



CITY OF BELLE ISLE, FL

1600 NELA AVENUE, BELLE ISLE, FL 32809 * TEL 407-851-7730

MEMORANDUM

From the Desk of Bob Francis, City Manager

To: Mayor and Council
Date: October 15, 2019
Re: Wallace Field

At two previous Council meetings, discussions were held on the FY2019-2020 Budget and regarding Wallace Field and the use agreement between the City and Cornerstone Charter Academy (CCA). At both meetings, Commissioner Gold stated that the City Council purchased the Wallace Field on the request and recommendation from former Mayor Bill Brooks. Commissioner Gold further stated that Mr. Brooks recommended that the City use the incremental rent fund monies to purchase the property. The incremental rent fund monies are those funds used by the City for maintenance and repair to the Cornerstone Charter Academy.

The staff reviewed the minutes of the March 30, 2016 Special Council meeting and it is stated in the minutes that Mr. Brooks did make that recommendation (See Mayor's Report, page 3). Those minutes are attached to this memorandum. The staff further reviewed the minutes of the April 12, 2016 meeting which was the meeting where the actual purchase of the land was made. Of interest is the accounting of the incremental rent fund prior to and the remaining balance after the purchase of the land (Question 1, page2). These minutes are also attached. The staff also reviewed the minutes of the May 3, 2016 meeting. Under comments from the public, Mr. Shuck addressed Council on the Council's decision to purchase the Wallace Property using the incremental rent fund monies. He stated that his concern was with the incremental rent fund being used for the purchase of the property and fears it may put the City in a negative position should major repairs arise. It should be noted that at any time during the discussion of the Incremental Rent Fund, no one brought up specifically that the incremental rent funds were to be used for maintenance and repair to the CCA facilities. Had this discussion taken place about what the fund was to be used for and how much it would be depleted, or the public known about using this fund, would the outcome have changed?

As it turned out, this is exactly what occurred. When the City replaced the HVAC system in 2018, there was not enough funds in the incremental rent fund and therefore the City had to borrow an additional \$250,000 to complete this repair.

Additionally, when word got out that the City used the money in the incremental rent fund to purchase the land and now there was not sufficient funds to make necessary repairs, the school community, the CCA Board, and the Belle Isle community, questioned the City's decision on using the fund. For the year

preceding the purchase, the City Council was constantly criticized for not having the funds to do necessary repairs to Cornerstone since they used the money to purchase the property.

In an effort to bring the two communities (Belle Isle and CCA) together and to stop the continuing criticism, the City Council, in 2018, passed a resolution to repay the fund in the amount of \$150,000 per year for five years and to restrict the use of the funds to repair CCA facilities according to the lease agreement.

Prior to this inquiry by Commissioner Gold, no one who was involved in this land purchase process surfaced any of these points to consider:

1. During this time, Mr. Brooks was not only the Mayor, but he was also the Chairman of the CCA Board. It was under his direction and authorization to allow the City to use the incremental funds to purchase the property.
2. During this time, that decision was also supported by then Commissioners Keith Van Dyke, Lydia Pisano, and Karl Shuck who were also member of the CCA Board. (This constituted a quorum of CCA Board at that time). No one spoke in opposition to using the incremental rent fund, nor did it seem a concern that using the funds would significantly decrease the fund balance.
3. It was not disclosed to the new Council, prior to the purchase of the land, how low the fund balance would be in the incremental rent fund after the purchase. Only Commissioner Shuck expressed a concern for the low fund balance under Citizens' Comments.
4. Continuing as recently as September 2019, the City was still be criticized by the current CCA Board for purchasing Wallace Field with incremental rent funds.

After review of the audio of the three meetings, a review of the three approved Council minutes (attached), and the points to consider above, the City Council should consider the following:

1. Rescind the Resolution that requires the transfer of \$150,000 from the General Fund to the Incremental Rent Fund, and request CCA, from its reserve fund, reimburse the City's General Fund for any funds transferred as a result of this resolution.
2. Since the decision to use this fund literally drained the Incremental Rent Fund to a low balance of \$76,708 as reported in the April 12, 2019 meeting, forcing the City to borrow an additional amount of \$250,000 for the replacement of the HVAC system in 2018, then request CCA pay this loan (and interest on the loan) out of the CCA's reserve fund.
3. Since it was the direction of the CCA Board Chair and a majority of the CCA Board to use funds from the Incremental Rent Fund and then for three years criticize the City for doing so, that the CCA Board of Directors issue a letter of apology to the City Council and to the CCA community for its continued unwarranted criticism of the City's decision to purchase the Wallace property. This letter should be posted to the CCA Website, the CCA Parents Facebook page and the City of Belle Isle Facebook page. It should be noted that those CCA Board Members who were appointed to the CCA Board after this event occurred, were not aware of these facts.



city council minutes

**March 30, 2016 * 9:00a.m.
Special Workshop Session**

Mayor William G. Brooks	Frank Kruppenbacher City Attorney	Richard Anderson Interim City Manager	Ed Gold District 1	Keith VanDyke District 2	Karl Shuck District 3	Larry Ady District 4	Harv Readey District 5	Lydia Pisano District 6	Sue Nielsen District 7
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The Belle Isle City Council met in a regular session on March 30, 2016 at 9:00a.m. in the Belle Isle City Hall Council Chambers.

Present was:

Mayor Brooks
Richard Anderson
Commissioner Van Dyke
Commissioner Gold
Commissioner Readey
Commissioner Shuck
Vice Mayor Pisano
Commissioner Nielsen

Absent was:

Commissioner Ady

Also present was Attorney Kruppenbacher, Chief Ring, Deputy Chief Houston and City Clerk Yolanda Quiceno.

CALL TO ORDER

Mayor Brooks called the City Council meeting to order at 9:00 a.m. City Clerk confirmed quorum.
Comm Nielsen gave the invocation and led the Pledge to the Flag.

AWARD OF MERIT

Chief Ring recognized and presented the Award of Merit to Officer Brandon Cornwell for his performance during a vehicle pursuit which led to two arrests.

CITIZEN COMMENTS

Mayor Brooks opened for Citizen Comments.
There being no comments, Mayor Brooks closed the citizen's comments session.

CAFR PRESENTATION

Matthew Lee, Auditor with McDermitt Davis presented the 2015 CAFR and spoke of the City's overall financial position.
He provided the highlights of the report and stated,

- McDermitt Davis provided an unmodified Audit Opinion;
- General Fund balance increased \$487k to \$2.13m, or 45% of 2015 expenditures; good healthy reserve.
- Stormwater fund increased \$44k, to \$501k.
- City showed strong condition in financial monitoring as required by the Auditor General
- Management comment issued regarding continuing education due to new Auditor General Requirements.

He closed with presenting a five year progress of the City's overall financial position.

