



## CITY OF BELLE ISLE, FL CITY COUNCIL MEETING

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

Tuesday, March 02, 2021, \* 6:30 pm

### MINUTES

The Belle Isle City Council met in a regular session on March 02, 2021, at 6:30 pm at the City Hall Chambers 1600 Nela Avenue, Belle Isle, FL

Present was:

Nicholas Fouraker, Mayor

District 1 Commissioner – Ed Gold

District 2 Commissioner – Anthony Carugno

District 3 Commissioner – Karl Shuck

District 4 Commissioner – Mike Sims

District 5 Commissioner – Harvey Readey

District 6 Commissioner – Jim Partin

District 7 Commissioner – Sue Nielsen

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

Absent was:

NA

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

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

**2. Invocation and Pledge to Flag - Commissioner Karl Shuck - District 3**

Comm Shuck gave the invocation and led the Pledge to the Flag.

**3. Consent Items** - These items are considered routine and have been previously discussed by the Council. They will be adopted by one motion unless a Council member requests before the vote on the motion to have an item removed from the consent agenda and considered separately. If any item were removed from the Consent Agenda, it would be considered immediately following approval of the remainder of the Consent Agenda.

a. Approval of the February 16, 2021, City Council minutes

**Comm Nielsen moved to approve the approval of February 16, 2021 minutes as presented.**

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

**4. Citizen's Comments**

Mayor Fouraker called for citizen comments. There being none, he closed the citizen's comments section.

**5. Unfinished Business**

a. **ORDINANCE 21-01 – SECOND READING AND ADOPTION** - AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA, AMENDING THE BELLE ISLE LAND DEVELOPMENT CODE, CHAPTER 6, ARTICLE I, SECTION 6-5 – PENALTY FOR FAILURE TO OBTAIN PERMIT; PROVIDING FOR THE ISSUANCE OF AFTER-THE-FACT PERMITS AND RULES AND PROCEDURES REGARDING REMEDIATION OF WORKING WITHOUT A PERMIT; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE

The City Clerk read Ordinance 21-01 by Title.

Mayor Fouraker called for public comment and a motion to approve.

**There being no discussion, Comm Shuck moved to adopt Ordinance 21-01 as presented.**

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

**6. New Business**

a. Discuss/Approve P&Z Board recommendation to change sign code for temporary signs

City Manager Francis presented the proposed Ordinance and said the change deals with temporary signs and brings the sign code into compliance with federal guidelines for eliminating regulation by content-based signage. On February 23, 2021, the

P&Z Board reviewed the changes to the sign code and recommended approval of the Ordinance with the following additional changes,

1. SEC 52-34 (b) – Temporary signs – "... may be posted no earlier than ~~30 days~~ ninety (90) days..."
2. SEC 52-34 (c) – A non-illuminated temporary sign exceeding the size limits established in subsection (a) above but not measuring more than seventy-five (75) square feet in area may be displayed upon a property, provided that such temporary sign is placed in compliance with other provisions of this code pertaining to temporary signs and for a duration of no longer than five (5) days.

Mr. Francis said this change relates to a resident's request to allow the placement of Card-My-Yard type of businesses.

Comm Gold asked what the inspiration for changing the sign code. Mr. Francis said it resulted from some political signs left on display after this year's election and citations issued to those residents. After further review with the City Attorney, it is recommended that the old code be revised to eliminate content-based signage.

**There being no discussion, Comm Partin moved to advance the Ordinance for a First Reading at the next scheduled City Council meeting.**

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

b. Ordinance 21-03 – First Reading and Consideration – Allow School Buses on Hoffner Avenue

AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA, AMENDING THE BELLE ISLE MUNICIPAL CODE, CHAPTER 30, ARTICLE I, SECTION 30-3 – HEAVY TRUCKS PROHIBITED ON CERTAIN STREETS; PROVIDING FOR SCHOOL BUSES TO TRAVEL ON HOFFNER AVENUE FOR DROP-OFF AND PICKUP OF STUDENTS; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

The City Clerk read Ordinance 21-03 by Title.

Mayor Fouraker called for a motion.

City Manager Francis said the Ordinance would allow for local deliveries.

**After discussion, Comm Gold moved to advance Ordinance 21-03 for a First Reading at the next scheduled City Council meeting.**

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

c. Discussion on an ordinance to expand district appointments, to at-large, in certain situations

City Manager Francis briefly discussed the difficulty with filling vacancies on the several advisory boards. Two of the Boards, P&Z and Budget Committee, currently have their vacancies filled by District appointment. Both boards have vacancies that are approaching a year. The City has had interest from volunteers who would like to serve; however, that District seat is already filled. The staff is requesting two changes to allow at-large appointments if no volunteers show interest from that District, (1) by Ordinance (2 readings) to change the Charter appointments, and (2) by resolution to change the requirements for Boards and Committees.

