



city council minutes

MINUTES
July 18, 2017 * 6:30 p.m.
City Council Regular Session

The Belle Isle City Council met in a City Council Regular Session on July 18, 2017 at 6:30 p.m. at the City Hall Chambers located at 1600 Nela Avenue, Belle Isle, FL 32809.

Present:

Mayor Pisano
Vice Mayor Readey
Commissioner Gold
Commissioner Carugno
Commissioner Weinsier
Commissioner Lance
Commissioner Mosse
Commissioner Nielsen

Absent:

Also present: Attorney Tom Callan, City Manager Bob Francis, Chief Houston, Deputy Chief Grimm and City Clerk Yolanda Quiceno. Meeting audio is available on the City's website at www.cityofbelleislefl.org and at City Hall.

CALL TO ORDER

Mayor Pisano called the meeting to order at 6:30pm. Mayor Pisano said Comm Lance's flight was delayed and will join the meeting shortly. Comm Nielsen gave the invocation and led the pledge to the flag.

CONSENT ITEMS

- a. Approval of the City Council regular session minutes of June 6, 2017
- b. Approval of the City Council workshop session minutes of June 14, 2017
- c. Approval of the City Council regular session minutes of June 20, 2017

**Comm Weinsier motioned to approve the consent agenda items as presented
Comm Mosse seconded the motion, which was unanimously approved.**

4. Additions, Deletions or Amendments to Agenda - no report.

CITIZENS COMMENTS

Mayor Pisano opened for Citizen Comments.

1. Steve Upp residing at 5413 Pasadena Drive, Belle Isle spoke in support of having a Belle Isle Police Officer as a School Resource Officer adding another benefit to the City and the Cornerstone families.

There being no further comment Mayor Pisano closed the citizen comment session.

UNFINISHED BUSINESS

- a. RESOLUTION 17-13: A RESOLUTION OF THE CITY OF BELLE ISLE, FLORIDA, PERTAINING TO ESTABLISHING A TEMPORARY MORATORIUM FOR A PERIOD OF 90 DAYS FROM THE EFFECTIVE DATE OF THIS RESOLUTION ON THE ACCEPTANCE, REVIEW, APPROVAL OR ISSUANCE OF ANY LAND DEVELOPMENT PERMITS AS THE TERM IS DEFINED IN FLORIDA STATUTES SECTION 163.3164(16), BUSINESS TAX RECEIPTS OR ANY OTHER LICENSE OR PERMIT FOR THE ESTABLISHMENT OR OPERATION OF DISPENSING FACILITIES WITHIN THE CITY ENGAGED IN THE ON-SITE DISTRIBUTION, SALE, DELIVERY OR RETAIL OF LOW-THC CANNABIS, MEDICAL CANNABIS OR CANNABIS DELIVERY DEVICES PURSUANT TO SECTIONS 381.986 AND 499.0295 OF THE FLORIDA STATUTES, IN

ORDER TO PROVIDE THE CITY WITH AN OPPORTUNITY TO REVIEW AND ENACT REGULATIONS GOVERNING THE ESTABLISHMENT AND OPERATION OF DISPENSING FACILITIES; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE.

Comm Mosse motion to approve Resolution 17-13 providing for a 90-day moratorium on medical Cannabis. Comm Nielsen seconded the motion, which was unanimously approved

NEW BUSINESS

a. Surplus of Public Works Vehicles - F250 and Street Sweeper

City Manager Bob Francis presented Resolution 17-16 providing specific guidance, per Section 2-221, on how the Council declares property as surplus and requested approval of the Resolution and surplus of the following vehicle and equipment,

1. Public Works 1997 Ford F250 – 102,000 miles with an estimated value of \$1,000.
2. Elgin Pelican Street Sweeper 1999 with an estimated value of \$500.
3. John Deere Mower 2005 with an estimated value of \$2,000.

Comm Mosse motioned to approve Resolution 17-16 as presented. Comm Gold seconded the motion, which was unanimously approved.

b. RESOLUTION 17-16: A RESOLUTION DECLARING SURPLUS CERTAIN PERSONAL PROPERTY AND DIRECTING THE CITY MANAGER TO DISPOSE OF THE PROPERTY FOR VALUE THROUGH AN OPEN PUBLIC PROCESS.

