



city council minutes

MINUTES
May 21, 2019
Regular Session 6:30 pm

The Belle Isle City Council met in a regular session on May 21, 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 Ed Gold
Commissioner Anthony Carugno
Commissioner Karl Shuck
Commissioner Harv Readey
Commissioner Mike Sims
Commissioner Sue Nielsen

Absent was:

Commissioner Jim Partin

Also present were City Manager Bob Francis, Attorney Kurt Ardaman, Chief Houston and Admin Assistant Heidi Peacock.

CALL TO ORDER

Mayor Fouraker called the City Council Regular Session to order at 6:30 pm and confirmed quorum. Commissioner Sims gave the invocation and led the Pledge to the flag.

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

Comm Nielsen motioned to excuse Comm Partin from tonight's meeting.

Comm Sims seconded the motion which passed unanimously 6:0.

POLICE DEPARTMENT PRESENTATION

Chief Houston presented Officer Trendafilov with a Life-Saving Award.

CONSENT ITEMS

- a. Approval of the City Council Workshop minutes - April 30, 2019
- b. Surplus of Police Department equipment phazers
- c. Surplus of Mayor's office furniture and Police Department tazers

Comm Nielsen motioned to approve the consent agenda as presented and that the scrivener errors noted be submitted to the Clerk for editing before final posting.

Comm Sims seconded the motion which passed unanimously 6:0.

Mayor Fouraker called for a motion to reorder the agenda to move item 6a before 5a Unfinished business.

Comm Nielsen motioned to reorder the agenda to allow item 6a before 5a Unfinished business.

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

NEW BUSINESS

Selection of candidates for Cornerstone Charter Academy (CCA) Board seats

Mayor Fouraker opened for discussion of a selection of candidates for CCA

City Manager Francis said the City of responsible for nominating two candidates to the CCA Board of Directors. The CCA by-laws state that the CCA Board must confirm the City's appointments. He read the excerpt from the 2016 CCA By-laws which read as follows, *Notwithstanding the foregoing, during the April 2017 meeting of the Board, the City Council of Belle Isle, Florida shall be permitted to nominate two (2) non-elected individuals, submitted for confirmation by the Corporation, to serve on the Corporation's Board of Directors. (section 4.3(b), page 2).*

City manager gave a summary of the 2017 nomination process resulting in the City not able to fill the seats. He said the same issues of confirmation might continue to exist until the CCA Board changes the by-laws. Mr. Francis recommends upon CCA's confirmation of the candidates the CCA Board change the by-laws giving confirmation authority to the City Council for City-appointed seats. The ex-officio should also be able to vote on the Board which will give the City three votes on the CCA Board. The Charter School is in the City of Belle Isle and the Mayor and candidates appointed by the City have a responsibility to the students and the parents to serve them well. Furthermore, if the CCA Board does not agree to make the changes to the By-laws, the City should not proceed with the Wallace Field Use Agreement.

Mr. Francis reported that the City received a total of six candidates who applied to fill the two positions, Jennifer Hummel, John Evertsen, Daniel Springen, Randy Holihan, Charlyne Cross, and Ralph Armstead. Additionally, after CCA Board appointed their members, the Board sent the additional applications to the City for consideration, David Burr, Adeel Mirza, and Edith Britton.

The City contacted each candidate and invited them to come to the meeting in the event Council had some additional questions. Mayor Fouraker invited the applicants to speak to the Council and ask questions. The following applicants were present, (1) Charlyne Cross, (2) Ralph Armstead, (3) John Evertsen and (4) Daniel Springen.

Mayor Fouraker asked that Council select four of the nine candidates for consideration.

Mayor Fouraker read for the record the nominations as follows,

- Comm Shuck: Cross, Hummel, Mirza and Burr
- Comm Nielsen: Cross, Armstead, Evertsen, Mirza
- Comm Sims: Cross, Briton, Evertsen, Mirza
- Comm Partin: absent
- Comm Readey: Springen, Cross, Armstead, Evertsen
- Comm Carugno: Springen, Armstead, Evertsen, Mirza
- Comm Gold: Armstead, Mirza, Evertsen, Cross

The top four candidates nominated were:

Cross	5
Armstead	4
Evertsen	5
Mirza	5
Springen	2
Burr	1
Hummel	1
Britton	1

After discussion, Comm Nielsen motioned to

- 1. Send the top four candidates (Cross, Armstead, Mirza, and Evertsen), and the vote count to the CCA Board for consideration;**
 - 2. Request CCA to change their By-Laws to allow the City to appoint two members on the CCA Board; and**
 - 3. Request CCA to change their By-Laws to allow the Mayor of the City to be a voting member on the CCA Board**
- Comm Sims seconded the motion which passed 4:2 with Comm Readey and Comm Shuck – nay.**

UNFINISHED BUSINESS

Updated Conceptual Plan for Wallace Field

City Manager gave a summary of the discussions in the Wallace Field Conceptual designs submitted by CCA; He reported that he met with CCA representatives and discussed the changes directed by the Council. Mr. Francis also discussed some of the issues that the neighbors had with the school. Mr. Francis said the following items were updated to include,

1. Moving the gate between CCA and the Field from the building to the middle of the wall.
2. Keep the proposed restrooms and add a third family restroom with a utility room for storage and the restroom plumbing.