CONSENT AGENDA

- a. Proclamation declaring the month of April as Water Conservation Month.

**Vice Mayor Pisano motioned to approve the Consent Agenda item.
Comm Shuck seconded the motion, unanimously passed.**

ORDINANCE 16-01 SECOND READING AND ADOPTION

AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA, RELATED TO A VOLUNTARY ANNEXATION; MAKING CERTAIN FINDINGS; PROPOSING TO ANNEX THAT CERTAIN PROPERTY CONSISTING OF FOUR TAX PARCELS REFERENCED BY THEIR ORANGE COUNTY TAX PARCEL ID NUMBER AS FOLLOWS 29-23-30-0000-00-011, 29-23-30-0000-00-018, 29-23-30-0000-00-019 AND 29-23-30-0000-00-020, ALL AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

City Manager Anderson said the applicant has asked that the ordinance be postponed for 30 days. The County has challenged the annexation due to a cell tower within the boundaries, not within the city limits. Mr. Anderson requested that Council postpone the second reading and adoption to May 3, 2016 at 6:00pm

Vice Mayor Pisano motioned to postpone second reading and adoption to May 3, 2016.
Comm Van Dyke seconded the motion unanimously passed.

ORDINANCE 16-03 SECOND READING AND ADOPTION

AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA, AMENDING THE BELLE ISLE CODE OF ORDINANCES, CHAPTER 4 SECTION 4-1 – BIRD SANCTUARY, BY ADDING A NEW PARAGRAPH ADOPTING THE FLORIDA ADMINISTRATIVE CODE (FAC) CH. 68A-19 RESTRICTED HUNTING AREAS, BIRD SANCTUARIES, AND CRITICAL WILDLIFE AREAS; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

Mayor Brooks opened for public hearing.

- Anita E. Meade residing at 5019 La Croix Avenue, Belle Isle, FL asked if Ordinance 16-03 was to prevent individuals from hunting on the lake at Lake Conway Estates. Mr. Anderson said yes.

There being no further discussion, Comm Van Dyke motioned to adopt Ordinance 16-03.
Comm Gold seconded the motion, which unanimously passed upon roll call.

Comm Van Dyke	aye
Comm Nielsen	aye
Comm Readey	aye
Vice Mayor Pisano	aye
Comm Shuck	aye
Comm Gold	aye

ORDINANCE 16-04 FIRST READING AND CONSIDERATION

AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA; AMENDING CHAPTER 32, ARTICLE II OF THE BELLE ISLE CODE OF ORDINANCES PROVIDING FOR LOCAL IMPLEMENTATION OF THE WATER CONSERVATION RULE FOR LANDSCAPE IRRIGATION OF THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT; PROVIDING DEFINITIONS; PROVIDING LANDSCAPE IRRIGATION SCHEDULES; PROVIDING EXCEPTIONS TO THE LANDSCAPE IRRIGATION SCHEDULES; PROVIDING FOR VARIANCES FROM THE SPECIFIC DAY OF THE WEEK LIMITATIONS; PROVIDING FOR APPLICABILITY OF THE ORDINANCE; PROVIDING FOR ENFORCEMENT OF THE ORDINANCE; PROVIDING FOR PENALTIES FOR VIOLATION OF THE ORDINANCE; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

Mayor Brooks asked how does this differ from what is currently in the code. Mr. Anderson said most of the ordinance is already enforced by the City however, St. Johns staff requested that the City adopt this ordinance to be unified with other municipalities across the St. Johns River. In addition, there are additional funding opportunities available and this adoption will comply with the application process.

Comm Nielsen motioned to advance to second reading and adoption.
Vice Mayor Pisano seconded the motion, which passed unanimously.

MAYOR'S REPORT

Mayor Brooks thanked Vice Mayor Pisano for organizing the 1st Annual Easter Egg Hunt.

He further added that Mr. Altice is considering selling the open lot off of Matchett and would like to recommend that the City Council consider and authorize the City Manager to contact Mr. Altice for discussion to sell the property to the City, for a price to be determined, and schedule an appraisal. Given the fact that the City did not purchase the Texaco property he recommends that the City utilize the incremental rent fund monies to purchase the property. He thanked Council and the residents for allowing him to serve the City for 15 years.

CITY MANAGER'S REPORT

- City Manager Anderson reported that he has received a draft compensation plan for the City Manager position and will distribute for review and discussion prior to the next meeting. He noted that the plan creates procedures and processes that are necessary. Overall the proposed pay raise for all staff is pretty much aligned with what we currently have in place. He noted that there are a few positions that are below the pay rate, primarily some police officers starting pay, and the Deputy Chief of Police. He will discuss and recommend some position classification changes and adding personnel to the public works area.
- He met with St. Johns Water Management staff regarding Delia Beach and was advised that St. Johns will be starting new funding programs that may offset the cost, up to a third, for the project. He recommends that the City apply for the grant and wait until October before moving forward. With no objection he will move in that direction.
- Mr. Anderson will be meeting with the paving company to review city projects and will be starting the first week of April.
- The Seminole Nela lawsuits are going away and will move forward with construction of three homes. He has received the first plans for one of the three lots for review.
- Additionally, the City will wait until everyone is on board before rolling out the new Agenda Pal program.

CITY ATTORNEY'S REPORT

Attorney Kruppenbacher stated that the City has received a protest to the March 15 election. He is advising the City Clerk to forward all correspondence to Mr. Cowle's office pursuant to the Ordinance that was previously approved by Council. Additionally, it is his opinion that the appropriate way to challenge this election, pursuant to the Statute filings, will be to file with the Circuit Court.

Bill Cowles, Orange County Supervisor of Elections was present and agreed with Attorney Kruppenbacher's opinion.

Comm Shuck asked if the City Attorney is recommending that the ten day period contest to the election, per the Florida Statute, started last Friday. Attorney Kruppenbacher said yes, it started at midnight from the first day of certification by the Orange County Canvassing Board and the ten days end April 4th. Bill Cowles then noted that he would take the report from the City Clerk and provide to the Canvassing Board at the following meeting. Attorney Kruppenbacher clarified that it falls upon the person to file with the Circuit Court.

Comm Gold asked if the City has any ruling on this matter. Attorney Kruppenbacher said the code provisions can be interpreted many ways. However, the integrity of the election is ultimately protected by the independence of a Judge should it be contested.

Comm Shuck asked if the City Ordinance is basically meaningless as far as contesting before the City Council. Attorney Kruppenbacher said it is conflicting because the canvassing process was delegated to the Orange County Canvassing Board by Ordinance. Mayor Brooks clarified that the letter from Comm Shuck is compliant with the Charter provision, as well as the County provision of contesting. However, by virtue of that ordinance delegating canvassing authority to the County, the City took the path of the County to go through the Circuit Court.

