



## CITY OF BELLE ISLE, FL CITY COUNCIL MEETING

Tuesday, March 21, 2023, \* 6:30 pm

### MINUTES

Present was:

Nicholas Fouraker, Mayor  
District 1 Commissioner – Ed Gold  
District 3 Commissioner – Karl Shuck  
District 4 Commissioner – Randy Holihan  
District 5 Commissioner – Beth Lowell  
District 6 Commissioner – Stan Smith  
District 7 Commissioner – Jim Partin

Absent was:

District 2 Commissioner – Anthony Carugno

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

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

Also present were City Manager Francis, Attorney Langley, Chief Grimm, Public Works Director Phil Price, and City Clerk Yolanda Quiceno.

#### 2. Invocation and Pledge to Flag

Comm Lowell gave the invocation and led the pledge to the flag.

Mayor Fouraker called for a motion to excuse Comm Carugno from the meeting.

Comm Gold moved to excuse Comm Carugno from the meeting.

Comm Holihan seconded the motion, which passed unanimously 6:0.

#### 3. Consent Items

- Approval of the City Council Meeting Minutes – February 21, 2023
- Approval of the City Council Meeting Minutes - March 7, 2023
- Proclamation – 25<sup>th</sup> Anniversary of Water Conservation Month in Florida
- Certificate of Achievement for Excellence in Financial Reporting for the Fiscal Year Ending 9/30/2021
- Monthly reports

**Comm Holihan moved to approve the consent items as presented.**

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

Mayor Fouraker read the Proclamation for the record.

#### 4. Citizen's Comments

Mayor Fouraker opened for Citizen Comments.

Anita Saaco residing at 4913 Jinou Avenue, spoke and shared her concerns about the lack of a City Manager and the lack of following the selection process discussed. She feels it is unacceptable that the City is now without an interim city manager.

#### 5. Unfinished Business

- Approval of a Contract with Colin Baenziger and Associates for City Manager Search

Mayor Fouraker opened a discussion on hiring an interim City Manager.

Attorney Langley said the position of the City Manager is vital to the City. As the City's Chief Executive Officer, the staff needs someone to report to. Many ordinances, charter provisions, and inhouse policies require the City Manager. The position must be filled even in a temporary, interim position. Since there was no decision made last night on an interim city manager, he recommends appointing an employee of the City based on the Code and the Charter until a decision is made on someone permanent.

Comm Holihan moved to appoint Chief Grimm as the Interim City Manager.  
Comm Gold seconded the motion.

Comm Partin clarified that Comm Holihan was on the prevailing side and could not make the motion. The motion and the second were withdrawn.

Attorney Langley said if the motion is adopted, Chief Grimm must appoint an Interim Chief of Police for the duration. He will not be able to serve in both capacities.

**Comm Partin moved to appoint Chief Grimm as the Interim City Manager effective upon the end date of the current City Manager's employment.**  
**Chief Grimm accepted the position. He added that he would appoint DC Millis as the Acting Chief of Police.**  
**Comm Gold seconded the motion.**  
**The motion passed unanimously 6:0.**

Mayor Fouraker clarified that the Council did approve the contract at a previous meeting. Council agreed that the contract was approved at the last session and should be signed accordingly. Mayor Fouraker announced that Colin Baenziger said he would be available for a presentation to Council on the hiring process for a permanent City Manager. Council agreed to hold a special called session on Monday, March 27, at 6 pm.

Comm Gold said he would like the interim city manager candidates added to the list for permanent City Manager consideration.

**After discussion, Comm Holihan moved to hold a special called session on Monday, March 27 at 6 pm to discuss the steps for hiring a permanent City Manager.**  
**Comm Gold seconded the motion, which passed 6:0.**

b. Approval of Employment Contracts with the Police Chief and City Clerk

Attorney Langley said he had reviewed the agreements, made some changes, and is ready for discussion and vote. He has referenced the Charter section to the City Clerk, the maximum severance by the law of 20 weeks, and the expectations for hours of employment. The Chief's role is not an 8-5 pm position and was corrected.

The City Clerk asked if the At-Will statement standard language for an employment contract. Attorney Langley said Florida is an At-Will state and remains the status. The Agreement does give protections that most employees don't have with severance pay.

**Comm Lowell moved to approve the Employment Agreements with the City Clerk and Chief of Police.**  
**Comm Holihan seconded the motion, which passed unanimously 6:0.**

- c. Discuss Criteria for RV Parking
- d. Discuss Change to the Municipal Code for Fences

City Manager Francis said he received a call from Comm Carugno, who asked if the discussion on Fences and RVs be tabled until the next meeting.

