



## CITY OF BELLE ISLE, FL CITY COUNCIL MEETING

Thursday, August 22, 2024 \* 6:30 PM

### MINUTES

Present was:

Mayor - Nicholas Fouraker  
District 1 Commissioner – Frank Vertolli  
District 2 Commissioner – Holly Bobrowski  
District 5 Commissioner – Beth Lowell  
District 6 Commissioner – Stan Smith  
District 7 Commissioner – Jim Partin

Absent was:

District 3 – OPEN  
District 4 Vice Mayor – Jason Carson

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

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

City Manager Rick Rudometkin, Attorney Langley, Chief Grimm, Public Works Director Phil Price, and City Clerk Yolanda Quiceno were also present.

#### 2. Invocation and Pledge to Flag - Commissioner Stan Smith, District 6

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

Mayor Fouraker asked for Council consideration to rearrange the agenda items and bring forward item 7(a) after Public Comments.

#### 3. Public Comments & Announcements

Mayor Fouraker welcomed Commissioner Myra Uribe.

##### Orange County (OC) Approval of Gold-Legal Road

Comm Myra Uribe announced that the county has advocated for Matchette Road to be approved as a golf-driven road. On August 13, the OC Board of County Commissions unanimously approved and officially made Matchette Road a golf-legal road for residents to take students to and from school safely. She looks forward to continuing her partnership with the city and its residents.

##### Appeal Local Ordinance Violation P0002021 - Jeffrey Giles

Jeffrey Giles and his wife, Jennifer Giles, read a letter in response to the appeal from two residents: Jeff Schwartz, 2018 Alsace Court, and Austin Faber, 2830 Alsace Court, stating that they have not experienced any issues with the Giles family.

Mr. Giles asked if the person making the complaint was in attendance. The City Manager said he was not. He further asked how long the caller had said the infraction had lasted. When water skiing, the “live” pass is no longer than ten seconds on the lake. The total time around the 5-homes combined on the Cove is about 18 seconds; passing is less than a minute. It is overwhelming to comprehend the statement that the noise can be heard from the inside of his home.

Officer Shaffer testified that Jean Braddock called in the complaint on July 21, 2024, at 1:55 p.m., and he could identify the person while on the phone. He did not provide a duration; however, he said it is a constant daily occurrence. Officer Shaffer then stopped by Mr. Giles's home to discuss the violation.

Jennifer Giles shared her concerns about the violation and found it unfair that they did not get a warning or be told what was acceptable noise and what was disturbing the peace.

After discussion, the Council noted that the call is subjective. However, he understands that the officer must respond to the complaint.

Mayor Fouraker made a note that the video is not displaying on Facebook.

The City Clerk stated that she is aware. There have been some issues with the Wi-Fi, and she is working with the IT staff on a fix.

Attorney Langley read the code for the record. The Code states that the complainant must be 50 feet from the noise violation; Office Shaffer said he was less than 50 feet away.

**Comm Lowell moved to uphold the ticket and return the \$50 administrative fee.**

**Comm Smith seconded the motion, which passed unanimously 5:0.**

Mayor Fouraker called for a motion for an excused absence for Vice Mayor Carson.

**Comm Vertolli moved to excuse Vice Mayor Carson from the meeting.**

**Comm Partin seconded the motion, which passed unanimously 5:0.**

The City Clerk confirmed that Facebook Live was back up with 12 viewers.

#### 4. Presentations

a. McDermitt Davis, Tammy Campbell FY2022/2023 Financial Report

Tammy Campbell, City Auditor from McDermitt Davis, summarized the Annual Comprehensive Financial Report for FY ended September 30, 2023. She highlighted the following,

- Audit Opinion – unmodified
- General Fund balance decreased \$333k to \$3.7m.
- Stormwater fund decreased \$251k to (\$265k)
- Debt service fund was closed
- New accounting standard- Subscription Based Information Technology Arrangements (SBITA)
  - ▶ Similar to the lease standard implemented in 2022
  - ▶ Full value of contract recorded, offset by an asset
- No current-year management comments
- Prior year comment on segregation of duties has been corrected
- Separate compliance report on ARPA funds
  - ▶ Similar to a single audit
  - ▶ City in compliance with the grant requirements tested

The Council expressed concern about the incoming stormwater revenue and the fire department increase of \$5.71m. Ms. Campbell said that, based on the cash reserve, the City has funds to cover approximately five months.

Comm Partin asked for an update on the FEMA reimbursement. Mr. Rudometkin said the staff is working on gathering the additional information requested by FEMA. Mr. Rudometkin said he could not reach the FEMA representative on file and would follow up with a call. Chief Grimm said FEMA had cleared the reporting. The review process now involves the Department of Florida Division of Emergency Management requesting additional documentation regarding log and debris load tickets.

b. Interview and Appoint a Candidate for City Council District 3: Julie Gillespie, Chad Rocheford, and Danny Otterbacher

Mayor Fouraker announced that Mr. Chad Rocheford has declined to continue to allow the two other candidates the opportunity to service the City.

The Council agreed to interview the two candidates. The candidates will give a few minutes of introduction. The Council asked that the waiting candidates step out of the room during the interview.