Comm Readey asked how this affects the swearing in ceremony next month. Attorney Kruppenbacher said unless a Judge rules differently, the City should move forward with the swear in. Attorney Kruppenbacher said that there are defined rules and limited reasons in contesting an election.

Bill Cowles clarified, for the record, under the Ordinance; the canvassing process was delegated to the County Canvassing Board not the Supervisor of Elections.

Comm Shuck stated that this is one of the items that should be clarified and corrected in the code for future elections.

Mayor Brooks acknowledged Comm Elect Bobby Lance to speak.

Mr. Lance stated that on Election Day he came in to vote and was not allowed to vote due to the fact that they ran out of ballots. He immediately filed a protest with the City Clerk. He understands that the complaint did not make it to the Elections office. The City Clerk stated that she sent, via email, the complaint to Michelle from Mr. Cowles office along with an additional complaint about a poll worker. Comm Elect Lance clarified that he watched the City Clerk type the email.

Attorney Kruppenbacher noted that Mr. Severns has turned in the two iPads and will be turning them over to the State Attorney's office. Meeting no objection, Attorney Kruppenbacher will deliver as noted.

COUNCIL REPORTS

Comm Gold – District 1

No Report.

Comm Shuck – District 3

- He spoke of the large number of under votes during this election and mentioned the article written by the Mayor of Windermere. Bill Cowles spoke of the process, home rule and the municipal elections.

Vice Mayor Pisano – District 6

- Vice Mayor Pisano thanked Comm Gold for helping clean up a resident's yard who is suffering from cancer.

Comm Readey – District 5

- Comm Readey wanted to thank the Good Samaritan for cleaning up fallen tree limbs in his neighborhood.

Comm Nielsen – District 7

- Comm Nielsen shared her concern with the acoustics at the Charter School for the upcoming Council meeting. Mayor Brooks noted that he will communicate the concerns with Dr. Pancoast.

Comm Van Dyke – District 2

- He requested a follow up to planting the trees off of Hoffner. He noted that the previous City Manager made arrangements with the HOA regarding irrigation and wanted to plant the trees before summer.

Council thanked Mayor Brooks for his years of service and appreciation for the initiatives he brought forward.

CHIEF OF POLICE

- Chief Ring reported that the agency will be receiving the body cameras shortly.
- The agency has received the computer grant and all vehicles are now fully equipped with new computers thanks to Deputy Chief Houston for moving that forward.

There being no further business, Mayor Brooks called for a motion to adjourn, unanimously approved at 10:01am.

Yolanda Quiceno

CMC, City Clerk



city council minutes

April 12, 2016 * 6:00p.m.
Special Called City Council Session
City Hall, 1600 Nela Avenue, Belle Isle FL

Mayor Lydia Pisano	Frank Kruppenbacher City Attorney	Richard Anderson Interim City Manager	Ed Gold District 1	Katy McGinnis District 2	Jeremy Weinsier District 3	Bobby Lance District 4	Harv Readey District 5	Open District 6	Sue Nielsen District 7
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The Belle Isle City Council met in a Special Called Session on April 12, 2016 at 6:00p.m. at the City Hall Chambers located at 1600 Nela Avenue, Belle Isle, FL 32809.

Present was:

Mayor Pisano
 Commissioner McGinnis
 Commissioner Gold
 Commissioner Lance
 Commissioner Readey
 Commissioner Weinsier
 Commissioner Nielsen

Absent was:

Open-District 6

Also present was City Manager Richard Anderson, Attorney Kruppenbacher, Chief Ring, Deputy Chief Houston and City Clerk Yolanda Quiceno.

CALL TO ORDER

Mayor Pisano called the meeting to order at 6:00 p.m.

INVOCATION AND PLEDGE

Comm Weinsier gave the invocation and led the Pledge to Flag.

CITIZEN COMMENTS

Mayor Pisano opened for Citizen Comments.

1. Ralph Yarbrough residing at 3543 Cullen Lake Shore Drive, Belle Isle, FL shared his concern about a domestic issue with a teacher at Cornerstone Charter School. He is worried because his granddaughter is in the teacher's class and is upset because parents were not notified until ten days after the incident. He spoke of various calls he received on the incident and stated he does not like the way it was handled, and thinks the teacher should be sent home on administrative leave.

He further said he understands that Lydia Pisano cannot be on the Cornerstone Board of Directors because of a decision made by the school board that was reached illegally. He asked for any information or answers from City Council.

Police Chief Richard Ring stated that the event did take place ten days ago. The Belle Isle Police Department acted and immediate steps were taken at the school, including additional police presence, to protect the school and ensure safety. The issue was a domestic violence by the husband against his wife, and does not equate to a credible and imminent threat to the school, students or staff. He is confident that Mr. Parker has a strong support system to ensure the safety of the school. Dr. Pancoast and staff handled the information with the appropriate steps.

Paula Downey, speaking on behalf of Cornerstone Administration, residing at 1400 Nela Avenue, Belle Isle, FL 32809 noted that additional safety precautions are in place at the school, e.g. cameras have been installed, and locks on doors and gates have been changed. She is confident and does not feel that anyone at the school is in any danger. She noted that Mrs. Parks is a loved teacher at the school. She is also a victim and is ready to return to her classroom but does not know the date of her return. This is a sensitivity situation and staff was cautious in sending out any letters.

Mr. Yarbrough further commented that he is not satisfied with the explanations and does not feel there is transparency. He then asked for a reason why there is no City Council member sitting on the Cornerstone Board, and if it was done illegally. Mayor Pisano recommended that he connect with the City Attorney who was not in attendance for an answer.

2. Patty Hafley residing at 1307 East Wallace Street, Belle Isle spoke of her concerns on the purchase of the lot. She is the neighbor that borders the property to the north of the lot the City is considering. She said that the Altice's are very good friends and have always allowed her egress to the property. She asked for a response to the following,
- What will the property be used for?
 - Will it be dedicated to Cornerstone sports practice, or will it be open to a public park?
 - Will it be fenced, gated, and locked at night?
 - Will privacy be respected regarding the common boundary, recorded easements and egress?
 - Will parking be on site or offsite at the school parking area?
 - Safety is a problem crossing Matchett from East Wallace; will the City address the issue?
 - Will the City care for the lake quality and will the City have a retention plan? Will there be fertilizer runoff similar to what comes off the football field?

Mayor Pisano said she made note of every concern and they will be addressed.

There being no further comments Mayor Pisano closed the citizen comment section.

