



## CITY OF BELLE ISLE, FL CITY COUNCIL MEETING

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

Wednesday, July 13, 2022, \* 6:30 pm

### MINUTES

Present was:

Nicholas Fouraker, Mayor  
District 1 Commissioner – Ed Gold  
District 2 Commissioner – Anthony Carugno  
District 3 Commissioner – Karl Shuck  
District 5 Commissioner – Beth Lowell  
District 6 Commissioner – Stan Smith  
District 7 Commissioner – Jim Partin

Absent was:

District 4 Commissioner – Randy Holihan

#### 1. Call to Order and Confirmation of Quorum

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

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

#### 2. Invocation and Pledge to Flag – Vice Mayor Jim Partin, District 7

Vice Mayor Partin gave the invocation and led the pledge to the flag.

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

Comm Gold moved to excuse Comm Holihan from the meeting.

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

Mayor Fouraker recognized and welcomed OC Commissioner Mayra Uribe and Supervisor of Elections Bill Cowles.

Mayor Fouraker reordered the agenda items and opened item 6a for discussion.

#### 3. Presentations

##### CCA Board Request to Demolish the Lancaster House

Mayor Fouraker summarized the CCA Board's request to demolish the Lancaster House. Upon review, staff confirmed that the City is working under the old lease agreement because the new lease has not been ratified because the bonds have not been redeemed. He added that it was the opinion of the staff and City Attorney that this item is tabled to allow for the City Manager, Vice Mayor Partin to meet with Billy Morgan, and Chairman Brooks to discuss and agree to a compromise that works for all parties. Attorney Chumley read, for the record, Section 7.1 of the new CCA Lease referencing demolition of the property.

**Comm Carugno moved to deny the request from the CCA Board to demolish the Lancaster House.**

**Vice Mayor Partin seconded the motion.**

Comm Shuck asked about the terms of the old lease on demolition and if the City could include a deadline for completion. Attorney Chumley said the old lease does not specifically address demolition; however, it does state that the tenant cannot make any alternations, demolitions, or improvements without the landlord's written consent.

Comm Gold asked if the City could return to CCA and renegotiate some old lease clauses to protect our assets. Mayor Fouraker said some of the new contract language might be required by the bond Council to allow no impediment to redevelopment and expansion. Attorney Chumley said it is not uncommon for a City to renegotiate the terms of a lease. In addition, the new lease takes effect once the bonds have been redeemed.

Comm Carugno shared his comments in opposition to the demolition.

City Manager Francis stated that he would like to see those in attendance today attend the next CCA Board meeting to show them how important it is to keep the Lancaster House to the community.

**The motion passed 5:1 with Comm Shuck, nay.**

In summary Attorney Chumley said the Council consensus was to have the City Manager and Vice Mayor Partin meet with Billy Morgan and Chairman Brooks to discuss the lease terms and agree to a compromise that works for all parties.

**After discussion, Comm Gold moved to have the City Manager, Vice Mayor Partin, and the City Attorney renegotiate the old contract terms/clause into the new lease regarding demolition.**

**Comm Lowell seconded the motion, which passed 4:2 with Comm Shuck and Comm Carugno, nay.**

#### **Bill Cowles, Supervisor of Elections**

Supervisor of Elections Bill Cowles spoke on the following,

- New Legislative and Election Laws – Election Cards and Notice of Election mail-outs
- Election Cycle – November qualifying period Charter change
- Cost Savings – Change to 4-years terms
- Option to eliminate runoffs

#### **Lake Conway Report – John Evertsen**

Mayor Fouraker stated that the presentation for Lake Conway/Sand Bar had been postponed to a later date.

#### **4. Consent Items**

- a. Resolution 22-18 Approving Solid Waste Non-Ad Valorem Rate Increase
- b. Resolution 22-19 Approving Storm Water Non-Ad Valorem Rate Increase
- c. June Monthly Reports

**Comm Gold moved to table items a and b to the next meeting to allow for further review.**

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

**Comm Lowell moved to approve item c on the consent agenda.**

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

#### **5. Citizen's Comments**

Mayor Fouraker opened for citizen comments.

- Bob Harrell residing at 2800 Trentwood Blvd, said he heard that the reasoning for demolishing the Lancaster House is to add parking spaces. He noted that the driveway off of Waltham with the removal of the existing shed would allow for additional parking without demolishing the Lancaster House. He also commented that it is not unreasonable in this case for the landlord to revisit the lease clause on destroying and developing property.
- Corwin Littell residing at 2617 Homewood Drive, spoke on a Code Violation for an invalid Perkins Boat Decal. He cited the Code and said he was under the impression that the sticker was valid for one year from the date of purchasing. He requests dismissal of the violation and requests that the Code be revisited to address accordingly. For the record, Mr. Littell submitted a statement dated July 13, 2022. City Manager Francis said he would review and research further and get back to the resident.
- Lynn DeJarneatte residing at 6913 Matchett Road, spoke in opposition to demolishing the Lancaster House.
- Larry Miles residing at 6110 Matchett Road, spoke in opposition to demolishing the Lancaster House.
- William Morgan residing at 1916 Elizabeth Avenue, Orlando, spoke in opposition to demolishing the Lancaster House.

- Susie Mosholder residing at 1020 E Fillmore Street, Orlando, spoke in opposition to demolishing the Lancaster House.
- Gregg Platt, 2230 Nela Avenue, spoke about the sidewalk ordinance and is opposed to the language proposed in having the residents responsible for the repair and replacement. He believes the City should maintain its property and right of way.

