



city council minutes

MINUTES
CC First Budget Hearing – 6:00 pm
CC Regular Session – 6:30 pm
September 15, 2020
Virtual Conference

First Budget Public Hearing

The Belle Isle City Council met in a First Budget Hearing session on September 15, 2020, at 6:00 p.m. on a virtual webinar (zoom.us/j/81099046693).

Present was:

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

Absent was:

n/a

Also present were City Manager Bob Francis, Attorney Ardaman, Chief Houston, Deputy Chief Grimm, Finance Manager Tracey Richardson, and City Clerk Yolanda Quiceno.

City Manager Francis stated that the Mayor was delayed and asked that the Vice-Mayor open the First Budget Hearing.

CALL TO ORDER

Vice-Mayor Carugno called the First Budget Hearing session to order at 6:00 pm. City Clerk confirmed quorum.

PROPOSED BUDGET AT A GLANCE FY 2020-2021

Vice Mayor Carugno opened for the presentation of the 2020-2021 Budget Hearing.

City Manager Francis spoke on the Proposed Budget for FY 2020-21 for consideration. Mr. Francis requested the following actions and approvals from the City Council,

- Florida law requires the City to announce the percentage increase of the proposed millage rate increase which exceeds the rollback rate
- Adopt the continued tentative millage rate of 4.4018 p/\$1000 of assessed valuation. Mr. Francis said this rate covers the cost of the newly adopted Police Department Pay Plan, an increase in health care costs, capital items, and park improvements.

If there are any changes to the tentative budget, the Council will still approve the tentative budget and have the changes made to the tentative budget for approval at the 2nd Budget hearing. He announced that the City will not have an increase in the millage rate and will remain for the eleventh year in a row at 4.4018. The current rollback rate is 4.1576 p/\$1000 of assessed valuation, and the percentage of the rollback rate is 5.78%.

Mayor Fouraker joined the meeting.

Mr. Francis said the City has received updated projections from the State and announced that the Fund Balance have a positive balance of +\$227,928 by the end of the year.

Comm Partin asked for a breakdown of the updated projections. Ms. Richardson said the estimates showed an increase in the ½ Cent Sales Tax and State Shared Revenue; Communication Service tax stayed the same, and Local Option Sales tax went down \$1,000. Also, the increase to the Fund Balance was also due to a new health insurance plan option. She said the coverage deductible increased with the original plan; however, the old plan would have incurred a 17% increase.

Comm Partin asked if any adjustments were made from the anticipated revenue from the Red Light Cameras. Mr. Francis said, no, not in this proposed budget. Mr. Francis said the estimated revenue might be \$350,000; however, it is currently under permitting approval and is anticipated to be implemented 1-October and November 2020.

Comm Carugno asked if the COLA for non-uniformed employees are increased to 5%. Ms. Richardson said the increase in the COLA to 5% be an additional cost of \$10,024. Comm Carugno asked for a consensus from Council to be discussed and approved at the 2nd Budget Hearing.

Comm Nielsen asked if the 5% COLA can be given across the board in addition to the Police Department pay plan because not all officers will benefit equally with the approved plan. Deputy Chief Grimm said all officers on the plan see a +5% increase with the approved pay plan.

Comm Gold stated that he would like to run the request for the increase by the Budget Committee and the public.

Comm Partin shared his concern and said he would like to receive more information before agreeing to the increase to 5%.

Vice Mayor Carugno opened for public comment.

City Clerk informed the Council that attendee Rick Miller and Gary Meloon have a comment.

- Rick Miller, residing at 2001 Nela Avenue, as the Chair of the Budget Committee, said if the Council would like to have input from the Committee before the second hearing of the budget that can schedule an emergency meeting at Councils request. Secondly, as a citizen, he clarified that the CPI for the last 12 months is 1.3% nationally and personally believes a 5% COLA maybe be overly generous.
- Gary Meloon resident asked what will be the average tax increase is for a Belle Isle resident? In this time of the pandemic and hardships, is this a significant increase for residents? Mr. Francis said he does not believe the tax increase will be what the Orange County Property Appraisers (OCPA) increase is. We are not raising our millage rate for the eleventh year. The percentage changed from OCPA to a 6% increase over the rollback rate.

After discussion, Comm Sims motioned to adopt a tentative millage rate for the Ad Valorem Taxation of Real Tangible Personal Property within the City of Belle Isle for the fiscal year 2020-2021 at the rate of 4.4018 mils p/1000 asset value evaluation assessed upon the assessed value property within the limits of the City of Belle Isle, Florida. Comm Partin seconded the motion, which passed unanimously upon roll call, 7:0.

