



## CITY OF BELLE ISLE, FL CITY COUNCIL MEETING

Tuesday, August 15, 2023 \* 6:30 pm  
**MINUTES**

Present was:

Nicholas Fouraker, Mayor  
District 1 Commissioner – Ed Gold  
District 2 Commissioner – Anthony Carugno  
District 3 Commissioner – Karl Shuck  
District 4 Commissioner – Randy Holihan  
District 5 Commissioner – Beth Lowell  
District 6 Commissioner – Stan Smith  
District 7 Commissioner – Jim Partin-

Absent was:

NA

### 1. Call to Order and Confirmation of Quorum

Mayor Fouraker called the meeting to order at 6:30 pm, and the City Clerk confirmed the quorum.

Also present were Interim City Manager Grimm, Attorney Langley, Acting Chief Millis, Public Works Director Phil Price, and City Clerk Yolanda Quiceno.

### 2. PD Presentations

- a. Introduction of Officer Steve Mendez  
Acting Chief Millis stated that Officer Mendez could not attend and would present at a later meeting.
- b. Life-Saving Award - Officer Zachary Mathews  
Acting Chief Millis presented the Life Saving Award to Officer Matthew.

Mayor Fouraker asked the Council to rearrange the agenda items and bring forward item 6a for discussion. Council approved.

### Wallace Field Staff Report

City Manager Grimm said that in 2020, an agreement was executed between the City and Cornerstone Charter Academy (CCA) for developing and using the property known as Wallace Field. That agreement expired during the time of the site plan approval process. The Site Plan was approved with conditions by the Planning and Zoning Board and subsequently upheld by the City Council during an appeal process.

April Fisher, City Planning Consultant, said one of the conditions of the Site Plan approval requires an agreement between the City Council and CCA regarding development, operation, and maintenance responsibilities and authorities (Use Agreement). Staff recently met with CCA to discuss completing the requirements, the conditions, and this condition before permitting can be completed. Ms. Fisher provided a list of the progress on this project to date, and a copy of the approved Site Plan was provided for reference. CCA is ready to complete permitting once the City Council supports the Use Agreement. Staff, with the City Attorney, will prepare a draft Use Agreement for the Council's formal consideration at an upcoming City Council meeting. Council had no objections to the process moving forward.

Comm Lowell asked if the Use Agreement would address the noise and lighting concerns. Ms. Fisher said no specific condition concerning noise or lighting abatement in the Use Agreement, and the noise abatement will be regulated by Code requirements. The City entered a Deed Restriction for lighting that runs with the property.

Comm Gold said that at one point, the City agreed to a giant row of conocarpus to protect the neighbors from trespassers. Ms. Fisher said yes, the condition is still in effect.

### 3. Citizen's Comments

Mayor Fouraker called for citizen comments. There being none, he closed the citizen comment section.

### 4. Consent Items

- a. Approval of the City Council Meeting Minutes - August 1, 2023
- b. Proclamation - Election 2024

Comm Lowell moved to approve the consent items as amended.  
Comm Smith seconded the motion, which passed unanimously 7:0.

Mayor Fouraker read the Proclamation for the record.

5. **Unfinished Business**

- a. SECOND READING AND ADOPTION: ORDINANCE NO. 23-04, AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA, ADDING SECTION 50-78 ARTIFICIAL TURF REQUIREMENTS TO ARTICLE III OF CHAPTER 50 OF THE CITY'S LAND DEVELOPMENT CODE; CREATING AN ARTIFICIAL TURF PERMITTING PROGRAM AND ADOPTING RELATED PROVISIONS PERTAINING TO THE ADMINISTRATION AND ENFORCEMENT THEREOF; AND PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

Attorney Langley read Ordinance 23-04 by Title.

CM Grimm said many homeowners are turning to artificial turf to replace all or part of their lawns with a similar green surface that does not require irrigation or maintenance; the Code is relatively silent. Staff issued a determination allowing artificial turf but needs it to be permitted and the specifications reviewed. The Planning and Zoning Commission discussed artificial turf and recommended Ordinance 23-04 for approval.

Comm Lowell moved to adopt Ordinance 23-04 as presented.  
Comm Holihan seconded the motion, which passed 6:1 with Comm Carugno, nay.