VACANT LAND CONTRACT – E. WALLACE STREET

Richard Anderson, City Manager noted that each commissioner has been given a copy of the contract as soon as available to review. He stated that as with many real estate issues, time is of the essence, and is the only reason for this special meeting. He further added that he has no interest and his role as City Manager is to give good governmental and business advice. He gave a brief summary of the background on how it came forward after the Easter Egg Hunt. Coincidentally the following week, the property was placed on the market. He contacted Mayor Pisano, who is a realtor, and asked if she would be interested in drawing up a contract and looking things over. He clarified for the record that it was his request to the Mayor, and she will not benefit, earns nothing from this contract, and did it for the benefit of Belle Isle. The property was listed for \$999,000. After discussion and further research with Mayor Pisano, the City offered \$833,000 which was accepted by Mr. Altice, the owner of the property. A \$10,000 escrow payment was placed with an effective date of 15 days from the 4th which is April 19th. The most important provision of the contract is that it is subject to City Council approval. The City solicited three quotes for appraisal of the property through the bid process. The lowest bid was \$395. The appraisal amount came in at \$860,000.

Mr. Anderson said he will do his best to answer the following questions,

1. **Where will the City get the money?**

The purchase money will come from the Public Fund School Rental Account with Center State Bank and totally separate from the General Fund and has nothing to do with our CAFR. Presently there is a cash balance of \$708,240 in the Rental Fund. There is an escrow deposit that is to be returned for the purchase of the Texaco Station that didn't go through of \$191,468. Upon the return of the escrow, the balance of the fund would be \$899,708. After the purchase of the property at Wallace Street, the net in the account would be \$76,708.

Mr. Anderson said there was discussion about whether the funds can be used for anything other than the school. He said it was the opinion of the City Attorney that the funds are rent monies and can be used by the City as it deems necessary, within reasonable government finance accountability. It is appropriate to be spent on the purchase of the Wallace property. The remaining rent deposits will continue to replenish the fund through September totaling \$393,750. After the bond payment the balance should be 180,358 minus any closing costs (e.g. land survey, Phase I survey and/or Phase II survey, if necessary)

Comm Weinsier asked what kind of tax revenue the City would expect if the property is sold for residential development. City Manager Anderson provided a guestimate based on zoning of a \$300k residential home. The area will allow approximately three-four houses and the City would gain about \$4,500 - 6,000 from property taxes in total.

Comm Lance gave the City Manager a list of questions. Mr. Anderson said it will be beneficial to the whole community and provided the following responses,

1. **What would the property be used for?**

The use will be determined by the City Council. Mr. Anderson recommended possible options as a city park with lease of a part to the Cornerstone Charter Academy; lease the whole property to the school; or buy it for investment and sell it down the road to purchase a different space that is good for the community. He believes it is good public policy for the City to purchase public land.

2. **If the property is purchased for CCA what will they use it for?**

Mr. Anderson said there have not been any discussions with the school and the City with the use of the field.

3. **Will the school be paying rent?**

They can, if City Council decides to do so. Otherwise there will be no income from the property.

4. **How long will it take for the City to recoup its investment?**

If the City Council chooses to rent out the property it will be based on negotiations.

5. **What entity will pay for any and all improvements?**

Mr. Anderson said the City can look at grant monies, or monies from the general funds. There is a concern by Council to not use the general fund; however, if it is to be used as a city park it will be beneficial to all residents of the City to use those funds.

6. **If the use is for a city park can the Zoning Use be changed?**

Mr. Anderson said yes it can. City Council can elect to change as required and fully within their purview.

7. **Is this the best use for this property?**

Mr. Anderson said would it be better for the City to not purchase the property and allow single family homes and receive the tax revenue. Mr. Anderson said it is up to the Council to make the best decision and the direction they would like to take.

8. **What entity would have authority of events?**

City Council will have the ultimate decision. Council can create a parks and recreation committee.

9. **How will the purchase by the City benefit all residents?**

Mr. Anderson said it depends on the use. If it is a park all will benefit from the open space. If it is for the school there is a benefit there as well for residents.

10. **If the City enters into a sale contract will there be a contingency clause to return the deposit if not approved.**

Mr. Anderson said there is no contingency on that, however if denied by Council and/or Phases return negative results, he will recommend not to move forward and the money can be requested. The appraisal fee will be the only loss.

11. **Has there been a report completed on the best use of this property?**

The best value use would come out of the appraisal. Because of its location and the condition of the economy it could be expected to increase in value over the years. The best use for the property will be decided by City Council and constituents.

12. **What is in the City's Comprehensive Plan for this property?**

The plan shows low-density residential use.

13. **Is purchase of the property in the City budget for 2016?**

No the purchase is not in the 2016 Budget, however, the budget is a dynamic guideline and can be changed or modified, if necessary, because of necessity or emergency.

14. **Who will be doing the negotiations on the Cities behalf?**

Negotiations have been done on the City's behalf. If approved tonight, the only change is to address the Level One certification.

Mr. Anderson continued to discuss the Belle Isle Comprehensive Plan adopted in 2010. He stated that the Plan highlights goals and objectives to preserve the City and its communities. He addressed 1.2(e) Recreation/Open Space element standard (1.3.2) which requires one acre of recreation or open space per thousand people. The City should have 6.4 acres of park land based on the formula and it currently does not. The Comprehensive Plan also states that in the Capital Improvements Plan the city should allocate funds for maintenance and improvement of City parks. Mr. Anderson clarified that Warren Park is not a Belle Isle City park and does not meet the level of service standards called for within the Comprehensive Plan. With the exception of a few areas, all other designated areas as parks in the City are actually right-of-ways or drainage easements. Mr. Anderson said to keep the proposed property as open space would benefit the City. Belle Isle currently has very little vacant land available. The Comprehensive Plan states that the community should have access to the lakes and maintain the quality of the lake water. Mr. Anderson noted that the Comprehensive Plan was adopted in 2010 and the Capital Improvements Plan (CIP) funding contains no allocation for parks & recreation. Aside from Gene Polk Park drainage the largest expenditure is for road repair.

Mayor Pisano said for the record she did a market analysis on the property and deducted the \$17,000 commission from the sale price and Mr. Altice agreed to the \$833,000 purchase price. The City currently does not have an area to hold large gatherings and the proposed property is an invaluable piece of property.

COUNCIL REPORTS

Comm Nielsen

Comm Nielsen said her concern on the purchase is that it is a lot of money and she had had no idea where the money was coming from. She added that she is aware of the Comprehensive plan and has stressed about the lack of parks and open space. This is an opportunity to keep the commitment made six years ago. She does not want to see the property signed over to the school. She believes the City is in hock for six million for every building the school uses and believes schools have to make do with the amount of property they have. However, she does not see any problem with teams continuing to practice on the field if the Council decides it to be a City park and does not feel comfortable in leasing the property. This money was not accounted for in the CAFR and she was not aware that the City had this kind of money and has been totally not transparent. She feels it is fair to use the money for citizens. She does not support buying the property for the use of the school; she would support buying for the use of the citizens.

Comm Readey

Comm Readey said he felt the purchase of the property is an extravagant expense to use for the football team practice field; however, after discussion, if it is developed as a park it would create a great access to the lake. He is in favor of the purchase.