ADJOURNMENT

There being no further business, Vice Mayor Carugno closed the public hearing. City Manager Francis announced the 2nd Budget Hearing and Adoption for the City of Belle Isle be held on September 23, 2020, at 6:00 pm. The motion to adjourn was passed unanimously at 6:39 p.m.

Yolanda Quiceno, CMC, City Clerk

City Council Regular Session

The Belle Isle City Council met in City Council Regular Session on September 15, 2020, at 6:40 p.m. on a virtual webinar (zoom.us/j/81099046693).

Present was:

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

Absent was:

n/a

Also present were City Manager Bob Francis, Attorney Ardaman, Chief Houston, Deputy Chief Grimm, Finance Manager Tracey Richardson, and City Clerk Yolanda Quiceno.

CALL TO ORDER

Mayor Fouraker opened the meeting at 6:40 pm, and City Clerk confirmed quorum. Comm Sims gave the invocation and led the Pledge to the Flag.

Mayor Fouraker made a statement to the Council and the City with regards to the events at the September 1, 2020 meeting. Mayor Fouraker expressed his sincere apologies for his harsh presentation requesting a resignation from Comm Readey. He clarified, after speaking with the City Attorney, that if the Mayor gives a warning of removal for any outburst, the Mayor can call for a virtual sergeant of arms to remove any panelist from the zoom meeting. The Mayor does not need a vote to remove a panelist; however, the Council can vote to reinstate the panelist.

PRESENTATION: LAKE CONWAY WEIR OPERATION

Mayor Fouraker introduced Jeff Charles, Orange County Drainage Division, joined by Mike Drozeck, Manager, and Daniel Negron, Chief Engineer. Mr. Charles spoke briefly on the operation of the weir and explained the lowering of the weir during a storm and when the lake levels are high. Mr. Charles said the NHWL is 85.85, and the set level of the Daetwyler weir is 86.35 elevation. He stated the biggest concern, after lowering the weir, is from the Boaters maneuvering their boat out of the canal. After further discussion, Council asked the following,

Q –What is the water quality of the different lakes?

Mr. Charles said he is not able to answer because they do not manage the water quality.

Q -Where is the weir?

W. Daetwyler Drive, near convenience store – N. of Fish on Fire

Q -Does the water level affect all three lakes?

Yes, it affects lower Lake County, and eventually, all others follow

Q - Where does the water go?

The water flows to Lake Mary Prairie, then thru the Airport Canals, then through the Boggy Creek Systems

Q - When are the weirs cleaned?

The weirs are cleaned every two weeks.

Q – In the event, there is a major storm, what dialogue is expected from the City?

Mr. Charles said his staff is always monitoring the lake elevations. As they see any dramatic change, they are very proactive in taking action and pull one or two boards to protect those homes around Lake Conway. Mr. Charles said that had been the process for the last 20-years.

PROCLAMATION: 2020-21 Election District 5 & 6

Mayor Fouraker presented and read the Proclamation declaring the Municipal Election on March 9, 2021, for District 5 & 6

CONSENT ITEMS

- a. Approval of the September 1, 2020, City Council minutes
- b. Approval of the September 7, 2020, City Council minutes
- c. August Monthly Reports: Finance Report, Police Department, Marine Patrol Stats, and OC Fire
- d. **Resolution 20-11** - A RESOLUTION OF THE CITY OF BELLE ISLE, FLORIDA, SUPPLEMENTING ORDINANCE NO. 20-10, ENACTED ON AUGUST 18, 2020, WHICH AUTHORIZED THE BORROWING OF MONEY; AUTHORIZING THE ISSUANCE OF ITS NOT TO EXCEED \$2,600,000 CAPITAL IMPROVEMENT REVENUE NOTE, SERIES 2020, FOR THE PURPOSE OF FINANCING THE ACQUISITION OF ONE OR MORE PARCELS OF LAND AND THE IMPROVEMENTS LOCATED THEREON AND/OR THE CONSTRUCTION, ACQUISITION, AND EQUIPPING OF CERTAIN CAPITAL IMPROVEMENTS OF THE ISSUER, EACH AS MORE FULLY DESCRIBED HEREIN; AUTHORIZING THE NEGOTIATED SALE OF SUCH NOTE TO CENTERSTATE BANK, N.A., PURSUANT TO THE TERMS AND CONDITIONS OF A LOAN AGREEMENT BY AND AMONG THE FLORIDA MUNICIPAL LOAN COUNCIL, THE CITY OF BELLE ISLE, FLORIDA, AND CENTERSTATE BANK, N.A.; APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF THE LOAN AGREEMENT; DESIGNATING THE NOTE AS A "QUALIFIED TAX-EXEMPT OBLIGATION;" MAKING CERTAIN OTHER COVENANTS AND AGREEMENTS IN CONNECTION WITH THE ISSUANCE OF SUCH NOTE, AND PROVIDING AN EFFECTIVE DATE.

e. Approval of Loan Agreement with CenterState Bank

Mayor Fouraker called for Public Comment.