6. **New Business**

- a. Resiliency Grant / Sol Project Update

CM Grimm reported that on Monday, August 7, 2023, the City staff attended a Resilient Florida Program meeting. In speaking with the grant representatives, the staff was informed that the Sol project was completed in January 2023. Still, the grant was not executed until February 2023 and may not be eligible for funding for \$196,862.00. The City Manager's office originally received the application in December 2022 and was not returned until February. The representative stated that the Department's current guidance is the following, "All work conducted for the project in which the grantee will request reimbursement for those expenses must be conducted on or after the grant agreement execution date. Expenses incurred before the grant execution date will not be eligible for reimbursement by the Department because there is no grant agreement in place, but those expenses may be used as match funds." The staff will continue to work with DEP.

Comm Smith asked if FEMA could cover any portion of the \$196,000. CM Grimm said he did not believe so because it was a 50/50 match stormwater project.

Comm Partin asked if the administrative process was something the Clerk handled. City Manager Grimm said the City Manager applied for the grant. In an email, he noted that he was a one-man show and dealt with the grant process.

Comm Lowell said this should put a mental note that the Council should be aware of deadlines to be on top of such items and hold those accountable; it's an unfortunate event.

- b. Wallace Field Staff Report Update – Discussion moved to item #3.  
c. Vacancy/Selection of New Commissioner – District 4

Comm Holihan requested this on the agenda for discussion. CM Grimm said the City Council is responsible for filling a vacancy on the Council according to Section 3.07 (C) of the Belle Isle Charter. At the June 6, 2023, meeting, Comm Holihan announced that he is resigning effective December 31. He has offered a replacement for Council consideration, Jason Carson. The next qualifying date for District 4 is April 2025.

Comm Holihan said he is willing to step down due to scheduling conflicts and would like to move with the suggested motion. He offered to apply for the at-large seat on the Planning & Zoning Board if no one applied.

Attorney Langley said Comm Holihan would have to resign immediately or provide a letter to the Clerk resigning with an effective date. Currently, he has resigned, effective December 31, 2023. Attorney Langley advised that the appointment be in line with the resignation date.

The City Clerk reminded the Council that there is an open Planning and Zoning position and asked if Comm Holihan could be appointed to that seat, with Comm Shuck's approval, when a commissioner is appointed.

**Comm Partin moved to have staff post the vacancy for 30 days and appoint a candidate at the September 19th session as District 4 Commissioner.**

**Comm Gold seconded the motion, which passed 6:1 with Comm Carugno, nay.**

- d. Informational with a First Reading on September 5, 2023: ORDINANCE NO. 23-05 - AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA, AMENDING THE CITY'S LAND DEVELOPMENT CODE SECTION 50-102 ACCESSORY STRUCTURES TO ALLOW THE INSTALLATION OF FENCES AND WALLS IN FRONT YARDS WITHIN CERTAIN DEFINED OVERLAY AREAS AND CREATING RESTRICTIONS FOR SUCH FENCES AND WALLS: PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

City Manager Grimm presented a draft Ordinance for the fence updates to the Code. Procedurally, the Council discussed having a workshop for discussion before approval. The Council agreed to revisit the ordinance discussions after hiring a City Manager.

**Comm Lowell moved to schedule a Budget Workshop for August 29, 2023, at 6 pm.**

**Comm Smith seconded the motion, which passed unanimously 7:0.**

**7. Attorney's Report – No report.**

**8. City Manager's Report**

- a. CM Grimm announced that the City received information from the Lobbyists about the award of a transportation Grant. He will report later the amount and details.
- b. Chief's Report  
Acting Chief Millis gave an update on a couple of high-profile cases. He reported monthly Stats, including 36 reports, 12 arrests, and 405 citations. Acting Chief Millis further noted that the commitment of resources of the PD for school traffic would be for the first two weeks of school only to assist with the new traffic patterns.
- c. Public Works Report – No report.

**9. Mayor's Report**

Mayor Fouraker recognized Holly Bobrowski and asked for Holiday event updates.

Holly Bobrowski reported that the Special Events membership has grown, and they currently have an entire board and two alternates. The Committee is speaking with the City of Edgewood on joining forces for the 100<sup>th</sup> Centennial.

**10. Items from Council**

Comm Lowell reported on some traffic issues she has received on Daetwyler Drive. Comm Carugno asked if the City could get jurisdiction on McCoy and Daetwyler. CM Grimm said they are working on some options. Comm Carugno shared his concerns with the loud vehicle noise, music, and drag racing on Hoffner Avenue.

**11. Adjournment**

There being no further business, the Mayor called for a motion to adjourn the meeting. The motion was unanimously approved 8:00 pm.