Comm Lance

Comm Lance said that he likes the idea of purchasing the property and using it both for the school and as a park. He disclosed that he spoke with Gary Meloon, with concerns on the purchase and John Evertsen. He wants to discuss not the purchase of the property but on how the way this project was handled. He stated that there should have been a due diligence period of 30-60-90 days, without the additional costs to the city and without having to call an emergency meeting. In his opinion there was plenty of time to handle this in a proper fashion. He is afraid of "getting bit" and would have preferred that Council receive a report outlining the questions and sent to all commissioners before the meeting. Discussion ensued on why the process had been rushed. Mayor Pisano stated that there is a contingency to allow for a Phase I and Phase II report.

Comm Weinsier

Comm Weinsier stated that when it was first mentioned by Mayor Brooks, he was excited about the acquisition and historic value to the City. He believes in spending money when it creates value and improves the city in perpetuity is important. Anything to get kids active and into sports in a community is also important. Its closeness to the lake without actually being on the lake and having to pay the costs associated with lake front property also makes the purchase attractive. He is in favor of the purchase; however wants to make sure that the City is protected and that the City will not incur repercussions. He also would like to make sure that the City be respectful of the neighbors that live around the property.

Comm McGinnis

Comm McGinnis asked, if the City does not buy it, who can potentially but it?" Can it become condos? Mr. Anderson said no not without rezoning.

Comm Gold

Comm Gold said he wanted to straighten out something's that was said. Council did know about the money however, they just did not know how much there was and that it was exclusively earmarked for the school. He felt they the conversation was misled. He asked for clarification about use of the money. He believes the purchase will benefit everyone and is the only way the City can control the use of the lot. The purchase will be in the best interest of the City. Mr. Anderson stated that at the time the City started the school it was uncharted water. At the time there were concerns about what the costs would be. Now that we have a track record we have a much better handle on what to expect. Comm Nielsen interjected and said she was denied access, through records request, to the documents that would have revealed the total of the account. Comm Gold said they never saw it in writing however, that they were aware of its approximate value.

There being no further discussion, Mayor Pisano called for a motion.

Comm Nielsen moved that the City of Belle Isle purchase the property for the use of all city residents as City Park and Open Space with the money that has accumulated from the excess rents paid by Cornerstone Charter Schools subject to the Phase I Environmental Assessment and Phase II Environmental Assessment if necessary to be completed prior to the closing date of May 13, 2016 at the sole satisfaction of the City of Belle Isle.

Mayor Pisano called for roll call,	Comm Nielsen	aye
	Comm Readey	aye
	Comm Lance	aye
	Comm Weinsier	aye
	Comm McGinnis	aye
	Comm Gold	aye

Attorney Callan recommended that the City not designate the purchase as a Public Park and lock itself into something that does not allow flexibility.

Comm Nielsen stated that the motion should reflect the purchase to benefit everyone in the City.

Discussion ensued and the motion was modified by Comm Nielsen to read,

Comm Nielsen moved that the City of Belle Isle purchase the property for the use of all city residents as Open Space to be designated later on by the City of Belle Isle, when it determines, as appropriate, as a public park, with the money that has accumulated from the excess rents paid by Cornerstone Charter Schools subject to the Phase I Environmental Assessment and Phase II Environmental Assessment if necessary to be completed prior to the closing date of May 13, 2016 at the sole satisfaction of the City of Belle Isle.

The motion seconded by Comm Readey, unanimously approved.

Karl Shuck residing at 1658 Wind Willow Drive, Belle Isle interjected and said why there was no opportunity for citizen input prior to the vote since the purchase of the property. Mayor Pisano stated there had been an opportunity for citizen comment at the beginning of the meeting. He said that he is in favor of purchasing the property. If the property does become residential he can foresee the residents saying that there is too much noise coming from the football field. He stated that the money for the purchase is coming from the incremental rent fund and he feels that the purchase should benefit the school and not be used as a cash cow. He concluded and stated if the property is developed as a park, where will visitors park their vehicles?

Sarah Goodwin 4234 Kandra Court, Belle Isle said the City is the landlord and the school is a business. The landlord should be free to spend the money on what they want. She noted that the City should pull all policing from the school. Cornerstone is a business should be self-maintained.

Hilary Maull residing at 1130 Waltham Avenue, Belle Isle asked if there will be another meeting where they will discuss the use of the property. Mayor Pisano said absolutely and there will be an E-Alert announcement sent out just as there was for this meeting.

David Evertsen residing at 1131 St. Michael Avenue thanked City Council for voting for the purchase of the property for all the citizens of Belle Isle and the students at Cornerstone Charter Academy.

COUNCIL MEETING SCHEDULE

Mayor Pisano opened discussion regarding the scheduling of City Council meetings and doing away with the workshops. After discussion, Council agreed that the first Tuesday and third Tuesday of every month at 6:30 p.m. was agreed upon unanimously. Attorney Callan spoke of the flexibility of having a summer and holiday schedule.

City Council agreed to schedule an orientation meeting for new members of the Council on Friday, April 22 at 9:00 am to 12:00pm.

OTHER BUSINESS

Comm Weinsier suggested using and possibly adopting the Rosenberg's Rules of Order instead of Robert's Rules of Order. He stated that there appears to be a problem with some residents receiving e-lets. He reported that he had received a request for help providing water for a planter at a subdivision. Discussion ensued on grant opportunities.

Comm Readey said he will bring forward at the next meeting proposed fountains to be installed at the roundabout on Nela Avenue.

Comm Lance has been contacted by Jack Liberty who has concerns that the gates at the Perkins boat ramp are not being locked in the evening and reopened in the morning. Mr. Anderson said he will look into the concern.

Ed Gold inquired about the status of the clean out of the storm water lines at the Lake Conway Estates lake lot. He also inquired on the plans to fill the open commission seat for District 6. Mayor Pisano said she will be sending out information in her district, door to door, with the goal of collecting applications from several candidates to serve as commissioner. This process is more transparent and will be open to everyone.

There being no further business, Mayor Pisano called for a motion to adjourn, unanimously approved at 7:50pm.

Yolanda Quiceno
CMC, City Clerk



city council minutes

AGENDA May 3, 2016 * 6:00p.m. City Council Regular Session

Mayor Lydia Pisano	Frank Kruppenbacher City Attorney	Richard Anderson Interim City Manager	Ed Gold District 1	Katy McGinnis District 2	Jeremy Weinsier District 3	Bobby Lance District 4	Harv Readey District 5	Open District 6	Sue Nielsen District 7
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The Belle Isle City Council met in a City Council Regular Session on May 3, 2016 at 6:00p.m. at the City Hall Chambers located at 1600 Nela Avenue, Belle Isle, FL 32809.