Mayor Fouraker read a comment received on Tuesday, September 15, 2020, at 3:08 PM by Jeaneen Hollingsworth, residing at 2229 Nela Avenue. She spoke on Resolution 20-11 and feels this decision is too important to allow seven Council Members to decide. Mayor Fouraker said the Council has discussed the issue at length and asked the City Manager to respond to Ms. Hollingsworth for further clarity.

Comm Sims moved to approve the consent items a-e as presented.

Comm Nielsen seconded the motion, which passed 6:1 upon roll call with Comm Readey, nay.

CITIZEN COMMENTS

Mayor Fouraker opened for citizen comments.

City Clerk reported that she did not receive any comments other than what was read during the Consent Agenda.

UNFINISHED BUSINESS

- a. ORDINANCE NO. 20-11 - SECOND READING AND ADOPTION - AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA, ADOPTING A NEW ARTICLE V OF CHAPTER 30 OF THE CITY CODE AUTHORIZING THE USE OF GOLF CARTS WITHIN CERTAIN COMMUNITIES AND ON STREETS DESIGNATED IN RESOLUTIONS ADOPTED BY THE CITY COMMISSION; AUTHORIZING USE OF GOLF CARTS ON CERTAIN SIDEWALKS; PROVIDING FOR DEFINITIONS; PROVIDING FOR THE REGULATION OF GOLF CARTS, INCLUDING THE HOURS OF OPERATION; PROVIDING FOR THE ESTABLISHMENT OF AN APPLICATION PROCESS, AGE REGULATIONS, REQUIRED SIGNAGE, VIOLATIONS, AND PENALTIES, AND APPEALS TO THE HEARING BOARD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE

Mayor Fouraker read Ordinance 20-11 by title.

Mayor Fouraker opened for public comment. City Clerk stated that she had not received any comments via email or phone regarding Ordinance 20-11.

Mayor Fouraker opened for Council discussion and motion.

City Manager Francis stated for the record, if the Ordinance passes, staff will prepare an application, brochure, e-lert, and post on the City's website. This Ordinance will not go into effect until 1-October and until the staff has prepared the necessary paperwork.

Comm Sims moved to adopt Ordinance 20-11.

Comm Carugno seconded the motion, which passed 6:1 upon roll call with Comm Shuck, nay

- b. ORDINANCE 20-12 - SECOND READING AND ADOPTION - AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA, AMENDING THE BELLE ISLE LAND DEVELOPMENT CODE, CHAPTER 28, ARTICLE IV, SECTION 28-91 – OCCUPATIONAL LICENSE REQUIRED, AND SECTION 28-94 – ISSUANCE; TRANSFERABILITY AND CHAPTER 50, ARTICLE IV – ACCESSORY STRUCTURE; SECTION 28-99 - REVOCATION AND USES, SECTION 50-103 – ACCESSORY USES; PROVIDING FOR AN APPEAL PROCESS AND PROCEDURES; PROVIDING SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE (20 MINUTES)

Mayor Fouraker read Ordinance 20-12 by title.

Mayor Fouraker opened for public comment. City Clerk stated that she had not received any comments via email or phone regarding Ordinance 20-12.

Mayor Fouraker opened for Council discussion and motion.

Comm Sims moved to adopt Ordinance 20-12.

Comm Carugno seconded the motion, which passed unanimously 7:0 upon roll call.

NEW BUSINESS

- a. RESOLUTION No. 20-12 - A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF BELLE ISLE, FLORIDA, ESTABLISHING THE AUDITOR SELECTION COMMITTEE IN ACCORDANCE WITH FLORIDA STATUTES SECTION 218.391 "AUDITOR SELECTION PROCEDURES"; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE

Mayor Fouraker read Resolution 20-12 by title.

