



# city council minutes

**MINUTES**  
**September 12, 2019**  
**Budget Hearing 6:30 pm**

The Belle Isle City Council met in a Budget Hearing session on September 12, 2019, at 6:30 p.m. at the City Hall Chambers located at 1600 Nela Avenue, Belle Isle, FL 32809.

Present was:

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

Absent was:

Also present were City Manager Bob Francis, Attorney Geller, Chief Houston, and City Clerk Yolanda Quiceno.

## **CALL TO ORDER**

Mayor Fouraker called the City Council Budget Hearing session to order at 6:30 pm and confirmed quorum. Commissioner Nielsen gave the invocation and led the Pledge to the flag.

Mayor Fouraker said he is very fortunate that the residents of Belle Isle were not affected by Hurricane Dorian. He said he is very proud to be part of a City that is helping those families in the Bahamas; to name a few, Pete Madison, the Regal boat family, Holly Bobrowski, and many others.

Mayor Fouraker opened for the presentation of the 2019-2020 Budget Hearing.

City Manager Francis presented the proposed Budget for FY 2019-20 for consideration. He requested the following actions and approvals from the City Council,

- Approval of the proposed Fee Schedule
- Amend the tentative budget; and
- Re-calculate the proposed millage rate; and
- Publicly announce the percentage of the proposed millage rate which exceeds the rollback rate; and
- Adopt the tentative millage and proposed budget.

If there are any changes to the tentative budget, the Council will still be able to approve the tentative budget and have the changes made to the tentative budget for approval at the 2<sup>nd</sup> Budget hearing. He announced that the City will not have an increase in the millage rate and will remain for the tenth year in a row at 4.4018. The rollback rate is 4.1863 p/\$1000 of assessed valuation, and the percentage of the rollback rate is 5.15%.

Comm Carugno inquired on the Fee Schedule and the fee proposed for the Venetian Boat Ramp, page 38. Mr. Francis said currently we do not charge a parking permit fee for Venetian Ramp; we do, however, charge a fee for the Perkins Boat ramp of \$25. After a brief discussion, Council agreed to remove the proposed fee for the Venetian Boat ramp for a later discussion and agenda item.

Before opening a discussion on the budget, Mr. Francis stated that neither he nor the staff had received any calls from the community to discuss the proposed budget other than a few emails to Council and posting on social media. Council consensus was to have the City Manager respond to some of the concerns posted on social media.

Mr. Francis addressed the following concerns made on social media,

- Red Light Cameras – Mr. Francis said the Red Light Camera program is not a revenue generator. It is proposed primarily as an enhancement for public safety in our City. Before program adoption, the City will initially have Orange County assist the City in problem areas. Once the findings are submitted to the Council, they can move forward with an RFP, approve as a Sole Source purchase, or table the project entirely.
- FEMA Reimbursement – Mr. Francis said the City has been waiting for the Florida Department of Emergency Management reimbursement. It has been a very difficult process. He reported that Mayor Fouraker spoke on behalf of the City and communicated the concern with the staff to the heads of that Agency. He reported that the City had received confirmation and approval of the \$972,150.00 FEMA reimbursement. Staff is extremely thankful for the efforts made by the Mayor on behalf of the City. The FEMA reimbursement will be added to the budget, increasing the reserves to \$2m.
- Off Duty Police Detail – This is not a budgeted item because the revenue is generated on a volunteer basis and off-set the expense; the revenue is a complete wash (i.e., covering equipment fund, payroll taxes, FICA and Medicare and officer's salary).
- Legal Fees – The legal fees of \$125,000 cover all City department legal fees, which include Planning & Zoning, Elections, Police Department, to name a few. To provide better transparency, the staff will report legal fees by the department moving forward.
- Parks – Mr. Francis said the Parks Fund consists of \$200,000 without FEMA mitigation grant money received for Gene Polk Park.
- Cornerstone Charter Academy Fund – This fund is paid strictly from the rent paid by the school to the City. Taxpayers do not pay into this fund.
- Right-of-Way Franchise Fees – Mr. Francis said the ROW Franchise Fee will be used for ROW maintenance and identified projects such as sidewalk repairs, underground utilities, create multi-use paths and adequate street/road paving throughout the City.

For the record, Comm Carugno shared his frustration with the comments made on social media on agenda items. He said that the Mayor, Staff, and Council are doing the best they can for the City and its residents. He thanked the City Manager for the explanations provided in hopes that it will calm the nay Sayers who are not educating themselves on agenda items by calling City Hall or attending City Council meetings.

Comm Readey asked for consideration in raising the amount in the Council Education Fund per diem next year to allow for new, incoming Council members the opportunity to receive training to provide better service to our citizens. Mayor Fouraker agreed and pledged to move forward with establishing a budget committee and attending educational conferences.

Mayor Fouraker opened for public comment on the Budget Hearing.

- Gary Maloon residing at 6101 Matchett Road shared his concerns with the budget. He was going to voice his concerns with the items addressed by the City Manager and thanked him for the explanation given.