Present was:

Mayor Pisano
Commissioner McGinnis
Commissioner Gold
Commissioner Lance
Commissioner Readey
Commissioner Weinsier
Commissioner Nielsen

Absent was:

Open-District 6

Also present was City Manager Richard Anderson, Attorney Kruppenbacher, Chief Ring, Deputy Chief Houston and City Clerk Yolanda Quiceno.

CALL TO ORDER

Mayor Pisano called the meeting to order at 6:30pm.

CONSENT AGENDA ITEMS

- Approval of Council meeting schedules: 1st Tuesday and 3rd Tuesday of each month at 6:30pm
- Proclamation declaring May 2016 Neurofibromatosis (NF) Awareness Month (*read at the April 5th meeting*), and the lighting of the Nela Bridge in Green and Blue on May 17, 2016.
- Proclamation declaring Teacher Appreciation Week May 2-6, 2016

Comm Lance motioned to pull Approval of Council meeting schedules: 1st Tuesday and 3rd Tuesday of each month at 6:30pm from the Consent Agenda for discussion.

Comm Weinsier seconded the motion, which passed 5:1, with Comm Readey nay.

Mayor Pisano stated that the Approval of Council meeting schedules will be moved for discussion between items 8 and 9 on the agenda.

CITIZEN COMMENTS

Mayor Pisano opened for Citizen Comments.

- Dina Goodenow residing at 6416 Gibson Drive, Belle Isle said she spoke with each Council member regarding Delia Beach. She wanted to apologize for the email she sent prematurely. She stated that she appreciates the efforts to help make Delia Beach a working and functional storm water area. She is looking forward to having the area continue to be used as a park as well. She commented that it might be helpful for Council to maintain an "Informational electronic board" where updates can be posted for each district in an effort to improve communication. She further noted that this weekend she heard there was an accident on the lake, and asked if the City might be able to provide water safety classes and boat safety tips for residents.

- Bruce Mylrea residing 1842 Wind Drift Road, Belle Isle stated that he has been agitating for repaving for years and he appreciates the finished product. It looked pretty good for a couple of days; however, it will not be too long before the pot holes will start again due to the garbage trucks backing up and not turning the tire and wrecking the asphalt. He is wondering if the City will be able to speak with the drivers.

City Manager Richard Anderson is in communication with Seminole Paving and he was advised that it takes approximately a month for the asphalt to cure. They will be returning to the identified areas to repair any damage.

- Karl Shuck residing at 1658 Wind Willow Road, Belle Isle addressed the East Wallace property. He shared his concerns regarding the proposed contract and the many blanks in the approved contract. The other concern is the verbiage in Part 8(2) of the contract which speaks to the Feasibility Study, amount of time it was proposed and the Council vote. He is curious how much of a study the City actually performed. Mayor Pisano said, with Council recommendation, the City did go back with a special addendum contingent to a Phase 1 Environmental Study and a Phase II if needed, after the fact, until approval by Council.

He further shared his concern with the incremental rent fund being used for the purchase of the property and may fears it may put the City in a negative position should major repairs arise.

Mr. Shuck further noted that in the Belle Isle Sun, written by Comm Weinsier, stated that no monies from the General Fund will be used for the purchase; however, it did not say where the money was coming from. Since the article was written by a Commissioner he believes the entire story should be told.

He further asked if the minutes for the previous meeting will be forthcoming on the Consent Agenda.

- Tony Carugno residing at 2372 Hoffner Avenue, Belle Isle spoke on the following items for the record,
 - In the past two weeks there were two accidents on the lake and is in agreement with having a Marine Boat and Safety Class.
 - He spoke of the speeders on the road in his area, and addressed the high speeds by vehicles near the yellow flashing light on Hoffner. He wondered if the light can be placed closer to the bridge to slow them down sooner.
 - He spoke to the quick decision making for the purchase of the property and residents concerns.
 - He spoke to complaints from residents on Homewood regarding the lights off of the Bee Line. Mayor Pisano noted that the lights were temporary during construction and have been removed.
 - He spoke of an initiative by the FAA (OAPM: *Optimization of Airspace, Procedures of Metroplex*) that will modernize the air space through Cities to have more direct readings. The City must remain on top of the initiative.
 - Mr. Carugno addressed the serious storm water issues in his neighborhood. The last rain flooded the yards and garages in his neighborhood and is asking the City for a permanent fix. Comm Lance stated that he has a similar problem at Daetwyler Shores. Mr. Anderson said he will have someone look at the area.
- Sarah Goodwin residing at 4324 Kandra Court, Belle Isle said that she would like Council to consider Code Enforcement on Saturdays. She has a safety issue with habitual garage sales, illegal parking and fixing of vehicles in her neighborhood that needs to be addressed.
- Joyce Erickson residing at 5509 McCawley Court spoke of the paving of McCawley Court. She has been trying to have the street paved since she has moved to the area and hopes that something can be done. She further shared that there are a group of five jet skiers on the lake, Friday afternoons and on the weekends, which are going to eventually kill someone on the lake. She wishes that the police patrol can stop them before someone gets hurt.
 - Mr. Anderson said that McCawley Court was looked at as part of the current paving; however, there was not enough asphalt left over. He is meeting with the paving company and will try to re-schedule the street for the next phase.
 - Chief Ring reported on lake safety issues and reported that, in partnership with Gary Meloon they will be providing a Boating Safety Course. Chief Ring thanked Mr. Meloon for the donation of the Jet Ski for the use by the Belle Isle Marine Patrol.

- Gary Meloon residing at 6101 Matchett Road, Belle Isle said in conjunction with the Belle Isle Police Department, Southeast Marine is putting together the first Free Boat Safety Course and will take the first 25 Belle Isle Residents who register. If there are more that register they will set up an additional course in the near future. The City will send an e-lert to RSVP.
- Bridgett Haig residing at 6509 Matchett Road, Belle Isle addressed bicycle safety and pedestrians on the road.

There being no further comments, Mayor Pisano closed the citizen's comments session.

SPECIAL RECOGNITION OF CORNERSTONE CHARTER SERVICE LEARNING CLUB

Mayor Pisano presented and recognized the following students for earning the Silver Award in the Jefferson Awards competition and making Cornerstone a Service Leadership Banner School; Lionell Wright, Celeste Bonta, Christina Sarkis, Alysa Osborne, Michael Padilla, Chloe Joynes, Isaac Bridges and Linda Reyes, Teacher.

ORDINANCE NO. 16-06 FIRST READING AND CONSIDERATION

AN ORDINANCE OF THE BELLE ISLE CITY COUNCIL REPEALING CHAPTER 2 ADMINISTRATION, ARTICLE II COUNCIL, DIVISION 2 MEETINGS, SECTIONS 2-53, AND AMENDING CHAPTER 2, ARTICLE II, SECTION 2-51, PROVIDING SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

Comm Nielsen moved to advance to second reading.

