



# city council minutes

**MINUTES**  
**July 2, 2019**  
**Regular Session 6:30 pm**

The Belle Isle City Council met in a regular session on July 2, 2019, at 6:30 p.m. at the City Hall Chambers located at 1600 Nela Avenue, Belle Isle, FL 32809.

Present was:

Commissioner Ed Gold  
Commissioner Karl Shuck  
Commissioner Jim Partin  
Commissioner Mike Sims  
Commissioner Sue Nielsen

Absent was:

Mayor Nicholas Fouraker  
Commissioner Harv Readey  
Commissioner Anthony Carugno

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

## CALL TO ORDER

City Manager Francis called the City Council Regular Session to order at 6:30 pm and confirmed quorum. According to the Rules of Council, the City Manager opened the meeting because the Mayor and the Vice Mayor are not present. He asked for a Council motion to appoint a Commissioner to run the meeting.

**Comm Nielsen motioned to appoint Comm Sims to run the meeting**  
**Comm Shuck seconded the motion which passed unanimously 5:0.**

Commissioner Gold gave the invocation and led the Pledge to the flag.

## CONSENT ITEMS

- a. Approval of the City Council meeting minutes for June 4, 2019
- b. Approval of the City Council meeting minutes for June 18, 2019

**Comm Nielsen motioned to approve the Consent Agenda as presented.**  
**Comm Shuck seconded the motion which passed unanimously 5:0.**

## CITIZEN COMMENT

Comm Sims opened for citizen comment.

- Rick Miller residing at 2001 Nela Avenue, shared his concerns with the draft Ordinance on parking and residential neighborhoods. He felt that the Council is not taking the time to review and further research the residential districts specifically, 1) what constitutes a parking district in itself, and 2) how it can affect emergency vehicles passing on the road in any neighborhood.
- Emily Wakley residing at 3019 Indian Drive said she is in favor of the proposed ordinance today; however; she shared her disappointment with the opinion regarding jagged lot splits and its interpretation. She believes the proposed ordinance will clarify the issues on creating substandard lots.
- Joy Fox residing at 1364 Campbell Street, Orlando, representing the Pine Castle Historical Society (PCHS) requested the sale of the Grady House to the PCHS,
  - for the purchase price of \$1.00;
  - the fence around the Grady Lancaster House be moved behind the house and to the side;
  - the city gives the money, voted for repair at a previous Council meeting, to the PCHS to continue the repairs on the house.
- Removal of the shed behind the Grady house and the wood to be preserved for maintenance and repair Ms. Fox further added that the significance of the house is that it is the oldest house in the Pinecastle Historic area built in 1885 by Noah Grady. The house then in 1906 was owned by Arthur Lancaster, the first official Mayor of the City of Belle Isle. The PCHS would like to preserve the home to its original form and will request it be placed on the National Historic Register.

There being no further citizen comments Comm Sims closed citizen comment.

## UNFINISHED BUSINESS

### Ordinance 19-03 - Second Reading and Adoption:

- a. AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA, RELATED TO LOT SPLITS AND LOT AGGREGATION; AMENDING SECTIONS 50-32, 50-33, 50-37, 54-2, AND 54-171 OF THE CITY LAND DEVELOPMENT CODE; PROHIBITING VARIANCES FOR LOT SPLITS RESULTING IN NON-CONFORMING LOTS; PROVIDING DEFINITIONS; PROVIDING FOR APPLICATION FEES; PROVIDING FOR TREATMENT OF APPLICATIONS RECEIVED PRIOR TO ENACTMENT OF ORDINANCE; PROVIDING FOR ADOPTION OF DIAGRAMS ILLUSTRATING HOW TO MEASURE LOT DIMENSIONS; AMENDING AND CLARIFYING THE AGGREGATION REQUIREMENTS FOR SUBSTANDARD LOTS OF RECORD; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

City Clerk read Ordinance 19-03 by title.

Comm Sims opened for Council discussion and motion.

Comm Nielsen asked if the comments submitted by Attorney Langley relate to the ordinance. City Manager Francis said yes; the memo submitted an expanded definition of measuring lot widths for consideration which will allow for a flag lot to be granted a "standard" lot split. Attorney Ardaman gave a brief visual summary of the proposed definition that was agreed upon by the City Planner and the City Attorney.

Comm Nielsen moved to adopt Ordinance 19-03 with the addition of the expanded definition of measuring lot widths submitted by City Attorney Dan Langley.

Comm Gold seconded the motion which passed 5:0.