There being no further public comment, Mayor Fouraker closed for Council discussion.

Comm Partin asked for a discussion on a few budget items before approval. He addressed the following areas for review and reduction in service,

Urban Forestry – 85,000 reduce to 60,000

Professional Services – 15,000 (contracted services Accounting Software, Laser Fiche, and IT services)

The clock on Hoffner Repair – 15,000 (hold for future discussion)

Police Department Marine Boat – (funds should not be allocated yearly for five years for a new purchase)

Comm Gold said he would prefer not to have the money budgeted for some items and have it presented to Council and added to the agenda for approval before the project begins. He further shared his concerns and said he is opposed to the Franchise Fees. He would prefer to have the City live within their means and focus on big-ticket items only and cut back on all others.

City Manager Francis acknowledged that the alternative revenue might increase taxes; however, the ROW Fund can be utilized for specific use and approval by Council. The fund can continually support operations and assist with stormwater issues and adequate paving of sidewalks and roads. He further added that the revenue from the Red Light Camera is not going to be used as a funding source; it is primarily for public safety.

Mayor Fouraker said one of his goals is to assist the City Manager with Annexation conversations and alternative revenue sources. After discussion, Comm Nielsen moved to adopt a tentative millage rate for ad valorem taxation of real tangible personal property within the City of Belle Isle for FY2019-2020, at the rate of 4.4018 mills (\$4.4018 for every \$1,000 of assessed valuation) upon the assessed valuation of property within the corporate limits of the City of Belle Isle, Florida and the tentative FY2019-20 Annual Budget.

**Comm Nielsen amended her motion to withdraw the adoption of the tentative FY2019-20 Annual Budget. Comm Nielsen amended her motion as follows,**

**Comm Nielsen moved to adopt a tentative millage rate for ad valorem taxation of real tangible personal property within the City of Belle Isle for FY2019-2020, at the rate of 4.4018 mills (\$4.4018 for every \$1,000 of assessed valuation) upon the assessed valuation of property within the corporate limits of the City of Belle Isle, Florida.**

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

**Comm Nielsen moved to approve the tentative FY2019-20 Annual Budget with the amendment to reduce Urban Forestry from \$85,000 to \$60,000. She further added before spending on any projects on the agenda that it is brought back to City Council for discussion.**

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

#### **CONSENT ITEMS**

- a. Approval of the City Council meeting minutes - August 6, 2019
- b. Approval of the City Council Special Called Session minutes - August 30, 2019
- c. RESOLUTION 19-11 - A RESOLUTION OF THE CITY OF BELLE ISLE, FLORIDA, CREATING A CITY SOLID WASTE AND RECYCLING ADVISORY BOARD
- d. RESOLUTION 19-12 - A RESOLUTION OF THE CITY OF BELLE ISLE, FLORIDA, AUTHORIZING AN INCREASE IN THE ANNUAL NON-AD VALOREM SOLID WASTE COLLECTION ASSESSMENT AND providing an effective date.

**Comm Sims moved to approve the consent items a-d.**

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

#### **CITIZEN COMMENTS**

Mayor Fouraker opened for Citizen Comments.

German Segura residing at 15054 Moultrie Point Road, Orlando FL 32828, requested a reduction of the fee or dismissal of a parking ticket he received when visiting our City at the Perkins Boat Ramp. Chief Houston said that Mr. Segura does not speak English and has communicated his presentation to the City Clerk. Mr. Segura received a ticket on July 28, 2019, at the Perkins Boat ramp for parking his Jet Ski trailer in a permitted spot only. It was his first visit to the park, and he did not understand the sign that read, Parking Only - Permit. Mr. Segura does not have the funds to pay the full amount of the citation and respectfully requests to be excused from the citation or be placed on a payment plan. After discussion, Council consensus was to void the ticket and asked that the City Clerk translate the parking rules to Mr. Segura to avoid any future occurrences.

City Manager Francis said the signs are not in Spanish; however, as part of the sign, there is a sentence in Spanish that reads, if there are any questions, please call City Hall.

**Comm Sims moved to dismiss the citation given to Mr. Segura on July 28, 2019.**

**Comm Nielsen seconded the motion, which passed 6:1 with Comm Shuck, nay.**

## **ORDINANCE NO. 19-06 – FIRST READING AND CONSIDERATION**

AN ORDINANCE GRANTING JJ'S WASTE AND RECYCLING, LLC, AN EXCLUSIVE SOLID WASTE AND RECYCLING COLLECTION SERVICE FRANCHISE; PRESCRIBING THE TERMS AND CONDITIONS ACCOMPANYING THE GRANT OF FRANCHISE; PROVIDING FOR SEVERABILITY OF CERTAIN PROVISIONS; AND PROVIDING AN EFFECTIVE DATE

Mayor Fouraker read by title.

Mayor Fouraker thanked the Solid Waste Committee for their commitment to transparency, collaboration, and citizen input to this project. City Manager Francis reported that Republic Services would end their service on Friday, and JJ's will start their route on Monday, starting with yard waste pick-up.