Comm Lance seconded the motion.

Discussion ensued. After discussion Comm Lance withdrew with second.

Comm Gold asked for clarification of Ordinance No 16-06. City Manager Anderson said this ordinance repeals the workshop sessions and will establish the regular meetings as the first and third Tuesday of each month allowing City Council to conduct business at each meeting commencing at 6:30pm.

Comm Weinsier said the Ordinance will not take effect until voted on. Council will have to vote for a special meeting on May 17, 2017, which is what Comm Lance has an issue with, not the ordinance. Mayor Pisano said she will make sure not to have the hotel issue on the agenda. Comm Lance said he has several issues with the May 17, 2016 meeting date.

Comm Weinsier seconded the motion which passed unanimously.

ATTORNEY'S REPORT

Attorney Kruppenbacher reported on the Charter School and said that he represents the City, and cannot represent the Charter School on the issues that have surfaced. He emphasized that the City is blessed to have a school and it does not happen without a community. What has developed is two views regarding maintaining the school as a truly community engaged school. He spoke of the initial process from 2008 through the present on obtaining the charter school within a municipality. The City creates the Charter School with the Orange County School Board (OCSB) as the sponsor and the City is the landlord.

On March 23, 2010 the OCSB approved a charter contract for K-8 and 9-12. Hediscussed the application, contract and the by-laws approved by the founding Charter School Board of Directors. Attorney Kruppenbacher stated that Academica, by contract, is required to send a 30-day notice of a meeting change to the sponsor.

In September 2015, they changed the meeting date to a different date. This complied with the state sunshine law however; they cannot provide that they gave a 30-day notice to Orange County Public School. At the September meeting they modified the by-Laws and changed the composition of the board.

What we have, and I hope, is that we all want what is best for the school. However, there are always people with political agendas. He said that he does not believe that they properly changed the By-Laws. He has asked for, what are the term limits to these board members, and as of right now he does not have an answer. He believes the goal and intent of the Council members who have contacted him, individually, is to ensure that the school truly stays a community engaged school, as intended from the beginning.

Attorney Kruppenbacher said the most prudent approach is to have City Council give him authorization to draft a letter that the Mayor will send on Council's behalf, to the sponsor (Charter School Board), which states that they believe the governing board did not comply with the rule to give 30 day notice. It is Council's goal, as evidenced in the founding documents, that they want a very community engaged school. This Council asks that the Orange County School Board not accept the change made at the improperly noticed Governing Board meeting in September 2015. It is their intent to work with OCPS, City Council and the Governing Board an appropriate resolution with the future of the community schools interests protected.

Comm Nielsen motioned to have the City Attorney draft a letter authorizing Mayor Pisano, on behalf of the City, to send a letter to articulate the various reasons why they would ask the School Board not to accept the change by agreeing that the notice was not given.

Discussion ensued. Comm Gold seconded the motion, which passed unanimously.

Attorney Kruppenbacher stated that once the letter is drafted he will provide a copy to Council for review. Council should only reply to him to avoid any sunshine violation.

Mayor Pisano asked if the incremental funds may be used for anything else other than school construction. Attorney Kruppenbacher said the City receives the rent for the lease agreement. The City has the authority, at that point, within the law, to use on A or B. He stated that it is important that City staff continue to have a handle on the building maintenance.

CITY MANAGER'S REPORT

Mr. Anderson introduced Robyn Winters, Code Enforcement Officer who presented on the Code Enforcement process.

- Robyn Winters provided an overview on the code enforcement purpose to promote, protect and improve the safety, health and welfare of our city. She discussed voluntary compliance,
 - Enforcement and Florida Statute 162
 - Methods used by Code Enforcement
 - Plain view violations and the violation process
 - Notice of Hearings and Special Magistrate

Mr. Anderson introduced April Fisher to provide an update with the code revisions.

- April Fisher reported that she had her first meeting with the Planning & Zoning Board last week and reviewed several of the issues with recommendation for approval by Council. After discussion with the City Manager, along with providing the Board's recommendations, she also envisioned having a workshop setting where she would provide a site plan review process for Council review and action if approved. The Planning & Zoning Board will continue to go through the code and present recommendations to Council to adopt the changes through an ordinance. She will work with the City Manager to schedule possible dates for a workshop to start the process.

Mr. Anderson said the intent of this process is to have City Council more engaged with development of the resident component and commercial site plan process as we move forward.

Mr. Anderson opened discussion for approval of the City Manager's position description provided by the Consultant and recommended the following two minor revisions; (1) as it relates to the minimum requirements, he recommended adding, "or an equivalent combination of education and experience." This will allow for more flexibility as we move through the process; and (2) possession of a valid driver's license to be obtained within 90 days of employment, just in case they are coming from out of state.

Comm Lance asked if it can require that the applicants have ICMA Certification or to be obtained within 30 days.

Comm Nielsen said she would like them to already have the ICMA certification. Discussion ensued.

Comm Readey motioned to approve the job description as presented.

Comm Nielsen seconded the motion.

Mayor Pisano opened for Council discussion.

Comm Nielsen noted that there is no substitute for a college degree and the job description should include a major in a field related to city government. In her research for City Managers in the State of Florida, she did not find any that did not have at least a Bachelors' degree. Except for Belle Isle.

Comm Weinsier stated that we should require a Bachelors Degree but include the equivalency language.

Comm McGinnis said experience is very important and believes the description should be broad to allow the City to receive

the very best, with education and experience.

Mr. Anderson said Council can approve as presented. If the City does not receive qualified applicants then it can be re-advertised.

Chief Ring stated that 90 days to obtain a Florida Drivers license will be a violation of State Statute. Mayor Pisano said they will use 90 days to allow out of state residents time to obtain if offered employment.

Comm Lance said what in the world does a four year education have to do with someone's ethical background or on how they run a business. The City will miss out on good applicants if the job description it is not broad enough.

Comm Readey restated his motion to approve the job description with the minimum requirements to include,

- ICMA Certification required
- Bachelors Degree or higher from an accredited college university with a major in business or public administration or related field, plus five years of experience in progressively responsible management in local government, or a combination of education and experience.
- Possession of a valid Florida Drivers License to be obtained within 90 days of employment

Comm Nielsen seconded the motion, which was unanimously approved.

Mr. Anderson said the City will place with the Florida League of Cities website and on-line. He recommends not going with the local newspaper.

Mr. Anderson spoke to Cody & Associates salary survey recommendation packet provided to Council. The average City Manager salary for Cities with our population shows the average as \$122,429, med \$118,246 with a range from \$86,598 up to \$175,326. The ICMA reports an average salary of \$214,000 with a med of \$101,644. He referred to the information that was provided in the packet and recommends that Council follow the same pay scale compensation for the City Manager. The scale allows for growth within the pay range. He recommends that the City start with a range of \$95,000-\$142,500, and a mid range of \$118,750. If paid at the top of the pay range there will not be enough room for growth; and will eventually lead to a disgruntled employee because they will not be receiving any pay increases.

