



CITY OF BELLE ISLE, FL CITY COUNCIL MEETING

Tuesday, August 01, 2023, * 6:30 pm
MINUTES

Present was:

Nicholas Fouraker, Mayor
District 1 Commissioner – Ed Gold
District 2 Commissioner – Anthony Carugno
District 5 Commissioner – Beth Lowell
District 6 Commissioner – Stan Smith
District 7 Commissioner – Jim Partin-

Absent was:

District 3 Commissioner – Karl Shuck
District 4 Commissioner – Randy Holihan

1. Call to Order and Confirmation of Quorum

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

Also present were Interim City Manager Grimm, Attorney Chumley, Finance Director Tracey Richardson, Sgt McCormick, Public Works Director Phil Price, and City Clerk Yolanda Quiceno.

2. Invocation and Pledge to Flag - Comm Gold, District 1

Comm Gold gave the invocation and led the pledge to the flag.

3. Presentations

- a. Presentation by McDirmit Davis Tammy Campbell - Annual Comprehensive Financial Report (ACFR) YE September 30, 2022

Mayor Fouraker welcomed and introduced Tammy Campbell, Audit Partner at McDirmitt Davis. Ms. Campbell presented the results of the Annual Comprehensive Financial Report (ACFR) for the fiscal year ending 9/30/2022 and spoke on Auditor's unmodified opinion, City's Fiscal Condition, and Management. Ms. Campbell presented the following highlights,

- The General Fund balance increased by \$826k to \$4m.
- Stormwater fund decreased \$233k to (\$14k)
- Debt service fund decreased \$1.3m to \$104k
- New accounting standard- Leases
 - The total value of the lease receivable is recorded, offset by a deferred inflow balance.
 - No change to revenue recognition

Council asked if it was possible to have the ACFR presentation earlier in the year to allow for discussions on the millage. Ms. Campbell said she would work with staff to have the ACRF presented earlier in the year.

4. Consent Items

- a. Approval of the City Council meeting minutes - July 18, 2023
b. Approval of the City Council meeting minutes - July 26, 2023

Comm Smith moved to approve the consent item as presented.

Comm Lowell seconded the motion, which passed unanimously 5:0.

5. Citizen's Comments

Mayor Fouraker opened for citizen comments.

- Alberto Sanchez residing at 1534 Hoffner Avenue, spoke regarding the Police Boat Dock and thanked Council for adding the item to the agenda. He reiterated his comments from the last meeting regarding the need for variances need for storage, parking, and ramp setbacks to permit the proposed dock. He said a majority vote could bypass the requirements; however, he wants to see it go through the same process as every resident.
- Danielle Madara residing at 5729 Peninsular Drive, spoke on the proposed boat dock and asked Council to carefully consider the locations and how it will take away from swimming locations for many residents.
- Diane Madara residing at 5729 Peninsular Drive, spoke on the proposed ~~bear boat~~ dock and shared her concerns about her property values and how it may alter the parameters of the location.

There being no further business Mayor Fouraker closed public comment.

6. Unfinished Business

a. Discussion on City Boat Dock Proposed Locations

Interim CM Grimm presented a PowerPoint on various locations throughout the City for discussion and consideration. He noted that the staff would prefer a central location for response time and out of the water, under cover, when not in use. The areas presented were,

- Cross Lake Park
- Daetwyler Shores Community Property
- Delia Beach
- Homewood (2104)
- Homewood (2408)
- McCauley (5501)
- Peninsular Park
- Perkins Boat Ramp
- Swann Beach
- Wallace Beach

Mayor Fouraker noted that the City would be prohibited from building at Perkins Boat Ramp due to a previous settlement.

As part of the discussion, Comm Carugno provided a pro and con analysis of three of the locations presented, Wallace Beach, Peninsular Park, and 5501 McCauley Court. In addition, he added Burke Hammonds property which was not included on the list. He noted that if Wallace Field was an option for the EOC, he favored having the boat dock at that location. They discussed some of the concerns with access with the swale and the OC outfall.

Carugno asked the City Attorney if it was possible to have the current owners of 5501 McCauley Court stay in the home if sold to the City. Attorney Chumley said one concern is that the City will be the landlord and require the tenants to obtain rental insurance for personal losses, subject to their ability to pay for the liability. However, the liability would still be directly on the City. The home would have to be updated to suitable conditions, and an easement may need to be established for City use only. The house will lose its homestead exemption. The Appraiser's Office may assume the home for multipurpose, and the City may be subject to taxes. Discussions with the current homeowner will need to be made because of the unique situation; some things to think about before considering the option.

