- Sets specifications for concrete sidewalks
- Allows the use of pavers on a case-by-case basis
- Makes property owners who install pavers responsible for maintenance
- Sets specifications for pavers and installation of pavers
- Grandfathers' existing pavers, but when replaced or removed, must comply with these code changes.

**Comm Sims motioned to read proposed Ordinance 20-04 for the 2<sup>nd</sup> reading on April 21, 2020, Council meeting.**

**Comm Nielsen seconded the motion, which passed 4:2 upon roll call with Comm Gold and Comm Carugno, nay.**

Comm Gold stated he was not in agreement with some of the new language in the ordinance. He believes everyone will have to apply for a variance if they have some aesthetically pleasing designs that are not specified in the code. Mr. Francis clarified and said the new code would allow for residents to pave to the sidewalk and the street.

## **NEW BUSINESS**

### **ORDINANCE 20-03– FIRST READING AND CONSIDERATION**

AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA, ELECTING TO IMPLEMENT THE USE OF TRAFFIC INFRACTION DETECTORS WITHIN THE CITY LIMITS OF BELLE ISLE, FLORIDA AS AUTHORIZED BY SECTION 316.008(8)(a), FLORIDA STATUTES; AUTHORIZING THE POLICE CHIEF TO IMPLEMENT THE PROVISIONS OF FLORIDA LAW RELATING TO THE USE OF TRAFFIC INFRACTION DETECTORS WITHIN THE CITY LIMITS OF BELLE ISLE FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.

Mayor Fouraker read Ordinance 20-03 by title.

Mr. Francis clarified to approve the contract and ordinance must be in place before moving forward.

**Comm Sims motioned to read the proposed Ordinance 20-03 for the 2<sup>nd</sup> reading at April 21, 2020, Council meeting.**

**Comm Partin seconded the motion, which passed unanimously upon roll call.**

## **ATTORNEY REPORT – na.**

## **CITY MANAGER REPORT**

City Manager Francis asked for approval to add to the agenda discussion on the Strategic Plan and Fee Schedule. Council Consensus was to move forward with the request.

Mr. Francis reported on the following,

- The end of this week will complete the final walkthrough at Gene Polk Park.
- Due to the distancing order, we are trying to lock our parks to gates to the ramps. City Hall is opened for business via email and phone; however, the doors will remain closed to walk-ins.

## **Chief's Report**

Chief Houston reported on the following,

- PD would like to thank all the residents who have donated PPE, including sprays and facemasks.
- Action Church served 409 families at the Food Give-Away.
- Reported a lack of social distancing on Lake Conway specifically at the Sand Bar – Chief Houston reminded residents of the Governor's order, which states that vessels should stay 50 feet apart.
- Speeding on Hoffner has been increasing with two serious crashes – PD is aware of the issue and working diligently on enforcement.

## **MAYOR'S REPORT**

Mayor Fouraker spoke on the successful Food Give-Away event. He thanked all residents, business partners, during this unprecedented time. Mayor Fouraker said the City would continue to be vigilant on the Federal/State updates on the Coronavirus and is available if anyone needs any assistance.

## **COUNCIL REPORT**

### **Comm Carugno**

- ANAC meeting has been postponed.
- Comm Carugno shared his concern and frustration with residents who are not abiding with the Stay-At-Home order, especially on the lake.
- Consideration for an agenda item to legalize golf carts.

## **ADJOURNMENT**

There being no further business, Mayor Fouraker called for a motion to adjourn. The motion was passed unanimously at 8:45 p.m.

Yolanda Quiceno, CMC, City Clerk