City Manager Francis said per Florida Statute 218.391 requires all political subdivisions to establish an Auditor Selection Committee. He said he spoke with the Budget Committee at their last meeting, and the Board said they are willing to take on these additional duties.

Comm Partin moved to adopt Resolution 20-12, as presented.

Comm Nielsen seconded the motion, which passed unanimously upon roll call, 7:0.

ATTORNEY REPORT

Attorney Ardaman reported on discussions with Orange County concerning some additional mechanisms to address the ongoing challenges on Lake Conway and the sand bar. He and the City Manager are trying to pursue similar corrective action as with the Butler Chain to involve vessel exclusion around certain swimming areas.

CITY MANAGER REPORT

City Manager Francis gave an overview as follows,

Issues Log

- Storm Drainage – City staff has worked on reconditioning Jade Circle. Next week they will focus on 1631 Wind Willow and other swales on St Partin. The engineer is looking at adding a new basin on Barby Lane and conditioning the area at Sol and Playa area. Haffley Ditch has been cleaned out.
- Wallace Field – On Sept 22nd, the Wallace Field site plan will go to the P&Z Board for review.
- Acquisition of Property – Mayor signed the purchase and sale agreement, and the earnest money was wired. Phase One Environmental was received with no issues. He is awaiting a Term Sheet from CCA Financial Advisor before scheduling a conference call with CCA Chair.
- Annexation – He and the Mayor met with Comm Uribe and talked about the Lancaster House and annexing other Pine Castle homes. Comm Uribe is resistant to allow those properties to be annexed into the City. The City has received emails from the residents asking for annexation and was shared with Comm Uribe.
- Conway Issues – Mr. Francis reported that the Mayor and the Chef had submitted letters to FWC requesting assistance with the Lake Traffic.
- Lancaster House – Comm Uribe will be working with the homeowner to see if they can keep the home in Orange County and with the necessary permits. Mr. Francis reported that the City staff had been reenergized, after speaking with CCA Chair Brooks and Linda Chapin, because they said they don't need anything done with the property for another 6-month. He further reported that he contacted Duke Energy, and they are ready to assist with the electrical poles when needed. A brief discussion ensued.

Reappointment of Special Events Committee members: Holly Bobrowski and Lora Brannan

Mr. Francis asked for a Council motion to reappoint Holly Bobrowski and Lora Brannan to the Special Events Committee.

Comm Sims moved to reappoint Holly Bobrowski and Lora Brannan to the Special Events Committee.

Comm Carugno seconded the motion, which passed unanimously upon roll call, 7:0.

Mayor Fouraker said he is looking forward to post-COVID events.

Chief's Report

Chief Houston reported on the following,

- Chief Houston spoke briefly on Cornerstone Charter Academy student dismissal. As a result, the City will post on Facebook the weather delay plan encouraging residents to avoid the school area during bad weather.
- Officers are executing 0-tolerance with strong enforcement on Judge and Conway.
- Chief Houston reported that the Labor Day weekend went smoothly without incident.
- Kudos to the Volunteers and Contractors on the Yard Beautification effort for a resident on Hoffner Avenue.

MAYOR'S REPORT

Mayor Fouraker reported on the following.

- Mayor Fouraker shared his deep gratitude to the community on the Home Beautification efforts.
- Mayor Fouraker reported that there is an opening on the NAV Board. Belle Isle residents who are interested in applying, please apply via Orange County to be considered. He spoke briefly on the discussions at the last NAV Board meeting.
- Mayor Fouraker stated that he received a letter from the Greater Aviation Authority in response to a letter sent to the FAA regarding flight/noise management. He read the correspondence for the record.
- KUDOS – To the Public Works staff and their efforts to repair and restore the fault drainage issues.

COUNCIL REPORT

Comm Readey thanked the Mayor for his heartfelt apology.

Comm Sims shared in prayer for Alice Readey's rapid recovery and the Readey Family.

Council shared their appreciation for Chief Houston and her efforts with City residents and proactive responses with CCA Faculty, parents, and students.

Comm Partin spoke on the drainage issues on Sol and Kendra and said he is looking forward to working on the plan.

Comm Carugno shared his disappointment with the FAA response. Comm Carugno said he continues to work with GOAA and FAA with these ongoing flight/noise changes.

Mayor Fouraker asked Council to keep him in mind for future HOA meetings. Please forward future HOA meeting invites to the City Manager or City Clerk.

ADJOURNMENT

There being no further business, Mayor Fouraker called for a motion to adjourn. The motion was passed unanimously at 8:15 p.m.

Yolanda Quiceno, CMC, City Clerk