**Comm Nielsen moved to advance Ordinance 19-06 to Second Reading and Adoption.**

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

## **PINE CASTLE HISTORICAL SOCIETY CHILI COOK-OFF**

### **Approval to donate \$500 sponsorship to Pine Castle Historical Society Chili Cook-off**

City Manager Francis corrected the agenda item and said the donation was for the Annual BBQ, Beer, and Blue Grass event. As part of the donation process, Mr. Francis is asking for approval of \$500 to help sponsor the Annual BBQ, Beer, and Blue Grass event.

Comm Gold asked the City Attorney if he should abstain from the vote because he is an officer of the Pine Castle Historical Society. Attorney Geller said he must vote unless Comm Gold feels that there is a conflict of interest, benefit, or personal detriment.

**Comm Readey moved to approve the donation of \$500 to help sponsor the Annual BBQ, Beer, and Blue Grass event and would like to request the Staff bring forward a resolution for donation request to be presented to City Council for approval.**

**Comm Carugno seconded the motion.**

**Motion passed 6:1 with Comm Shuck, nay.**

## **CITY ATTORNEY'S REPORT**

No report.

## **CITY MANAGER'S REPORT**

### Issues Log update

City Manager Francis reported the following,

- Wind Drift Project – On time and budget – looking for a close sometime next week.
- Traffic Study – City has adopted the plan and forwarded to Metro Plan Orlando
- Fountain – Project is complete and will bring forward a dedication date
- Wallace Field – No update. The city has budgeted \$35,000 for Design of the field. Comm Partin recommended that discussion on the Use Agreement be an agenda item for further discussion. Council consensus was to add to the agenda in October.
- Acquisition of Bank Of America (BOA) – Mr. Francis reported that the City had received an appraisal for the BOA building. He would like to submit an unsolicited offer for the BOA building for \$1.5 million. The City will be required to submit a 10% escrow fee to send with the contract. The City manager does not have approval authority and will need Council's approval to send a refundable escrow for \$150,000 with the contract. If the deal does not move forward, the escrow fee will be refunded as part of the contract. Mr. Francis further reported that the broker also communicates with the owners of the Oasis building to see if there is an interest in selling the property.
  - Comm Carugno asked that this request be placed on the agenda for the next Council meeting for discussion and approval. Council consensus was to place the request on the next City Council agenda.
- Cross Lake Beach – no report.
- Charter School – The consultant for the school and CCA Chairman will like to meet. Mr. Francis recommended that the City hire a consultant to review all the documentation and help with the discussion. The City will not schedule a meeting with CCA until the City hires a consultant and reviews the documents that are in place.
- Strategic Plan – The staff has received the facilitator's report. Staff will bring forward an action plan for approval.
- Municipal Code Update - no report.
- Annexation – City will start scheduling meetings for discussion.
- Parking – Flyer of current parking charges have been mailed out.
- Gmail vs. Outlook – Chief Houston and City Clerk will provide an update at the next Council meeting.

## **CHIEF'S REPORT**

**Chief Houston reported the following,**

- Chief Houston reported that the False Alarm Program (Ordinance 18-14) would commence on November 1<sup>st</sup>. The City will send out an EAlert on registering your alarm system. The program was to reduce costs of Officer's responding, Orange County Sheriff's communication costs and Officer and resident safety. All alarm systems are required to be registered with the Belle Isle Police Department and anyone with questions should call the Police Department or City Hall.
- Chief Houston reported on the success of the 4-way stop on Waltham. Some initial complaints came in; however, since the placement of the signs and crosswalks, the issues have been resolved.
- City Manager Francis reported that there are approximately 20 homeowners in the City who have paved over their sidewalk and will be receiving a Notice of Violation. The Council and Mayor may receive some calls or emails on the letter.

## **MAYOR'S REPORT**

Mayor Fouraker reported on the following,

- Crunch Fitness has installed safety cameras and put signs up on their property to promote safety.
- Metro Plan has sent an email with the scope of the technical services they will be providing the City.
- Mayor Fouraker said the City is not Local Area Procurement (LAP) certified and cannot apply for Federal Grants. He is working with the City Manager towards the qualification for additional revenue sources.
- Mayor Fouraker welcomed and thanked the Oakridge High School students for all their support with the City Council meeting video and audio.

## **COUNCIL REPORT**

- Council thanked the Mayor for his support in obtaining the FEMA reimbursement. Council consensus was that the City is moving in a positive direction.
- Comm Carugno reported that the Noise Abatement meeting is canceled. The next meeting is scheduled for October 11<sup>th</sup>. Tentative Boat Parade dates: December 13<sup>th</sup>, 14<sup>th</sup>, and 15<sup>th</sup>.

## **ADJOURNMENT**

There being no further business, Mayor Fouraker called for a motion to adjourn. The motion was passed unanimously at 8:40 p.m.

Yolanda Quiceno, CMC, City Clerk