City Manager Francis further said Section 2-244 was written in the early 1990's and does not allow for Internet sales of surplus property and proposed an ordinance to change the municipal code to allow for electronic and Internet sales. He asked for approval to direct staff to prepare the proposed ordinance in its final form for consideration.

Comm Weinsier made a corresponding motion to bring back the ordinance in its final form to amend Section 2-224. Comm Gold seconded the motion, which was unanimously approved.

c. Approval of Cornerstone Charter School Resource Officer (SRO) Agreement

City Manager Bob Francis presented a School Resources Officer Agreement with Cornerstone Charter Academy and stated that both parties have agreed to and addressed significant issues with the Agreement. He further clarified that the SRO also commits 2 FTE hours, through a separate agreement with Orange County Public Schools, in Pine Castle Elementary School.

Comm Weinsier made a motioned to approve the School Resource Officer Agreement with Cornerstone Charter Academy. Comm Nielsen seconded the motion, which was unanimously approved.

d. Appointment of Special Events Committee

City Manager Francis said the City Council approved creation of a Special Events Committee and have received four applications. He recommended having Mayor Pisano be appointed to the Committee along with the appointment of the four members for initial terms as follows,

Mayor Pisano	3-year term
Renee Guadalupe	3-year term
Lora Brannan	3-year term
Holly Bobrowski	2-year term
Cindy Lance	2-year term

Comm Moss motioned to appoint the following members to the Special Events Committee.

Comm Weinsier seconded the motion.

Comm Nielsen asked if the City has any upcoming events before October 1st. Mayor Pisano said other than Christmas in July there will be no events that would be of a financial burden to the City.

The motion was unanimously approved.

e. **Social Media Policy review**

City Manager Francis provided a social media policy that will establish guidelines for the establishment and use by the City of social media sites as a means of conveying information. He clarified that the social media sites used will be a “push” of information only and comments will not be allowed. He further added that the City cannot prevent anyone from their first amendment rights to post on other social media sites however; it will be City Council’s responsibility to monitor any negative comments and take action. It will not be the responsibility of the staff or the Public Information Officer (PIO) to keep watch over.

Mr. Francis said it is very important for elected officials to review the policy so they do not violate the Florida Sunshine law. In addition, any City related, social media posts between two elected officials must be maintained and filed for possible public record requests. Discussion ensued on the custodian and retention of records for social media posts. City Manager Francis requested approval of the Social Media Policy and asked that Council, Mayor and staff sign the acknowledgement sheet which will be kept on file. Council further discussed.

Comm Weinsier motioned to approve the consent agenda items as presented

Comm Mosse seconded the motion, which was unanimously approved.

f. **Proposed ordinance on nuisance newspapers**

City Manager Francis presented, as directed by Council, a draft ordinance that prohibits the delivery of unsolicited newspapers to private residential homes. The draft ordinance is similar to the City of Orlando and would change the current City code under Chapter 10 Environment. After discussion, Council consensus is to move forward with the proposed ordinance.

g. **RESOLUTION 17-14: A RESOLUTION OF THE CITY OF BELLE ISLE, FLORIDA AMENDING THE FISCAL YEAR 2016-2017 ANNUAL BUDGET TO ACCOUNT FOR SPECIAL EVENTS REVENUE RECEIVED AND INCREASE CORRESPONDING EXPENDITURES; AND PROVIDING AN EFFECTIVE DATE.**

City Manager Francis said Resolution 17-14 would amend the budget and increases the revenue by \$400.00 received for the Easter Egg Hunt special events.

Comm Nielsen shared her concern with the cost of the Earth Day event and requested that the Special Events committee look into other options for future events.

Comm Weinsier moved to adopt Resolution 17-14 as presented.

Comm Mosse seconded the motion, which passed unanimously

h. **RESOLUTION 17-15: A RESOLUTION OF THE CITY OF BELLE ISLE, FLORIDA AMENDING THE FISCAL YEAR 2016-2017 ANNUAL BUDGET TO INCREASE THE BUDGETED EXPENDITURES FOR ENGINEERING FEES WITHIN THE TRANSPORTATION IMPACT FEE FUND FOR THE TRENTWOOD BLVD TRAFFIC STUDY; AND PROVIDING AN EFFECTIVE DATE.**

City Manager Francis said Council has approved conducting a traffic study at the intersection of Trentwood Blvd and Daetwyler Drive. He has hired Kittleson Engineering to conduct the traffic study. Kittleson Engineering agreed to conduct the study into two phases totaling \$24,000.

