



**CITY OF BELLE ISLE, FL
CITY COUNCIL MEETING**

Held in City Hall Chambers 1600 Nela Avenue Belle Isle, FL 32809

Tuesday, August 2, 2022, * 6:30 pm

MINUTES

Present was:

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

Absent was:

District 3 Commissioner – Karl Shuck

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 City Manager Francis, Attorney Chumley, Chief Houston, Public Works Director Adkins, and City Clerk Yolanda Quiceno.

2. Invocation and Pledge to Flag – Commissioner Ed Gold, District 1

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

Mayor Fouraker called for a motion to excuse Comm Shuck from tonight's meeting.

Comm Gold moved to excuse Comm Shuck from the meeting.

Comm Lowell seconded the motion, which passed unanimously, 6:0.

3. Presentations

Scott Howat – OCPS (One-Mil Referendum)

Mayor Fouraker welcomed and introduced Scott Howat, OCPS Communications Officer. Mr. Howat presented on the one-mil referendum. Mr. Howat stated that this one-mil referendum is a continuation of the millage since 2010. Without it, OCPS will lose the funding to support teachers, staff, and students fully. On August 23, 2022, Orange County voters will decide if the one-mil property millage should be continued for an additional four years.

McDermitt Davis – Presentation of the ACFR Annual Comprehensive Financial Report YE 09/30/2021

Mayor Fouraker welcomed and introduced Tammy Campbell, Audit Partner at McDermitt Davis. Ms. Campbell presented the results of the Annual Comprehensive Financial Report for the fiscal year ending 9/20/2021 and spoke on the Auditor's responsibility, City's Fiscal Condition, and Management. Ms. Campbell recommended, as in previous years, the improvement of section ML21-01 Segregation of Duties. She noted that due to the City's small staff, we continue to deal with limited staff size and not having an additional person to fulfill the recommended role the City is planning to fill in the upcoming year to correct this issue.

4. Consent Items

- a. Approval of the June 7, 2022 meeting minutes
- b. Approval of the July 13, 2022, meeting minutes

Comm Carugno requested the following correction to the minutes of June 7, 2022,

Page 88, Section 13 reads, "Council discussed opening communications with GOAA to work with the Noise Abatement Committee to address some airport noise. Council consensus was to draft a letter to the Director of GOAA with reasonable asks to request ~~Belle Isle a seat on the Noise Abatement Committee.~~"

Should read, Council discussed opening communications with GOAA to work with the Noise Abatement Committee to address some airport noise. Council consensus was to draft a letter to the Director of GOAA with a reasonable ask to request a seat on their Board.

Comm Gold requested the following correction to the minutes of July 13, 2022,

Page 91, Paragraph 7 reads, "Comm Gold stated he would like it all to be maintained by the City except for picking up debris and cleaning algae and mildew. He stated that he agrees with previous discussions to have the City repair all sidewalks and have a 50/50 split moving forward on repairs except for intentional damage. Mr. Francis said it might take up to next year's budget for that process to be in effect. Discussion ensued."

Should read, "Comm Gold stated he would like it all to be maintained by the City except for picking up debris and cleaning algae and mildew. He stated that he would like the City to pay 100% and ~~agrees with previous discussions to have the City repair all sidewalks and have a 50/50 split~~ moving forward on repairs except for intentional damage. Mr. Francis said it might take up to next year's budget for that process to be in effect. Discussion ensued."

Comm Gold moved to approve the amended minutes as discussed.

Comm Lowell seconded the motion, which passed unanimously 6:0.

5. Citizen's Comments

Mayor Fouraker opened for citizen comments.

- Alexander Muszynski residing at 1438 Belle Vista Drive, spoke of the ongoing construction project at LaBelle Beach. He stated that he was unaware of the project, and on Saturday, workers gained access to the property by cutting the locks. They continued to work with a bobcat and cleared about 100 feet of sidewalk. He had no knowledge or seen any plans and would like some information on the project. Comm Carugno shared his concerns about the lack of communication and stated that he was unaware of the project in his district. Mr. Francis apologized for the missed information and said the City typically holds a neighborhood meeting before any work is started. The project is to make the park ADA-compliant with a bench by the lake with new trash bins.

There being no further comments, Mayor Fouraker closed citizen comments.

6. Unfinished Business

a. Approval of Resolution 22-18 - Solid Waste Non-Ad Valorem Rate Increase

City Manager Francis read Resolution 22-18 by Title.

Mr. Francis noted that Council tabled these Resolutions at the July 13th meeting for further research.

Comm Smith moved to approve the Resolution as presented.

Comm Lowell seconded the motion, which failed 3:3 with Comm Gold, Comm Holihan, and Comm Carugno, nay.