### Ordinance 19-04 - Second Reading and Adoption:

- b. AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA AMENDING CHAPTER 30 OF THE CITY CODE PERTAINING TO PARKING REGULATIONS; PROVIDING FOR DEFINITIONS, PARKING OF MOTOR VEHICLES, ISSUANCE OF CITATIONS, FINES, HEARINGS, APPEALS, PARKING ON THE PARKING STRIP, OCCUPANCY AND RENTAL OF VEHICLES, STANDARDS FOR DESIGNATED PARKING AREAS, FRONT YARD PARKING, PARKING SURFACE REQUIREMENTS AND OTHER MATTERS RELATED TO VEHICLE PARKING WITHIN THE CITY; PROVIDING FOR CREATION OF RESIDENTIAL PARKING DISTRICTS, PROCESS FOR APPLICATION FOR AND CREATION OF SUCH, PERMITTING IN RESIDENTIAL PARKING DISTRICTS, PENALTIES, AND OTHER MATTERS RELATED THERETO; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

City Clerk read Ordinance 19-04 by title.

Comm Sims opened for Council discussion and motion.

Comm Partin said the comments submitted by Michael Jungen relate to the ordinance and he would like to have the comments discussed and added to the motion for approval. City Manager Francis read the changes as follows,

#### **30-133.(c)(3)b. :**

**Sec. 20-133. – Parking of watercraft, recreational vehicles, and utility trailers in residential areas, front yard parking, and parking surfaces.**

**(c) Front yard regulation. Only one watercraft unit or watercraft trailer shall be parked, stored, or kept in the front yard of the property and shall be subject to the following restrictions:**

**(3) The watercraft unit or trailer shall be parked on a prepared surface meeting the following criteria:**

**b. Located so that the ~~longest edge~~ watercraft unit or trailer is contiguous to the existing driveway unless the prepared surface is a covered carport**

**30-133. (d)(2) :**

**Sec. 20-133. – Parking of watercraft, recreational vehicles, and utility trailers in residential areas, front yard parking, and parking surfaces.**

*(d) Criteria for the prepared surface. The following criteria must be met for approval of the prepared surface:*

*(1) The location of the surface must be adjacent to the existing driveway or placed in line with either outside edge of the existing structure.*

*(2) The surface must be placed such that the vehicle, when parked, is perpendicular to the existing structure or aligned as approved by the City Manager or City Manager designee for practical minimal visual obstruction.*

*(3) The front edge of the surface must be not less than five feet from the front property line.*

~~*(4) Accepted prepared surface materials are concrete, asphalt, or concrete pavers. The prepared surface should cover the entire area under the vehicle.*~~

Council discussed the comments raised by Mr. Miller during public comments. Comm Partin. Section 4 and Section 6 summarizes and answers many of the public comment concerns and read the criteria for the record.

Comm Partin moved to adopt Ordinance 19-04 with the addition of the comments proposed by Michael Jungen. Comm Nielsen seconded the motion which passed 5:0.

Approval of Resolution 19-06:

c. A Resolution of the City Council of the City of Belle Isle, Florida, Amending the Rules of Council for meetings of the City Council of the City of Belle Isle; and providing an effective date.

Comm Sims opened for Council discussion and motion.

Comm Partin commented on the suggestions made by Comm Gold and asked for discussion on consideration for approval.

Comm Gold shared his concern and said he suggested the changes because he does not want to add unnecessary protocol.

**After discussion, Council consensus was to move forward with the resolution as presented with no changes.**

**Comm Nielsen moved to adopt Resolution 19-06 as presented.**

**Comm Shuck seconded the motion which passed 4:1 with Comm Gold – nay.**

6. New Business

a. Approval to donate Grady (Green) House to Pine Castle Historical Society:

Mr. Francis said Ms. Fox provided a good history and request for the Grady House. He stated that he called the State Historic Preservation Society and was informed that the Grady House was a homestead and not a house. If the house were moved from its original homestead, it would lose its historical value. He believes the house should stay as a homestead and agrees with the request.

Mr. Francis stated that Cornerstone Charter Academy would like to see the house moved because they need space; however, they are in the process of expanding their boundaries by acquiring additional land, and the small area of the property will not impede their growth. Mr. Francis recommends having the City Attorney draw up the necessary documents to turn over the Grady House to the PCHS and have it remain where it is. Once the property is donated, Mr. Francis said the PCHS will need to apply for the Historical designation from the State.

Comm Nielsen said she is in favor of the request and believes the City has an opportunity to be a part of the greater community and preserve history.

Comm Partin said the City should reserve historical value and would like to see the PCHS donate a plaque indicating the donation by the City. He further added that the Council should have an open discussion during budget hearings on the proposed funding.

Comm Shuck shared his concerns with the move of the Greenhouse and its current condition and opposed the donation of the Grady house to the PCHS.