Council discussed two advertisements for vacancies before any appointments at-large are made. After further discussion,

**Comm Gold moved to adopt Resolution 21-02 - A Resolution of the City of Belle Isle, Florida, amending Resolution 19-18 governing the City's Budget Advisory Committee; providing for the filling of vacancies on the Budget Advisory Committee; providing for the appointment of at-large members if no candidates from within the relevant District apply; providing for severability, conflicts and effective date with the following changes,**

1. The remainder of the term within ~~45~~ **75**-days after the vacancy occurs.
2. Advertisements for the vacancy shall be no less than 2-weeks apart.

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

**Comm Gold moved to advance the proposed Ordinance for a First Reading to allow for at-large appointments to the Planning & Zoning Board to the next scheduled City Council meeting.**

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

d. Discuss next steps for the non-compliant dock at 5842 Cove Drive

City Manager Francis reported that Universal Engineering Services (UES) had notified the City that the applicant has applied for a demo permit to remove the existing dock. He will be maintaining the electrical and plumbing stub-outs for future use. No further report.

**7. Attorney's Report – No report.**

## 8. City Manager's Report

### a. Issues Log

City Manager Francis reported on the following items,

1. CCA- Market Rent Study has been received and will be reviewed at the next Budget Committee meeting.
2. Annexation City will be sending out consent forms to all residents at Sienna Place
3. Storm Drainage – Mr. Francis provided an update on all drainage projects and possible steps to resolve for review.
4. BOA Open House – Well attended. The City is looking at the following steps to solidify the Transportation Plan and BOA build-out.
5. Beacon install at Monet & Hoffner – final date install by March 27.
6. Wallace Field – Site plan review is scheduled for March 23.
7. IT – City has developed a new website and is almost complete with ADA compliance. Mandatory Pre-Bid meeting for Chambers Audio RFP was held March 2 and well attended.
8. Lancaster House – The property owner continues to work with OC on variance approval.
9. New Development on Nela/Orange – OC informed him that the applicant met all the criteria to move forward with the project. However, something may have changed with the developer and may require public input.
10. Budget Committee will be reviewing the Market Rate Rent Appraisal for CCA, Lobbyists Submittals and Impact Fee Study.
11. P&Z Meeting is scheduled for March 10 at 6:30 on for a Special Exception at 7500 Daetwyler for a proposed community center. The meeting is scheduled to allow the applicant to meet their due diligence deadline.
12. March 09 – NAV Board, HOA Meeting, and Regal Open House Re: Special Exception. Mr. Francis asked if he can have a volunteer attend the NAV Board meeting and speak on the Pet Station reimbursement; Mayor Fouraker agreed to attend the NAV Board on his behalf.
13. Electronics Event – The Solid Waste Committee held an Electronics Drop Off event on February 20' which was very successful and well attended by the community.
14. Holly Bobrowski presented a proposed budget for the Easter Drive-through event on April 03 from 9-12 noon. Council discussed logistics and recommended using CCA parking lot off of Randolph for the event.

**Comm Partin moved to approve the Easter event as proposed, location to be determined.**

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

### b. Chief's Report

Chief Houston reported on the following,

1. The BIPD is currently accepting unwanted firearms - Operation Spring Cleaning, in any condition in support of Orange County's effort to reduce crime.
2. Police Advisory Board meeting on March 05 at the Bank of America building.
3. Feb 1<sup>st</sup> – 28<sup>th</sup>, there were 325 validated red light camera tickets issued.
4. Lake Conway has been very busy over the weekend – 15 tickets (various violations)

## 9. Mayor's Report

Mayor Fouraker reported on the following,

- Dave Smith from A1-Septic proclamation will be rescheduled.
- Mayor Fouraker spoke briefly on the 7500 Daetwyler proposed variance. He briefly spoke of the Kuck Family, their support to the community, and their community service's continued expansion. He would like to see the community be open-minded and work positively through the questions.
- Mayor Fouraker reported that the Cerveza House owner is opening a Bakery on Nela/Orange and has requested approval for a liquor license.
- Mayor Fouraker thanked Genevieve and the Oakridge students for their Audio Visual assistance with the Council meetings.

## 10. Council Reports

- Comm Carugno reported that the ANAC meeting had been rescheduled. He said the waste haulers, JJ's, should be commended for their hard work and maintaining traffic flow during their pickups.
- Comm Partin said he would not attend the next City Council meeting and requested to participate via Zoom.
- Comm Shuck asked if the BIPD can ascertain how many of the 325 tickets were issued to residents. Chief Houston said that they were not able to differentiate the violations by that criterion.

## 11. Adjournment

There being no further business, Mayor Fouraker called for a motion to adjourn. Motion passed unanimously at 7:52 pm.