Mr. Anderson said at this time he can adequately speak to the salary range. He noted that the City previously had all their eggs in the City Manager basket. He is not being critical of previous administration; however, it makes for a better process if the City Manager's position is separate from Planning & Zoning, and not be one and the same. He has been engaging April Fisher with more of the Planning and Zoning projects. He does not believe there is enough work for a full time Planning & Zoning person.

After discussion, Comm Lance moved to accept the recommendation presented for the City Managers salary starting at \$95,000 and capping at \$142,500. Comm Readey seconded the motion.

Mayor Pisano opened for discussion.

Comm Weinsier stated that the residents have shared their concern with the starting salary. He feels the \$142,500 is too close to the number they are uncomfortable with, and would prefer a cap of \$95,000 through \$135,000 with a med of \$115,000.

Mr. Anderson responded that \$142,500 is the maximum cap. He is recommending that increases be given over time and suggested that the min. and max. pay rate percentages be in line when giving cost of living increases. He stated that most of the existing employees do fit into the pay rate recommendations provided in the study, with room for growth. Discussion ensued.

Comm Lance amended his motion to include a cap of the City Manager's starting salary to \$118,750.

Comm Readey seconded the amendment which was unanimously approved.

Mr. Anderson spoke to the classification study survey and stated that within the plan there are no existing employees at the maximum range. He provided two options and recommended approval of Alternative A which adopts the pay rate and salary schedule as recommended in the report. He will adjust the salary of the employees that fall below the required minimum rate, which is a couple of the Police Officers. There is no one over the maximum range so we will not be freezing any salaries. Approval of the study will not hold up the posting of the City Manager position.

Comm Lance requested a continuation to the next meeting to review the compensation survey document in its entirety. Council was in agreement to continue discussion and approve for the following Council meeting.

Mr. Anderson reported that the City has applied for a grant for Delia Beach/Gene Polk Park with St. Johns. He met with a number of citizens and Council members and has a plan to move forward.

Comm Lance stated that the Conway NAV Board and the previous administration did not mesh. He believes that now they will and there is no reason why the City cannot go back and request matching funds for the project. Mayor Pisano said she will be attending the NAV meeting on May 10.

Mr. Anderson recommended, for future discussion, that the City place \$100,000 in reserves for the Neighborhood Grant Fund. The fund will be administered by Council and is a way to invest back into our City. Mayor Pisano stated that it is a great program and a great way to give back to the residents. Discussion ensued on association and individual applications.

MAYOR'S REPORT

- Mayor Pisano opened for Vice Mayor Election. She stated that Comm Readey reached out to her before the Attorney's position on the Sunshine Law.

Comm Nielsen nominated Comm Readey for Vice Mayor.

Comm Weinsier seconded the motion which was unanimously approved.

- Mayor Pisano reported that she has been re-appointed for a different Committee on MetroPlan and has an opening for the Technical Advisory Committee. Comm Readey volunteered to be on the Committee.
- Mayor Pisano stated that City Attorney Kruppenbacher received an opinion, which stated that the Mayor should uphold the Sunshine Law. All agenda items requested by Council should be forwarded to the City Manager.
- Mayor Pisano opened for discussion on the Council meeting schedule. She has been informed that Council cannot change the meeting of May 17, 2016 because Mattamy Homes is on the agenda, and Noticed to the County. Comm Lance shared his concern with the meeting date, and stated that he will be out of the country. Attorney Kruppenbacher said it will be First Reading.

Comm Lance said the reason he has an objection is because he previously sent his schedule to the Mayor and she assured him that there will be no meetings scheduled. The other issue is that it is in his district and he is very passionate about his job on Council. He stated that in the last meeting the City Attorney said that we could not have a meeting on the 17th. He believes Council should wait to hear this case. Mayor Pisano said there was Council consensus at the previous meeting to having a meeting on May 17.

Attorney Kruppenbacher said his recollection is that the hotel was not going to be advertised on the agenda. After discussion, he clarified the process of First Reading and stated that Second Reading is the substantive meeting where Council hears public comment.

Comm Lance stated that Mattamy Homes stated for the record, that they promised the County Commissioner that there will be no cut through traffic onto Daetwyler Shores just in case they reneged at this meeting. Attorney Kruppenbacher said nothing can be voted on at this meeting that can bind this City other than to have a second public hearing. Comm Lance also noted that he is working with the County to look at the traffic signal on McCoy and Daetwyler Drive. In the event there is no practical engineering way to stop the cut through traffic, then there needs to be another egress and he will request that they furnish his neighborhood an entry gate.

Attorney Kruppenbacher asked the City Clerk to remind staff that it is only first reading, and nothing should be interpreted as agreeing to anything regarding cut through traffic.

Mayor Pisano stated that it will be a First Reading only.

Comm Lance stated for the record that he would not want the 13 homes or the proposed hotel to be placed on the agenda in his absence.

Comm Weinsier motioned to approve moving the City Council meetings to the first Tuesday and third Tuesday of the month starting at 6:30pm. Comm Lance seconded the motion which passed unanimously.

ITEMS FROM COUNCIL

- Vice Mayor Readey – District 5
Vice Mayor Readey provided a brief history and presentation on the roundabout on the corner of Lake/Nela/Overlook. The original plan included a fountain; it was not completed so a tree was placed in the interim. He always thought that the area

across the Nela Bridge is really laid back and would like to add a theme of children playing in Belle Isle. He provided a few examples for Council consideration and estimated about \$20,000 to complete the project.

- Comm Gold – District 1

- Comm Gold asked for an update on the tagged pipe at the Charter School. Mr. Anderson said it was a back flow device that is used for the sprinkler system. Comm Gold stated that the community needs to know that the line is not compromised.

- Comm Gold thanked the Mayor, Mr. Anderson and Dwayne for their efforts in assisting with the flooding at Lake Conway Shores. Comm Nielsen said there is a report that states that the pipe at Lake Conway Shores is not the right size, it is smaller and if we continue to have problems it should be corrected to avoid drainage issues.

- Comm Nielsen – District 7

- Comm Nielsen opened discussion on the open District 6 seat. She suggested having a mail ballot to be sent to the addresses in the district. Mayor Pisano said she would be willing to walk around her district and handout the applications.

- Comm Weinsier – District 3

- Comm Weinsier requested discussion and approval of the Rosenberg's Rules of Order at the next meeting.

- Comm Weinsier asked that the City move to Google Apps and will be scheduling a meeting with Mr. Anderson.

ADJOURNMENT

There being no further business, Mayor Pisano called for a motion to adjourn, unanimously approved at 9:45pm.

Yolanda Quiceno
CMC, City Clerk