



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

Tuesday, July 18, 2023 \* 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 4 Commissioner – Randy Holihan-Zoom  
District 5 Commissioner – Beth Lowell  
District 6 Commissioner – Stan Smith  
District 7 Commissioner – Jim Partin-

Absent was:

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

Mayor Fouraker called the meeting to order at 6:30 pm, and the Clerk confirmed the quorum. Also present were Attorney Langley, Acting Chief Millis, Public Works Director Phil Price, Planner Raquel Lozano, and Yolanda Quiceno, City Clerk.

**2. Invocation and Pledge to Flag**

Comm Smith gave the invocation and led the pledge to the flag. Comm Holihan will attend the meeting via Zoom.

**3. Consent Items**

- a. Approval of the City Council Meeting Minutes – June 20, 2023  
**Comm Holihan moved to approve the consent item as presented.**  
**Comm Lowell seconded the motion, which passed unanimously 7:0.**

**4. Citizen's Comments**

Mayor Fouraker called for citizen comments.

- Robbie Ford, residing at 1533 Conway Isle Circle, asked for Council consideration to amend Section 50-101 9(b)(1) and (c)(7) of the Belle Isle Code regarding Fences to disallow hedges to be more than four feet near the lake. The hedges act as a wall blocking the views of the neighbors. CM Grimm noted that staff is present and will research the request and bring it to the P&Z Board at a future meeting.
- Alberto Sanchez de Fuentes, residing at 1534 Hoffner Avenue, spoke on the site setback and storage limitations for a dock which may change the park's character. He asks that the City respect the rules during development.
- Kim Cullars residing at 3512 Finch Street Orlando, offered a partnership with his venue on Pine Street to the City for the upcoming Centennial Celebration. He provided photographs and contact information for Council consideration.

There being no further comments, Mayor Fouraker closed public comment.

Mayor Fouraker asked for a motion to rearrange the agenda items and opened discussion on item 6(a) Selection of City Manager.

**Comm Holihan moved to rearrange the agenda items as requested.**  
**Comm Carugno seconded the motion, which passed unanimously 7:0.**

### Selection of City Manager Candidate or Motion to Continue Search

Colin Baenziger, 2055 South Atlantic Avenue Daytona Beach, spoke of the two City Manager candidates: Mark Rooney and Rick Rudometkin. At this point, the Council could decide on one of the two candidates or restart the process for additional candidates. He said he would like the Council to be comfortable and confident with their decision and can reopen the position expeditiously, 45 days. The mayor does not vote. However, he works with the City Manager. He asked if Council would like the mayor to participate in the preference poll.

**Comm Holihan moved to continue the search for City Manager.  
Comm Smith seconded the motion.**

Comm Holihan said the two candidates are excellent but believes the City would benefit from interviewing additional candidates. He initially preferred to delete the word interim and continue with Interim CM Grimm; however, Chief Grimm said that is not an option in his professional career.

Comm Lowell asked how often he has experienced reopening the selection process. Mr. Baenziger said it is rare and expects the City to lose the two candidates they have already interviewed. Candidates usually take other jobs. Mr. Baenziger noted that two of the five applicants were offered other jobs, and one dropped out of the selection process.

Comm Gold said they have interviewed two exceptional candidates and would like to discuss them before reopening the process.

Comm Partin said if there were just two candidates, he could decide. However, he wants to make the best decision possible for the City and would like to recast the net. Comm Smith shared the same concern.

Comm Carugno shared the comments made by other Commissioners. He believes the two candidates should remain in the mix and would like to reopen the position.

Mayor Fouraker asked what, if anything, can the City do to get a better response. Mr. Baenziger said a salary increase could help some but would not impact much. Mayor Fouraker shared his opinion on the candidates and thanked Chief Grimm for his support through this process. He does believe in hiring within, and his first choice would have been to hire Chief Grimm as the City Manager. The candidates had different styles, and both would work well in our City. He does agree that the City should reopen the posting; however, if he had to decide, he would choose Mr. Rooney.

Comm Carugno asked the City Clerk if the meeting was being broadcasted. The City Clerk said no. The system is having streaming issues. However, we are recording the session. For the record, streaming video is not required for a meeting by law.