**Comm Smith moved to table discussion on Fences and RVs until Comm Carugno could be present.**  
**Comm Holihan seconded the motion, which passed unanimously 6:0.**

## 6. New Business

- a. Discussion Regarding Payroll and Payable Approval

City Manager Francis said this item was discussed at yesterday's meeting and is moot since we now have an interim City Manager.

- b. Appointment of Orange County Tourist Development Tax (TDT) Advisory Board  
City Manager Francis presented the three applicants for the TDT Advisory Board.  
Council welcomes former Comm Peter Clarke, who spoke on his interest in serving on the TDT Board.

**Comm Gold appointed former Comm Pete Clarke to the TDT Advisory Board.**  
**Comm Partn seconded the motion with the caveat that George Roden was the alternate.**  
**Motion passed unanimously 6:0.**

- c. Appointment of Phil Price to MetroPlan Orlando TSMO Committee  
**Comm Gold moved to appoint Phil Price to the MetroPlan Orlando TSMO Committee.**  
**Comm Lowell seconded the motion, which passed 6:0.**

- d. Approval of Surplus Miscellaneous Office Equipment  
**Comm Smith moved to approve the surplus items presented.**  
**Comm Partin seconded the motion, which passed unanimously 6:0.**

- e. Review/Approve RFP for Staffing Study  
City Manager Francis presented an RFP for a staffing study review by the Budget Committee. The study will determine the appropriate staffing level for the responsive departments within the City organization to meet its operational requirements and help develop strategies that utilize staff resources most effectively.  
**Comm Smith moved to direct the City Clerk to advertise the RFP for a staffing study.**  
**Comm Lowell seconded the motion, which passed unanimously 6:0.**

- f. Legal Update - PRM Membership Regarding Florida Legislation Concerning Increasing Sovereign Immunity Cap Limits

City Manager Francis said Comm Smith received a letter from PRM regarding Florida Legislation concerning increasing the sovereign community cap limits. Before a commissioner represents the City, it should be reviewed and approved by the Council to move forward. If agreed, Commissioner Smith can sign on behalf of the City.

Attorney Langley said the City has sovereign immunity, and the Bill will increase or eliminate the insurance. It will have a substantial fiscal impact on all cities and counties if passed.

**Comm Lowell moved to authorize Commissioner Smith, as the City's PRM Board representative, to sign a letter opposing Senate Bill 604.**  
**Comm Partin seconded the motion, which passed unanimously 6:0.**

## **8. Attorney's Report - na**

## **9. City Manager's Report**

City Manager Francis thanked the Council, staff, and the community for their support throughout the years.

### **a. Chief's Report:**

Chief Grimm reported on the month's citations, arrests, and warrants and that the agency had issued 755 traffic citations. He said he would present one new hire and promotions at the next meeting.  
Congratulation to Officer Tren completed 12 years of service with the City of Belle Isle.

Chief Grimm said the license readers are not yet active; they are currently coordinating permit approvals. He noted that the redlight camera on Judge and Conway is active.

b. Public Works Report

Phil Price reported that he and Harris Engineering would continue to close the FEMA projects.

**10. Mayor's Report**

Mayor Fouraker thanked City Manager Francis for six years of service and said that the City is in a better place because of his proactive commitment to the City.

Holly Bobrowski, Special Events Chairman, announced May 13 for the Servants Heart 5K. They have approached the City to participate. She asked if representatives of the City would like to participate; please let her know. In addition, she noted that the Special Events Committee would assist the Tree Board and have Arbor Day piggyback with the Easter celebration.

**11. Items from Council**

Comm Lowell attended the Hot Rod or Heroes and was proud to be part of the festivities.

Comm Holihan thanked OC and Mr. Francis for their assistance in removing the weeds on the south shoreline. He asked what the policy was for attending meetings via zoom. Attorney Langley said a physical quorum must be present, and Council can approve allowing video conferencing. Comm Holihan said e would be away on vacation starting May, June, and July and would like to request participation via zoom. Mr. Francis said the zoom participant could not be counted for the quorum; however, they could vote. Council asked the City Clerk to send a copy of the Resolution regarding Zoom participation.

**Comm Gold moved to allow Comm Holihan Zoom participation from the months of May-July 2023.**

**Comm Lowell seconded the motion, which passed unanimously 6:0.**

Comm Gold shared his concern about having multiple emails for City business. He would like to request that City emails remain as @belleislefl.gov.

**12. Adjournment**

There being no further business, Mayor Fouraker called for a motion to adjourn.

The motion passed unanimously at 8:06 pm.