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

## 6. Unfinished Business

### a. Ordinance 22-07: Sidewalk and Replacement Program

**AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA, AMENDING CHAPTER 26, ARTICLE I TO CREATE NEW SECTIONS RELATED TO SIDEWALK INSTALLATION AND MAINTENANCE AND REQUIRING CERTAIN SIDEWALKS WITHIN THE RIGHT-OF-WAY TO BE MAINTAINED BY ADJACENT PROPERTY OWNERS AND CREATING ENFORCEMENT MECHANISM FOR THE SAME; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

City Manager Francis read the Ordinance by title.

Mr. Francis said part of the current Code states that adjacent property owners are responsible for their sidewalks. The Council agreed to change the existing Code and have the resident accountable for clearing mildew, algae, debris, garbage, and obstructions. In the Ordinance, residents are not responsible for cracks, elevation, or root damage. The City will maintain, repair, and replace. Mr. Francis did agree that the 15-day time frame for removal of any obstructions should be revisited. Attorney Chumley said under general code principles, it is up to the Code Enforcement Officer/special magistrate to address and adjust the correction timeframe depending on the citation's gravity. The 15-day rule is unique if it is a safety concern or risk of harm.

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

**Comm Smith moved to approve Ordinance 22-07 as presented for the second reading.**

**Comm Gold seconded the motion.**

**The motion passed 5:1 with Comm Gold, nay**

## 7. New Business

### a. Approval to add Lieutenant (LT) to Police Pay Plan

In 2017, City Manager Francis said there was a position in the BIPD for the rank of LT. The position was never filled and therefore eliminated from the approved Department plan. In 2021 the position was added back to the rotation. The PD requests that the position be added to the pay plan as previously written.

**Comm Gold moved to approve Resolution 22-21, which adds the rank of LT to the Police Pay Plan.**

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

### b. Approval of Budget Committee Recommendations

City Manager Francis presented the Budget Committee's recommendation to use ARPA funds to provide a stipend to City employees to help with the increased inflation rate that has occurred nationwide. When the City Council considered bonuses last year, they were not approved. He noted that the "premium pay" under ARPA is an eligible expense. As this would be "premium pay," it will not compound over the years as a pay increase. He further requested that he, the City Manager's position, not be included in this stipend. Discussion ensued. Board member Gregg Platt spoke on the Board's recommendation and said the breakdown would help differentiate staff commitment and seniority.

Mayor Fouraker stated that he does not feel comfortable excluding the City Manager, and as a business owner, he has also had to make adjustments in their home and business. Discussion ensued. Comm Partin said he would like to see consideration for a rollback next year to put money back into the resident's pockets.

Comm Gold shared his concerns with approving the request at this time and wanted time to receive more feedback from the community. He further noted that he would like to see staff post on the website or in the newsletter the government programs available to the community that provides rental assistance for residents.

Comm Smith and Comm Shuck agreed and said they would like to recommend a prorated stipend to differentiate the length of service for discussion. Discussion ensued.

**Comm Carugno moved to approve the recommendation of the Budget Committee to provide a stipend to City Employees as proposed, including the City Manager.**

**Comm Smith seconded the motion.**

City Manager Francis thanked the Mayor and Council; however, he requested that he not be included in the stipend.

**Comm Carugno amended the motion to approve the recommendation of the Budget Committee to provide a stipend to City Employees, excluding the City Manager.**

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

**c. Approval of Resolution 22-20 Declaring Surplus Property.**

City Manager Francis read Resolution 22-20 by title.

**Comm Gold moved to approve Resolution 22-20 sale of surplus property.**

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

**d. Approval of Welcome Packet for New Residents**

The staff will also share the information with the Orlando Realtor Association.

Comm Gold asked if staff could add the information on Building Permits and Unlicensed Contractors.

Mayor Fouraker spoke about using sponsor ads for local business owners, with a disclaimer, in the Welcome Packet to offset printing costs. Discussion ensued. Attorney Chumley said there might be some guidelines to follow not to violate first amendment rights; government speech vs. public forum.

**Comm Smith moved to approve the City's Welcome Packet as discussed.**

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

**e. Approval of Communication Style Guide**

**Comm Partin moved to approve the City's Communication Style Guide.**

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

**8. Attorney's Report - na**

**9. City Manager's Report**

- City Manager Francis said due to the rescheduling of the July 5 City Council meeting to July 13, he asked if the Council would like to move forward with the July 19 meeting or would the Council like to cancel it to get back on track. The next scheduled meeting will be on August 2, 2022.

**Comm Lowell moved to cancel the July 19 meeting and continued with the regularly scheduled meeting on August 2, 2022.**

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

**a. Issues Log**

Mr. Francis gave an overview of the Issues Log dated May 17, 2022. He informed the Council that he would be on vacation July 20-25, 2022.

**Comm Lowell moved to extend the meeting by 15-minutes.**

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

**c. Chief's Report**

Chief Houston reported on the following,

- Chief Houston thanked Council for approval of the premium pay for staff.
- As per Council discussion, Chief Houston announced that the City had parked spare trucks around the City as a deterrent for non-residents.
- The Agency has 2-new officers and looking to be fully staffed shortly.
- Crime is down in the City, and traffic enforcement is up.

d. Public Works Report

Derrek Adkins gave an overview of the Public Works projects. The City will start the GoGov app in August. Sol Avenue, Gilbert Park curb inlet, and the Boy Scout project are ongoing projects. He announced that he would be on vacation July 13-18, 2022.

**10. Mayor's Report – na**

- Mayor Fouraker gave an overview of the CCA Board meeting.  
Mayor Fouraker spoke on extreme leadership by the teachers in CCA, specifically one who has assumed responsibility for 5-siblings. There is a GoFundMe account established for this family.
- He is organizing support to purchase a family van in support of this effort.

**11. Items from Council**

Council discussed revisiting the Fence Ordinance and the power of positive/negative Facebook posts.

**12. Adjournment**

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

The motion passed unanimously at 9:10 pm.