Comm Gold asked the City Attorney if he will need to recuse himself from the vote because he is on the Board. Attorney Ardaman asked if Comm Gold will have any personal financial gain or loss; if not, he will be required to participate in the vote. Comm Gold said the advantage of donating the building to PCHS is that it frees the City from any unnecessary red tape, rehabilitation cost, and liability.

**After discussion, Comm Gold motioned to donate the house to Pine Castle Historical Society for no monetary compensation. The motion was seconded by Comm Sims which passed 4:1 with Comm Shuck – nay.**

## ATTORNEY REPORT

Attorney Ardaman gave a brief update on the following,

1. Reported that the Lances settlement should be closed by early next week.
2. Spoke with Chief Houston on the continued Marine Patrol lake enforcement issues and looking for additional approaches to enhance the patrol on the lakes. He will report to the Council in the following weeks.

## CITY MANAGER'S REPORT

### Issues Log update

Street Paving – Speed tables will be added to the crosswalk on Nela and Nela at the front of the City Clock at City Hall.

Transfer of Roads - County is in the process of transferring Seminole, Daetwyler, Judge and some parts of McCoy to the City.

Wind Drift Project – Met with the Neighbors and the contractor is looking to start work mid-July. The City will start reconditioning some of the swales that have stopped working. Also, the contractors are reviewing the St. Partin drainage issues.

Traffic Study – Final changes in the Master Plan will be sent to the Council for review before adoption in the coming weeks.

Fountain – The electrical box has been moved and placed behind the bushes. Duke to schedule placing the meter. City looking to schedule a dedication ceremony.

CCA By-Laws – Mr. Francis gave a summary of the CCA Board meeting,

- CCA rejected the changes to the Use Agreement and the By-Laws submitted by Council
- CCA approved the minor changes to the site plan; however, since they said they do not want to allow vehicles parked at the field, they require the City to pay for that consideration.
- CCA accepted Ralph Armstead and Charlene Cross on the Board.
- CCA has agreed to a joint meeting with the following dates, July 8<sup>th</sup>, July 15<sup>th</sup>, July 22<sup>nd</sup> or July 24<sup>th</sup> around 3-4pm. Council asked for staff to request dates in August.
- Consultant of the school looking at a different option to pay off the bond issues. It will save the school approximately \$100,000 a year.

Strategic Plan Dates – Tentative date scheduled for August 16-17, Friday, and Saturday.

P&Z Board – P&Z is looking at possible changes to the Fence and Wall requirements in the code. Also, Mr. Francis reported on ongoing issues of pavers placed on the sidewalk. Letters will be going out to the homeowners noticing the violation.

Forensic Audit Update – Staff has drafted policies recommended by the Auditor to be on the agenda for consideration and approval.

Regal Boats Waste Disposal – Mr. Francis reported that certain times during the year Regal Boats uses Venetian Boat Launch to test their boats. They cannot use the Randolph Boat Ramp because they will not be able to get to the center lake. Duane Kuck asked if the City can come into an agreement to use the Venetian Boat Launch twice a year. Mr. Francis has drafted an agreement and would like Council approval to add to a future agenda for consideration. Council consensus was to move forward and add to the agenda for approval.

Tree Board – Holly Bobrowski, Tree Board Chairman said the Board is hosting an event on July 24<sup>th</sup> at 7 pm on Mosquito Control, "Bite me, Bite me Not." The event is sponsored by Southeast Marine.

## **CHIEF'S REPORT**

Chief Houston reported on the following,

- A countywide effort for drunk driving starting July 5<sup>th</sup>. "Don't Drink And Drive." There will be a briefing at the Cornerstone Charter School at 3 pm.
- Texting while Driving is illegal in Florida effective July 1<sup>st</sup>. Belle Isle Police Department will comply with the State law.
- Fireworks are illegal. Sparklers are the only legal items in the State of Florida.

**MAYOR'S REPORT**– No report.

## **COUNCIL REPORT**

- Comm Gold asked for an update on Regal Boats waste hauling agreement. Mr. Francis stated that Regal Boats does not have a written agreement or contract with the City.
- Comm Shuck asked if the City can place on the agenda for consideration to change the name from "City Beaches" to City Parks (i.e., Swann Beach, Delia Beach).
- Comm Nielsen reported on the following,
  - Pioneer Days will be held on February 22-23 at Cypress Park and asked if the City would like to consider placing an ad in their publication.
  - Comm Nielsen requested revisiting allowing yard chickens with restrictions and asked that it be added on the next agenda.

## **ADJOURNMENT**

There being no further business Comm Sims called for a motion to adjourn. The motion was passed unanimously at 7:50 p.m.

Yolanda Quiceno, CMC, City Clerk