



city council minutes

MINUTES
March 19, 2019
Regular Session 6:30 pm

The Belle Isle City Council met in a regular session on March 19, 2019, at 6:49 p.m. at the City Hall Chambers located at 1600 Nela Avenue, Belle Isle, FL 32809.

Present was:

Mayor Lydia Pisano
Commissioner Gold
Commissioner Anthony Carugno
Commissioner Jeremy Weinsier
Commissioner Harv Readey
Commissioner Jim Partin
Commissioner Sue Nielsen

Absent was:

Commissioner Mike Sims

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

CALL TO ORDER

Mayor Pisano called the City Council Regular Session to order at 6:49 pm and the City Clerk confirmed quorum. Commissioner Readey gave the invocation and led the Pledge to the flag.

Mayor Pisano reported that Comm Sims would not be in attendance today and requested a motion for an excused absence.

Comm Gold motioned to excuse Comm Sims for tonight's meeting.

Comm Nielsen seconded the motion which was unanimously approved 6:0.

CONSENT ITEMS

- Approval of the City Council meeting minutes – March 5, 2019
- Proclamation declaring April 2019 as Water Conservation Month

Mayor Pisano read the proclamation and called for a motion to approve the consent items as presented.

Comm Weinsier motioned to approve the consent agenda items.

Comm Nielsen seconded the motion which passed unanimously.

CITIZEN COMMENT

Mayor Pisano opened for public comment.

- Emily Wakley residing at 3019 Indian Drive spoke on the lot split changes and said she is in support of the proposed changes presented by the City Manager and City Planner.

There being no further citizen comments Mayor Pisano closed public comment.

UNFINISHED BUSINESS

ORDINANCE 18-05 – FIRST READING AND CONSIDERATION - AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA; AMENDING THE BELLE ISLE CODE OF ORDINANCES CONCERNING PLANNED DEVELOPMENT DISTRICTS; BY AMENDING PART II, CODE OF ORDINANCES; BY AMENDING SUBPART B, LAND DEVELOPMENT CODE; BY AMENDING CHAPTER 54, ZONING DISTRICTS AND REGULATIONS, ARTICLE III, ZONING CLASSIFICATIONS; BY AMENDING SECTION 54-77, PLANNED DEVELOPMENT DISTRICT PD; PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.

City Clerk read by title.

City Manager Francis said the ordinance creates planned development for a commercial district. With the possibility of the City annexing more commercial property, the ordinance is necessary.

Mayor Pisano called for Council Discussion. There being none she closed and allowed for citizen comments. There were no citizen comments she closed citizen comments and called for a motion.

Comm Nielsen moved to adopt Ordinance 18-05

Comm Weinsier seconded the motion which passed unanimously 6:0 upon roll call.

NEW BUSINESS

Approval of the Orange County Sheriff's Office Mutual Aid Agreement

City Manager Francis presented a mutual aid agreement. This agreement updates the previous agreement in place between the parties by including Sheriff John W Mina's signature.

Comm Gold moved to approve the mutual aid agreement.

Comm Carugno seconded the motion for discussion.

Council discussed mutual aid on the Lake and reviewing consistencies between the City's code and that of Orange County that govern the lakes.

After discussion, the motion was passed unanimously to approve the mutual aid agreement.

Mayor Pisano recognized and welcomed Mayor-Elect Nicholas Fouraker and Commissioner-Elect Karl Shuck.

Lot Split Changes

City Manager Francis gave an overview of the issues that are involved in lot splits. He said he met with the City Planner and provided different points for Council approval that included the following language,

- Sec. 50-33 Procedures (6) Lot split
No variance will be given for any lot split that results in a lot or parcel that does not conform in every respect of the Land Development Code's requirements for newly created lots or parcels. For example, no variance will be given to any lot split that results in a substandard lot.
- Sec 50-37 Variances, exceptions and appeals
, or will not result in any lot or parcel that does not conform in every respect to the Land Development Code's requirements for newly created lots or parcels. For example, no variance will be given to any lot split that results in a substandard lot or lots.
- Sec 54-2 Substantial lots of record
 - Lot Width: Lot width is the horizontal distance between the side lot lines, measured at right angles along a line drawn parallel to the front lot line at a distance from the lot line equal to the minimum front yard setback.
 - Lot Depth: Lot depth is measured along a straight line drawn from the midpoint of the front property line of the lot to the midpoint of the rear property line or to the most distant point on any other lines where there is no rear lot line.
- Diagram
Also, the staff recommended approval of a diagram on how to measure lot width, so there is no misinterpretation on how a lot width is to be measured.
- 50-33(6)(a) Application Process and Fee
Mr. Francis noted that the code currently does not require a fee for a lot of split application. After further research, he found that other municipalities charge a fee ranging from \$100-\$500 for an application. He is recommended a \$200 fee for a lot of application be adopted.

Comm Gold asked how these changes would affect the pending applications. Attorney Ardaman said if the Council wishes to move forward with an ordinance, he can add language that will allow the pending application to process under the old code.

Further, Comm Gold spoke on a companion piece that will allow an overlay for different areas. Mr. Francis said after review and discussion with the City Planner they found that the language expressed by Comm Gold already exists in the code.