**Comm Carugno moved to table the discussion because the streaming was not working correctly.  
The motion to the table dies for lack of a second.**

**The motion made by Comm Holihan passed 4:3 with Comm Gold, Comm Smith, and Comm Lowell, nay.**

Mr. Baenziger said they would update the brochure and reopen the search. He anticipates the process will take 30 days, with a target date of August 18. The Council discussed accepting strong candidates without City Manager credentials if they have years of service in the field. In addition, the Council consensus was to allow the two candidates to stay in the pool if desired.

## **5. Unfinished Business**

- a. ORDINANCE NO. 23-04 FIRST READING AND CONSIDERATION - AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA, ADDING SECTION 50-78 ARTIFICIAL TURF REQUIREMENTS TO ARTICLE III OF CHAPTER 50 OF THE CITY'S LAND DEVELOPMENT CODE; CREATING AN ARTIFICIAL TURF PERMITTING PROGRAM AND**

**ADOPTING RELATED PROVISIONS PERTAINING TO THE ADMINISTRATION AND ENFORCEMENT THEREOF;  
AND PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.**

Attorney Langley read the Ordinance by Title.

City Planner Lozano gave a brief history of the Artificial Turf application process and Ordinance as discussed by the Planning and Zoning Board. She added that the moratorium expires in September 2023.

Comm Gold said he would like a disclaimer on the City's website that this is a relatively new product with unforeseen consequences. It may cause property damage if not installed correctly. Attorney Langley said the City could add a disclaimer in the Ordinance before approval. Mayor Fouraker said the application for Artificial Turf should include a separate ISR and ROW section.

**After discussion, Comm Partin moved Ordinance 23-04 to the first reading with a second reading and adoption at the next Council Meeting.**

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

**6. New Business**

a. Selection of City Manager Candidate or Motion to Continue Search – Discussed.

b. Approval of the 2023/24 School Resource Officer Agreement with CCA

**Comm Smith moved to approve the School Resources Officer Agreement with Cornerstone Charter Academy.**

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

c. Approval of the 2023/24 Funding Agreement Metro Plan Orlando

**Comm Holihan moved to approve the mayor executing the 2023/2024 Funding Agreement with Metroplan Orlando.**

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

d. Allocation of Bond Proceeds for Stormwater

CM Grimm gave a brief on the \$2.5 million with the issuance of the Capital Improvement Revenue Note, Series 20, for the acquisition of one or more parcels of land and the improvements located thereon and construction. The remaining \$419,656.22 of the bond proceeds must be expended before September 25, 2023. The staff requests that the proceeds be allocated to repairing the failing stormwater infrastructure, including videoing and lining the pipes.

Council asked that if the proceeds are not used will it go back to lower the loan amount. CM Grimm said it would not reduce the loan amount but must be returned if not used. Council asked if there was any property we were interested in or any other project to which this money may be applied. During staff discussions, CM Grimm said not at this time.

For the record, Comm Carugno shared his concerns and displeasure on the proposed use of the remaining funds, including the location of an emergency boat dock. He added that he created a document with the pros and cons of proposed dock locations to share with the Council if necessary. Comm Carugno said he would like to table any further discussion and add to the next agenda the location and petitions of the proposed police dock. CM Grimm stated that Comm Carugno had discussed a suggested site. However, Comm Carugno has not submitted an offer for Council discussion.

CM Grimm said the staff's priority is to have a boat dock somewhere in the City. However, with all the flooding residents experienced in the last storm, the boat dock can wait. Public Works Director Price said his concern is the corrugated metal pipes failing throughout the City. He would like to get ahead of potential issues of approximately 76 locations. During his first weeks employed, Mr. Price spoke briefly

about a collapsed pipe on Cullen Lake Shore and the collateral damage on the repair. Council discussed the process of repairing and lining pipes.

Comm Partin said that during his first years, the City Manager said stormwater was in dire need of attention because it had been neglected.

Comm Lowell asked if there are any other funds/Grants available that can be put towards stormwater. CM Grimm said the stormwater fund is in the red. Finance recommended it and would help move forward with some much-needed stormwater projects. CM Grimm stated that he continues to work with FEMA on hurricane reimbursement and the State with the Sol project reimbursement.

Comm Carugno shared his concern about the lack of transparency and delay with ongoing projects regarding the proposed boat dock. He stated that he has photos to prove that Peninsular cul da sac cannot handle the traffic. He said we have an opportunity to purchase a private piece of centrally located property that has never been placed on an agenda. He further noted that he has three options and is against the proposed location, and the money can be used for stormwater if the deal doesn't work. CM Grimm noted that it has not been placed on the agenda because the City has not received an offer.