Comm Lowell asked if the homeowners wanted to stay until they found a new location. Comm Carugno said they would like to remain in the property with the option to renew every two years, or they may be able to leave if sold at the right price.

Comm Gold asked Council if anyone has made any negotiations with any of the properties, including 5501 McCauley. Comm Carugno said he just provided research.

Comm Carugno asked if he could read an email he received from a resident included in the package. Mayor Fouraker stated that it would not be necessary since it was included in the agenda packet. Comm Carugno noted that Ms. Brown strongly opposes the proposed boat dock.

Mayor Fouraker asked Comm Carugno if the previous City Manager met with him and the McCauley residents. Comm Carugno said yes, only to see if they favored the idea; the cost was not discussed. Interim CM Grimm noted that when he visited Peninsular Beach, he briefly spoke with Comm Carugno and the McCauley homeowner.

Mayor Fouraker spoke on additional locations for consideration, which are the (1) Sunoco Station, (2) finger piece at Alsace Court with vacated uplands, and (3) Cheslock home on Cove Drive.

Comm Carugno moved to schedule a workshop to discuss the options.

Comm Gold seconded the motion.

Comm Smith asked if Council could target specific properties before the workshop to allow staff to research further. Interim CM Grimm asked for Council to submit their selections via email to the City Clerk by the end of the following week for a proposed workshop on October 3, 2023. Attorney Chumley recommended that staff research the proposed areas for suitable boat dock construction under the Code.

The motion passed unanimously 5:0.

b. Reallocation of the Remaining 2020 Bond Proceeds for Stormwater Use

Interim City Manager Grimm noted that the discussion was tabled to allow further discussion on purchasing land. The money has time constraints, and staff recommends that the \$416,656.22 be allocated to stormwater repairs.

**Comm Smith moved to have the remaining \$419,656.22 of the bond proceeds on stormwater.
Comm Partin seconded the motion, which passed unanimously 5:0.**

c. Board and Committee Vacancies

Interim City Manager Grimm said the staff has had difficulty filling vacancies on several Committees and Advisory boards. The staff is asking for an at-large appointment with no more than two candidates per district. Council discussed having board members participate on more than two committees. It was noted that the Council discussed not to allow it at a previous meeting.

Comm Gold moved to fill all the open seats at large with the caveat that there be a preference for a person within the district and no more than two members from any given district.

Vice Mayor Lowell seconded the motion, which passed 4:1 with Comm Carugno, nay.

7. **New Business**

a. Approval of ARPA Funding Allocations

Interim City Manager provided and spoke on ARPA allocations recommended by the Budget Committee and approved by the Council instead of funding from the general fund. Staff recommends the following reallocations; Public Works roll-up doors, purchases of computers, LPRs, and body-worn cameras/tasers, and waive the procurement process for purchasing the computers.

Comm Smith moved to approve the reallocation of ARPA Funds as recommended by the Budget Committee with the additional reallocation for the Public Works roll-up doors.

Vice Mayor Lowell seconded the motion, which passed unanimously 5:0.

Comm Smith moved to approve the purchase of computers for the Police Department from Eola Technology Partners, LLC. for \$67,624.48 using ARPA funding and waiving the procurement process because the City already contracts with EOLA Technology for IT services.

Vice Mayor Lowell seconded the motion, which passed unanimously 5:0.

Vice Mayor Lowell moved to approve the purchase of LPRs for the Police Department from Flock Safety for \$64,550.00 using ARPA funding.

~~Vice Mayor Lowell~~Comm Smith seconded the motion, which passed unanimously 5:0.

Vice Mayor Lowell moved to approve the purchase of body-worn cameras/tasers for the Police Department from Axon Enterprises, Inc. for \$76,769.08 using ARPA funding.

Council asked if an RFP was issued. CM Grimm said these were single-source products.