3. The building footprint was not reduced; however, the storage area on the right side was removed, but the overhang will remain.
4. The community garden was removed, and additional landscaping will be included on the site plan.
5. Allow for parking on the field if it could not be established elsewhere.
6. The City Engineer has investigated the possibility of underground storage for stormwater.
7. Benches, bat houses, walking paths, and fitness stations will remain.
8. The dog area was not approved; however, dogs will be allowed on the field with a leash. Doggie stations will be placed throughout the park.

Comm Gold motioned to table the approval of the Conceptual Plan contingent on the By-Law changes.

Comm Sims seconded the motion.

Mayor Fouraker said the motion is very poor strategy and short-sighted because the Council would want to take the burden off the City and place it on the shoulders of the CCA Board.

After discussion, Comm Gold withdrew the motion to table the conceptual plan.

Comm Sims withdrew his second.

Comm Sims motioned to approve the updated concept plan of the Wallace Field contingent upon the changes to the CCA By-Laws change. Also, if any provisions are made or modified to the CCA By-Laws and Use Agreement, they cannot be approved without the consent of the City Council.

City Manager Francis said the City had not received updated signatures on the contract; however, the contract is extended for an additional 90-days.

Comm Gold seconded the motion.

Comm Carugno stated for the record and reminded Council that the residents had shared their concerns with the need for parking on the field and other facilities.

After discussion, the motion passed unanimously.

NEW BUSINESS

Proposed ordinance for lot splits

At the last meeting, City Manager Francis said the staff presented a proposed ordinance to change to the Land Development Code regarding lot splits. Those changes included not allowing for variances when the lot split results in substandard lot sizes and better defining lot width and depth. Mr. Francis recommended approval of the proposed ordinance for first reading at the June 4th City Council meeting.

Mayor Fouraker called for a five-minute recess

Vice Mayor Readey motioned for a five-minute break.

Comm Gold seconded the motion which passed unanimously.

Comm Sims motioned to approve the proposed ordinance for lot splits for first reading at the next City Council meeting. Comm Nielsen seconded the motion.

Mayor Fouraker opened for public comment.

- Emily Wakley, residing at 3019 Indian Drive, spoke in support of the proposed ordinance changes that clarify the code and not allowing substandard lots.
- Gregg Gent residing at 2924 Nela Avenue spoke in support of the changes and implored the Council to eliminate the ongoing issues of allowing any future lot splits.

Mayor Fouraker closed public comment

After discussion, the motion passed unanimously 6:0.

BING Grant for Belle Isle West

City Manager Francis reported that Belle Isle West (District 3) is applying for a Bing Grant for \$1,400 for fence painting at the front of the neighborhood at Gondola. The total amount of the project is \$2,750. He asked the District 3 Commissioner for consideration on a motion to approve or deny.

Comm Sims motion to approve the BING Grant for Belle Isle West for fence painting for the requested amount of \$1,400.

Comm Shuck seconded the motion which passed unanimously 6:0.

ATTORNEY REPORT – No report.

CITY MANAGER'S REPORT

Issues Log update

City Manager Francis provided an update on the following,

- He was contacted by the Pioneer Days representative who asked for a City representative to replace former Mayor Pisano.
Comm Gold moved to nominate Comm Nielsen.
Comm Sims seconded the motion which passed unanimously 6:0.
- Gene Polk Park – FEMA and the State approved \$309,000 for the mitigation
- Fountain – Pedestal for the meter and backflow was installed and waiting for an inspection from Universal Engineering. He recommended having a dedication to the Fountain and will have more information at the next meeting.
- Property Acquisition – He is not well versed in the acquisition process and asked Mayor Fouraker if he would speak with the BOA realtor on the City's behalf.
- Cross Lake Beach – He and the Mayor are meeting with Comm Uribe on June 5th to negotiate a solution. He noted that the process has taken over a year, and the appraisal completed a year ago may have to be reassessed.
- Strategic Plan Schedule – Mr. Francis said he would provide a summary of the process moving forward.
- Comp Plan Update – Comp Plan needs to be updated next year.
- Annexation – Will be scheduling meetings in the coming year.
- Forensic Audit – Staff is reviewing two policies to put in place as recommended, (1) conflict of interest and (2) oversight procedures.
- He will add Commercial Business on the Lake as an agenda discussion topic for a future date.
- City Manager Francis will bring forward a proposed ordinance to enforce noise on the lake. Comm Carugno recommended Council follow the Orange County code.
- Mr. Francis gave a summary of the NAV Board discussion on the resident's concern of Wake Boarding on the north part of the Lake.

CHIEF'S REPORT

Chief Houston reported on the following

- Chief Houston reported on the resident concerns on the noise from the sand bar and the property damage made at the wake zones.
- PD is responding to trucks going over the Nela Bridge and on Hoffner Avenue.
- May 29th is the last day of school. Uptick in car burglaries, harden the target and lock your cars.

MAYOR'S REPORT

- Mayor Fouraker reported that he has been more involved with MetroPlan.
- He has been asked by Orange County to be part of the Lake Clean Up initiative.
- He attended the Ethics training and proud to see our City take this seriously.
- He has been approached by a resident who asked for Council consideration to add speed bumps before and after the Nela Bridge.
- Attended the CCA graduation and reported that all in 2019 graduated.

COUNCIL REPORT

- Comm Carugno gave a summary of the ANAC meetings and the informal Noise Abatement.
- Comm Shuck asked the City Manager to request that the Pine Castle Historical society provide the City monthly updates on the Green House.

ADJOURNMENT

There being no further business Mayor Fouraker called for a motion to adjourn. The motion was passed unanimously at 8:53 p.m.

Yolanda Quiceno, CMC, City Clerk

DRAFT