Comm Mosse shared his concern with the additional cost for a traffic plan that should have been completed before the development was approved.

After Council discussion, Comm Carugno motioned to table the discussion until Comm Lance can be present and asked the City Manager to call Mattamy Homes and retrieve a copy of the traffic study that was already completed during development.

Comm Gold seconded the motion, which passed 5:1 with Comm Nielsen in opposition.

i. Approval of BING Grant for Horizon Court Wall

Mayor Pisano called for approval of the BING Grant application for the Regal Landing Wall Repair in the amount of \$700.00.

Comm Gold motioned to approve the BING Grant application for Horizon Court.

Comm Mosse seconded the motion, which was unanimously approved.

j. Appointment of Russell Wayne Cheezum for Planning & Zoning Board District 6

Comm Mosse presented his appointment for District 6 Planning & Zoning Board.

Comm Mosse motioned to ratify Russell Cheezum for District 6 Planning & Zoning Board.

Comm Gold seconded, which was unanimously approved.

ATTORNEY REPORT

a. Comins Development LLC's - Request for Relief update

Attorney Callan reported that Comins Development project has filed a Chapter 70.5(1) Land Use Environmental and Dispute. The City has agreed to a hearing date of August 29, 2017 to help facilitate a resolution. Attorney Callan gave a brief overview of the hearing process.

b. Open Space and Parks update

Attorney Callan said he is currently researching all the parks in the City and will be looking at each park individually as discussed at the last workshop. Attorney Callan said he would like to initially address the Wallace property and Venetian Boat ramp. He will provide his findings to the City Manager and report at the following meeting.

c. Attorney Callan reported the previously approved FEMA Ordinance had some duplicate language and the State has requested the correction as a scrivener's error. He will bring the Ordinance forward as a corrected ordinance for second reading.

CITY MANAGER REPORT

a. Mr. Francis reported on the Aviation Noise Abatement Committee meeting and said the FAA will be rolling out a new plan called Next Gen. He further reported on the number of complaints they have received to date from Belle Isle and Orange County residents.

b. He reported on the Lake Conway Shores Drainage delay.

c. The staff Budget presentation will be held on July 25, 2017.

d. Mr. Francis reported on the NAV Board meeting and said he has requested funding from the NAV Board for the Swann Beach drainage upgrade totaling \$15,000. He also said the City is looking to purchase a new Marine Patrol boat totaling \$46,000 and has requested funding from the NAV Board of \$23,000 for navigational purposes. In addition, he and Chief Houston have requested an increase in hours from 114 hours on the Lake to 240 hours.

e. Mr. Francis said he has been contacted by Cornerstone Charter Academy who is experiencing substantial roof leaks. He has initiated an inspection with a roofing company to evaluate the damage. He will be establishing a capital improvement plan for the school and will present at a later date.

f. Mr. Francis reported on the Cross Lake Beach encroachment issue and asked for guidance from Council on exploring a few options to correct the growing concern.

Attorney Carlos Payas with offices at 1018 East Robinson Street, Orlando, FL representing the McGinnis's asked for Comm Carugno to recuse himself based on obvious reasons and not participate in any fashion based on this issue. Attorney Callan said recusing is specific under Florida law and unless there is a peculiar interest, which it doesn't appear to be, there is no legal basis to require the recusal. Attorney Callan gave a brief

summary on the use of the Cross Lake public right of way and lake access and said this item should be a new business agenda item to be discussed further. Brief Council discussion ensued on vacating the road and eminent domain.

Comm Carugno stated for the record there are a several residents on Oak Island and Cross Lake who have shared their concerns.

Comm Mosse motioned to direct the City Manager and the City Attorney to meet with staff and reach out to the two residents and Comm Carugno and come back with some alternatives.

Comm Nielsen seconded, which was unanimously approved.

- g. Mr. Francis addressed the Nela Fountain project and said he would like to open the design of the fountain as a contest to the residents of Belle Isle. Comm Readey was in favor of having a contest. Council consensus was to move forward with the contest.
- h. Mr. Francis provided a copy of the current issues log for review.
- i. Comm Mosse said Council approved the draft Request For Proposal (RFP) for Attorney Services but did not direct the City Manager to post.