Comm Weinsier said the ordinance applies equally to everyone and sets a baseline. The overlay process can be revisited at a later date because it is a separate issue.

Comm Nielsen motioned to develop an ordinance as discussed. She spoke on the overlay process and noted that the code is specific that aggregated plats cannot be split and will not make much of a difference.

Comm Carugno shared his concern with substandard lots and enforcing the code.

After discussion, Comm Nielsen moved to direct the City Manager to develop an ordinance based on the discussion. Comm Weinsier seconded the motion which passed unanimously 6:0.

ATTORNEY REPORT

Attorney Ardaman said he has not received the response from the Florida Attorney General's Office regarding vacation rentals but expects to receive a response shortly.

CITY MANAGER'S REPORT

Issues Log update

City Manager Francis provided the following updates,

- Gene Polk Park - No update on FEMA for the mitigation on Gene Polk Park.
- Street Paving – Paving will commence mid-April. The areas will be the City parking lot, Overlook, Lake Drive-Nela to Swann, Nela to the Bridge, Matchett to Gondola, Gondola– Nela to Perkins, Conway Circle and Jetport Drive.
- Wind Drift Project – The project is out for bid and due back on April 11th.
- Traffic Study – The consultant is finishing the plan for the TMP. We will place a draft on the website and open for public comment for two weeks. The consultant is requesting a Council workshop on April 9th at 5:30 pm. Council consensus was to schedule to meeting as requested.
- Wallace/Matchett – He received renderings from the school and will submit for review at the April 2nd Council meeting.
- Acquisition of Property – On the March 5th meeting, Mr. Francis reported that he and the Mayor did meet with Comm Uribe. The adjacent property owner has rejected the proposal and submitted a new proposal for review. Comm Uribe is reviewing the proposal submitted by the adjacent property owner and will present to the City Council at a future meeting. Mr. Francis said he recommends the acquisition of Cross Lake be placed on the Board of County Commissioners agenda as a public hearing for approval if Council rejects the new proposal submitted by the adjacent property owner. Proponents of the purchase can speak at that time.
- Bank of America (BOA) Building– Mr. Francis reported that their night might be new information on the sale of the BOA building. He was contacted today but was not able to take the call. He will provide an update once new information is received.
- Charter School – Mr. Francis reported that he communicated with the CCA consultant that the City was not interested in pursuing a land lease arrangement with the school.
- Strategic Plan – Schedule in May TBD.
- Municipal Codes and Comp Plan Updates – Ongoing.
- Annexation – Mr. Francis said he would wait on scheduling annexation discussions until after the Strategic Planning workshops.
- Solar – Waiting for quotes for the school.
- Parking – Revisit at the April 16th agenda.
- Alternative Revenue Sources – Mr. Francis asked if Council would be interested in scheduling a workshop sometime in April before the public process on Advalorum Taxes submittals. After discussion, Council consensus was to schedule a workshop on April 30th, 2019 at 6:30 pm.
- Code Enforcement Log – Mr. Francis said the Code Enforcement log would be added to the agenda moving forward.

Recorded Canvassing of Returns

City Manager Francis said per Section 8.11 of the City Code; Council is to certify the results of the Election. He asked for a motion of the March 12th, 2019 Election results.

Comm Gold moved to certify the results of the March 12, 2019 Election.

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

Chief's Report

Deputy Chief Grimm reported the following,

- DC Grimm reported that the agency continues to see cross recovery on investigative cost.
- Retention of the officers has been very positive, and the Officers have been applying their training and experience to solve crimes.

Mayor's Report

Mayor Pisano asked if the Comm Nielsen will need to appoint a Planning & Zoning Board person to replace Mayor Elect Fouraker since he will not be able to continue to serve on the Board. Comm Nielsen said yes. However, she does not have a candidate at this time.

Flags – Mayor Bagshaw

Mayor Pisano reported that the City of Edgewood had had every flag in their City at half-staff. Tallahassee informed her that the City would need to submit an application and provide a service date before approval. If approved the flags in Belle Isle can be at half-staffed from sunrise to sunset. She reported that she has not received a confirmation and asked for Council motion to allow the flags at half-staff on March 20th from sunrise to sunset. Council consensus was to fly the flags in Belle Isle half staff as requested.

Mayor Pisano further added that she would like to present a proclamation for Mayor Bagshaw to have read on April 19th. Mr. Francis said there is a certain protocol that we must follow for flags which is why he requested that the Mayor follow the application process.

Comm Weinsier moved to approve the proclamation for Mayor Ray Bagshaw.

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

House on Matchette

Mayor Pisano thanked Greg Gent, Cindy Wright, Vivian and Fred, Kaitlyn Peacock and all the volunteers for beautifying a home on Matchett.

Legislative Update

- Discussions on the open market for solid waste
- Energy Choice selection by the residents
- City and County Rent Control in Florida
- FLC in opposition of House Bill 829 that will impose legal fees to local government
- Mayor Pisano said she is honored to report that Mayor Deming's has appointed her to the Affordable Housing Task Force.

COUNCIL REPORT – no report.

ADJOURNMENT

There being no further business Mayor Pisano called for a motion to adjourn. The motion was passed unanimously at 7:30 p.m.

Yolanda Quiceno, CMC, City Clerk