Mr. Francis said that the Council approved the rate increase request from the waste hauler in April. If the Resolution does not pass, he will have to return to discussion with the vendor to continue and abide by the old contract, or he can sue for breach of contract, or the City can pay the difference. The increase was due to the pass-through charges of fuel and landfill fee increases. Council discussed approving the Resolution and asking the vendor for a decrease in the rate when fuel costs have decreased. Discussion ensued.

Attorney Chumley said the Resolution is required to ratify the approval of the contract increase in April. By July 1st the City must send our non Advalorem assessment for the tax roll deadline with the County.

After discussion, the motion was read and passed upon roll call 5:1 with Comm Holihan, nay.

b. Approval of Resolution 22-19 - Storm Water Non-Ad Valorem Rate Increase

City Manager Francis read Resolution 22-18 by Title.

Mr. Francis said this Resolution was also tabled at the July 13th meeting for further research by the Commissioners and their constituents.

Comm Gold moved to approved Resolution 22-19 as presented.

Comm Smith seconded the motion, which passed unanimously 6:0.

c. **Ordinance 22-07 - Second Reading and Adoption** - AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA, AMENDING CHAPTER 26, ARTICLE I TO CREATE NEW SECTIONS RELATED SIDEWALK INSTALLATION AND MAINTENANCE AND

REQUIRING CERTAIN SIDEWALKS WITHIN THE RIGHT-OF-WAY TO BE MAINTAINED BY ADJACENT PROPERTY OWNERS AND CREATING ENFORCEMENT MECHANISM FOR THE SAME; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

City Manager Francis read Ordinance 22-07 by Title.

Mr. Francis said the City Attorney made the changes to reflect the comments made by a resident at the last meeting that included (1) enforcement section-48 hour notice for removal of obstructions, and (2) section 25(b)- imminent health threat will have an immediate response. Discussed ensued on the replacement of the apron. Council consensus is that the ordinance is adopted as presented, noting that in Section 26(3)(f), the resident is responsible for replacing and repairing the apron.

After discussion, Comm Partin moved to adopt Ordinance 22-07 as presented.

Comm Gold seconded the motion.

The motion passed 5:1 upon roll call with Comm Smith, nay.

7. New Business

a. Proclamation: Elections 2023 – District 1 and 7

City Manager Francis said in response to the presentation by Bill Cowles; that he asked if the Council would consider going to a four-year election that will require a charter change. Discussion ensued on the charter change process, cost savings, and staggering the existing terms until they were all phased into a four-year term rotation. The Council consensus was to have a draft ordinance for review on a future agenda.

8. Attorney's Report - na

9. City Manager's Report

- City Manager Francis

a. Issues Log

Mr. Francis gave an overview of the Issues Log dated August 2, 2022.

He informed the Council of the following meetings,

- On August 3rd, staff will undergo training on the new City GoGov app, similar to the OC 311 app.
- August 4th, he and the Mayor will be attending a meeting in Winter Garden regarding County Housing Ordinance
- August 4th (6-7 pm) County meeting on new developments on McCoy Road at the Pine Castle Woman's Club.
- August 6th – Electronic Recycling Event at City Hall Parking lot

FY 202-2023 Budget and Budget Message

City Manager Francis provided the Fiscal year 2022-2023 Preliminary Budget (Version 4), Budget message, and updated chart of upcoming public budget hearings and workshops. He stated that the Budget Committee reviewed and recommended to Council approval of the Primary Budget.

b. Chief's Report

Deputy Chief reminded Council that school is starting. He asks that residents be patient with the traffic in the first few weeks. He reported that the Agency would have three new hires in the next few days. He stated that the GoGov app is up and running, is excited about the application, and allows residents to report Code Violations, PD Complaints, and Public Works work orders.

10. Mayor's Report

- Mayor Fouraker gave an update on the flooding on Conway and Hoffner. He noted that he called Orange County and Public Works, who worked collaboratively to resolve the issue and actively working on solutions.
- Unique opportunity to work with All-Star Dad Foundation and raise funds for the program to help fathers be better dads. He stated that his support was not representing on behalf of the City but as a private citizen.
- Mayor Fouraker spoke briefly about the Motorcycle riders on Hoffner Avenue. He stated that he had scheduled a meeting with the HOA to try to open communication and discuss some resources for managing the situation.

11. Items from Council

Comm Carugno and Comm Smith reported that they would not be available for the August 11th CC workshop. Comm Carugno asked staff to replace the Oak Island and Oak Island Point Road street signs.

12. Adjournment

There being no further business, Mayor Fouraker called for a motion to adjourn.

The motion passed unanimously at 9:00 pm.