Comm Carugno seconded the motion, which passed unanimously 5:0.

b. Discussion and Attorney Opinion on Streaming/Video/Audio Process of City Meetings

Interim CM Grimm spoke on streaming City Council meetings and Council members' concerns about transparency and possibly canceling the meeting. He noted that some situations are easily fixed; others are out of our control. Staff is requesting an Attorney's opinion and Council discussion. Attorney Chumley said there is no Florida law requirement for broadcasting; in some instances, it was forced about due to COVID. If it is recorded or videoed, it must be made available to the public. If the Council chooses to adopt that it does happen, they can do so.

Vice Mayor Lowell said the issue was not the equipment but the connectivity, which will require an additional layer of Wi-Fi connection. Comm Carugno stated that the concern was because the Council was not told that it was not being recorded. He believes if the agenda has important items of discussion, and the connection is not available Council should table the discussion until it can be broadcasted. The Council has set the standards high, and he would like to continue with that trend.

Comm Gold said if someone wants to be part of the meeting, they should be in attendance, and it is not unreasonable. However, many expect to have it streaming on Facebook, and we should do everything we can to have it available. At a minimum, it should be recorded so that it is available the next day; we should not cancel a meeting if the streaming is unavailable.

Mayor Fouraker said another option is to have it also streamed on YouTube and not circumvent the process.

c. Selection of City Manager Meeting Schedule - Round 2

Interim CM Grimm provided the new schedule proposed by Colin Baenziger for the recommended candidates, interviews, and community reception. The 5-finalists will be selected on August 29 and invited to Belle Isle for a tour, public reception, and formal interviews on September 8 and September 9, with a possible decision then or shortly after. Staff is recommending Approval of the calendar as follows,

July 19, 2023	Search Re-opened.
August 4, 2023	Search closes.
August 18, 2023	CB&A forwards its candidate report and materials to the City electronically. These will include the candidates' resumes, the candidate introduction, and the results of our reference, background, social media, and Internet/newspaper archives checks.
August 29, 2023	City Selects Finalists
September 8, 2023	City provides a City tour and possibly holds a reception for the finalists.
September 9, 2023	One-on-one City Council Interviews and possible decisions.

Vice Mayor Lowell stated that she will not be available Sept 1-12, 2023; however, she will be open to a Zoom interview if available.

Comm Smith stated that he would be out of the country from August 28 through September 11 and available for a Zoom interview if connection options are available.

Comm Partin moved to schedule the August 29th workshop as a Special Called session to allow for selecting the top 5 candidates for consideration as City Manager and approve the dates provided by Colin Baenziger. Vice Mayor Lowell seconded the motion, which passed unanimously 5:0.

8. Attorney's Report – No report.

9. City Manager's Report

- a. Distribution of Budget Message and Proposed FY2023-2024 Budget - First Budget Workshop August 15, 2023
Interim City Manager Grimm provided a proposed FY Budget 2023-24 recommended by the Budget Committee and Budget Message.
- b. Informational - RFP and Plans for Cross Lake Project
Interim City Manager Grimm provided a copy of the RFP and Plans for the Cross Lake Project. He noted that the RFP will go out on Friday.

Comm Carugno said Cross Lake was to have a basin/drainpipe to the lake, which is not on the plans. Comm Carugno ~~asked if we can ask e-said-Woody Johnson had requested a copy of the dates if he would be able to pass information to his HOA~~ for discussion as the project moves forward.

Mr. Price said there was an issue with the placement of the baffle box and access for the safety/first responder vehicles. The plans were revised to meet the Fire Department's concerns about accessibility and set as a maintenance-type project with paved roads. This project is slated to be funded by ARPA funds.

c. Chiefs Report

Sgt McCormick reported on the PD stats for the last two weeks; 144 citations were issued – 97 were on Hoffner Avenue. 15 physical arrests – 8 DUI/3 gun related/1 domestic violence/3 minor traffic violations. 947 red light camera tickets. Code Enforcement 15 new code violations and closed 22.

d. Public Works Report – No report.

10. Mayor's Report – No report.

11. Items from Council

- Comm Lowell thanked the Finance Director for the award for excellence in reporting.
- Comm Smith thanked Code Enforcement Officer Julie Wilk for a magnificent job.
- Comm Carugno reported on the July 21 ANAC meeting. The Board is going to ~~discussed a future meeting for~~ noise suppression features for current and future construction systems ~~systems on buildings around the airport~~ environment with the City of Orlando and Orange County.

12. Adjournment

With no further business, Mayor Fouraker called for a motion to adjourn.
The motion passed unanimously at 8:15 pm.