**Comm Carugno moved to table the decision on allocating the Bond proceeds until a discussion on a boat dock location is determined.**

**Comm Lowell seconded the motion, which passed 5:2 with Comm Holihan and Comm Partin, nay.**

e. Review and Discuss Cross Lake Design Plans

CM Grimm said Council approved and budgeted for Cross Lake Improvements at a previous meeting. The County did not piggyback this project. The City has worked very hard to include the surrounding neighbors. He provided draft plans for the proposed design and asked for a motion to have staff send out an RFP. He noted that the large tree discussed with the residents will remain.

Mayor Fouraker asked Council consideration for a workshop and large formatted sheets for review and requested Harris Engineering to be present in the discussion. Council consensus was to move forward with an RFP and have an informational community meeting once the submittals are received.

**Comm Carugno moved to have staff prepare an RFP for the Cross Lake project.**

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

f. Surplus of Police Department Equipment

CM Grimm requested approval for the surplus of 34-patrol firearms. The Agency recently purchased new patrol firearms with money donated to the department. The firearms will be sold to the officers or a gun dealer by trade for approximately \$250.00 each. Council discussed donating one firearm to the officers as a token of appreciation, and the remaining should be sold. Attorney Langley said there should be a paper trail of new ownership with proof of purchase.

**Comm Smith declared the 34-patrol firearms as surplus to be sold at an appropriate price to the officers.**

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

## 7. Attorney's Report

- a. Update Florida League of Cities CS/SB 102 - Building, Zoning, and Land Development
- b. Update on SS 166.041 (3)(d) - Continuance Ordinance Hearing

Attorney Langley gave an overview of the new legislative laws CS/SB 102 and SS 166.041.

c. Review and Discussion Draft Letter to CFPB Regarding Residential PACE Program

After discussion, Attorney Langley said that at this time, it would not benefit the City to sign the letter until further research can be done. No action was taken.

## 8. City Manager's Report

- a. Discuss Scheduling Workshop with CCA re Wallace Field and Available Date  
CM Grimm said Comm Carugno requested a workshop to discuss lighting concerns in May and asked if he would like to revisit the request. CM Grimm said that the City had hired April Fisher to review CCA and Wallace Field projects. No action was taken.
- b. ARPA Funding  
CM Grimm corrected a budget amendment that allocated ARPA funds for the Public Works building roll-up doors. He said 22,000 was transferred from the building to General Fund for the doors. He would like to transfer the money back to its original location and allocate the total cost from ARPA funds. Council discussed adding the request to the next agenda under New Business for review.

Mayor Fouraker asked for a motion to extend the meeting by 15 minutes.

**Comm Smith moved to extend the meeting by 15 minutes.**

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

### Millage Rate Discussion

CM Grimm asked for a discussion on setting the maximum millage rate. He stated that the City must notify Orange County with a proposed rate for posting by July 28. Once the maximum number is proposed and sent to Orange County, it will be posted and mailed to the residents. He clarified that the proposed maximum rate does not mean the millage will be raised; however, it will allow the Council to raise it should the Council decide one is needed. CM Grimm stated that this is the usual process we have always used to set the millage rate. Council discussed the optics of not having it on the agenda, which may cause concern.

Council said they would like the Budget Committee to review the proposed budget and millage rate and called for a special meeting to discuss the maximum millage rate for submittal to Orange County by July 28. Mayor Fouraker said he would like to have these discussions on the agenda so that the Community can be prepared to attend and ask questions.

**Comm Smith moved to schedule a Special Called Session on Wednesday, July 26 at 6:30 pm to discuss the maximum millage rate.**

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

- c. Chief's Report – no report.
- d. Public Works Report – no report.

## 9. Mayor's Report

Mayor Fouraker spoke of the 2050 Vision Plan of Orange County and said there might be concerns about how they will accommodate an additional 700,000 residents in the Community.

Mayor Fouraker asked for a motion to extend the meeting by 15 minutes.  
The motion failed 6:2 with Comm Shuck and Comm Smith, aye.

## 10. Items from Council – No report

## 11. Adjournment

With no further business, Mayor Fouraker called for a motion to adjourn.  
The motion passed unanimously at 9:15 pm.