After Council discussion, Comm Mosse motioned to send out the Request For Proposal for Attorney services. Comm Readey seconded, which was unanimously approved.

CHIEF'S REPORT

- Chief Houston reported on the City stats and said residential burglaries are down -36%; however, vehicle burglaries and other are up +21%. In response, the Police Department will be stationing unmarked cars throughout the City.
- Marine Patrol officers are scheduled to be on the lake three days a week and have made a great impact. The Agency have began a few initiatives that will create overall safety on the Lake including purchasing 90 life vests in a variety of sizes through a Grant received from Target. In addition, Chief reported that one of the Marine Patrol boats is in need of some repair and the City is looking on available options.

MAYOR'S REPORT

- Mayor Pisano reported that Orange County has scheduled an announcement for a special needs play ground at 10am at Warren Park.
- Christmas in July at Cork & Fork from 5-9pm.
- Mayor Pisano gave an update on the FWC meeting. She reported that she met with the group and exchanged ideas on the duck hunting issue. FWC agreed to provide a newsletter to provide to all of the residents with content on responsibilities of hunters, residents and FWC.
- Mayor Pisano gave an update on the Legislative issues including Amendment 1, Water and Home Rule.
- Mayor Pisano gave an update on the School Supply Drive.

COUNCIL REPORT

Comm Ed Gold – District 1

- Comm Gold spoke on letter he received from John Evertsen for a forensic audit of the City as well as the Charter School for 36 months. Attorney Callan stated that the City is only compelled to provide a public record an under no obligation to do his request with the school. Discussion ensued and consensus was to place on the next agenda for consideration.
- Comm Gold reported that Comm Pete Clarke offered the City to participate in the new 311 Orange County Service app at no cost to the City. Council discussion ensued on the benefits of the program.
- Comm Gold addressed a redesign of the curb inlets throughout the City to mitigate damage in the future.

Comm Carugno – District 2

- Comm Carugno asked to reopen discussion on Resolution 17-15 now that Comm Lance has joined the meeting. City Manager Francis said the Resolution addresses the Trentwood Blvd traffic study. Comm Lance said he was not sure if Mattamy Homes performed a traffic study prior to development. Mr. Francis said he would contact Mattamy and request a copy if available. Council discussed the boundaries and the scope of work.

Comm Lance motioned to table the motion to allow the City Manager to obtain a traffic report from Mattamy Homes.

Comm Gold seconded, which was unanimously approved.

- Comm Carugno questioned the validity of the emails received by Mr. Sims on a property in Daetwyler Shores. Brief discussion ensued on the history of the property. City Manager Francis stated if this is a current P&Z case, Council should not have any discussion at this time.
- Comm Carugno reported that he received complaints on the landscaping of the right of way on Hoffner and Conway.
- Comm Carugno spoke on the Oak Island HOA and the wetlands. He asked if the City could assist with the clearing of the plants on the lake. Comm Lance suggested contacting EPD for clarification before removal.
- Comm Carugno asked for the City to review Wilks Street and asked if it can be considered in the evaluation of the parks discussion.
- Comm Carugno spoke on the open concerns on the mulch dumped on the right of way on Cross Lake. The mulch is washing down into the Lake and would like to make sure there is no issue.
- Comm Carugno reported on complaints received on police patrols at Venetian Park and other boat ramps and asked if the City can designate a specific officer to patrol on a regular basis.

Comm Weinsier – District 3 – no report.

Comm Lance – District 4

- Comm Lance spoke on the flooding on Seminole; north of Daetwyler, down to Seminole and into Mr. Hammond's garage. City Manager Francis said he would review the area.

Comm Mosse – District 6

- Comm Mosse addressed the parking by the Randolph boat ramp. Chief Houston stated that that section of the road does not belong to the City and encourages persons to call the Orange County Sheriffs office with any concerns,
- Comm Mosse spoke of the benefits of having AED instruments in all commercial buildings.
- He is working on a Bing Grant for Conway East to install security cameras.
- Comm Mosse requested renaming Delia Beach to Harv Readey Park in honor of his service to the City.

Comm Nielsen – District 7 – no report.

ADJOURNMENT

There being no further business, Mayor Pisano called for a motion to adjourn, unanimously approved at 9:00p.m.

Yolanda Quiceno
CMC-City Clerk