**After interviewing both candidates, Comm Partin appointed Danny Otterbacher as District 3 Commissioner. Comm Vertolli seconded the motion, which passed 3:2 with Comm Smith and Comm Bobrowski, nay.**

## **5. Consent Items**

- a. Approval of Workshop meeting minutes - August 6, 2024
- b. Approval of City Council meeting minutes - August 6, 2024
- c. Approval of Duke Energy Easement - 6300 Hansel Avenue
- d. Approval of 2024/2025 PD Invoices: Flock Safety-License Plate Readers, Lexipol-Accreditation & Training Manuals and Axon-Taser Contract
- e. Approval of Animal Welfare Foundation Inc. \$25,000 Donation for PD Canine

Comm Smith said he wants to pull items a, d, and e.

### Consent Item a

**Comm Smith made the motion to correct the following edits to the August 6, 2024, minutes as follows,**

Page 98 of the Packet, August 6, Workshop Minutes,

Read, "CM Rudometkin provided a copy of the budget calendar for reference. He stated that the First Budget Hearing would be on ~~September 5<sup>th</sup> and Adoption on September 19.~~"

Should read, "CM Rudometkin provided a copy of the budget calendar for reference. He stated that the First Budget Hearing would be on September 3 and Adoption on September 17."

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

### Consent Item d

Comm Smith asked for clarification on the two invoices: Flock Safety and Axon-Taser.

Chief Grimm said that the Finance Department requests Council approval of the annual invoices. When the programs were introduced to the Council, they were initially paid with allocated ARPA funding; annually, they were budgeted to include body cameras, tasers, 17-camera LPRs, and a grant-writing program. It is budgeted for this year, and the Finance Director wanted Council consensus that the commitment of a 10-year annual subscription is allocated yearly through the budget process.

Comm Partin said at the August 1<sup>st</sup> meeting he is not sure if he would have made the same decision, understanding that it is a 10-year commitment. He shared his concern and said he would like to have more information moving forward before making such a commitment. He further asked if there is a price change in any given year that, the Council be notified. Discussion ensued on a contracting tracking system to provide periodic updates to the Council.

### Consent Item e

Comm Partin said the canine unit can be used in other ways leveraged for other community services and partnerships with other agencies. Chief Grimm said the agenda item is to accept the donation. At a future meeting, he will provide the yearly cost, start-up gear, liability, and contract handling costs. Discussion ensued on handling, training, and housing.

**Comm Smith moved to approve,**

- **Edits to Workshop Minutes of August 6 – Item a,**
- **Approval of the Flock Safety License Plate Readers, Lexipol-Accreditation and Training Manuals, and Axon -Taser Contract annual contract payments – Item d, and**
- **Approval to accept the donation as presented – Item e.**

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

## 6. Unfinished Business - na

## 7. New Business

### b. Approval of RFP 2024-03 Landscape Maintenance Proposal

**Comm Smith moved to approve the Yellowstone Landscape Maintenance Services Proposal for \$50,976.00.**

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

### c. Request to Open At-Large Appointment for P&Z Board District Seats 1 and 2

CM Rudometkin stated that the staff had been challenged to fill Board member seats and asked the Council to consider having the two vacant seats on the P&Z Board at large or having the Council knock on doors to solicit new members.

Mayor Fouraker asked Comm Vertolli and Bobrowski if they had spoken to any residents in their district for consideration. Mr. Vertolli said he had tried. However, the problem is that they do not want to fill out the required paperwork. Comm Bobrowski said she had not and believes a City our size should all be filled at large. Mayor Fouraker said he is not a fan of having the P&Z Board opened at-large and believes each district should have its representative.

Comm Smith said he would prefer to add two members at large for one year until an applicant from the district applies. Discussion ensued on the advertising process, not meeting the quorum, information via alert not reaching all residents, and re-establishing a quarterly newsletter.

**Comm Smith moved to allow at-large appointments to the P&Z Board for one year and readvertise Districts 1 and 2 seats. Comm Bobrowski seconded the motion, which passed 4:2 with Comm Partin and Comm Vertolli, nay.**

**Comm Smith moved to extend the meeting an additional 15 minutes.**

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

## 8. Attorney's Report

Attorney Langley stated that he is working on the Condemnation Order for the property on Arajo Court. Reaching the property owner has been challenging, and all contact attempts have been returned undeliverable. He noted that based on the title search, there are two mortgages, and the City may be unable to recover the money spent if approved. The order will be scheduled for a City Council hearing on October 15<sup>th</sup>.

## 9. City Manager's Report

City Manager Rudometkin reported the following,

- City Manager Work Plan Items have been provided for review.
  - Bricksmore is reviewing a draft proposal for annexation
  - Pine Castle School update from OPCS Christopher Mills regarding re-purposing the school to an Exceptional/Esteem Student Program and will have an SRO on campus.
  - BioTech has signed the Municipal Complex contract study and will start next week.
- He announced the Tree Plaque Dedication is scheduled for September 7, 2024, at 10:30 am, and the Centennial event is scheduled for October 19<sup>th</sup> from 4-10 pm on Waltham/Randolph. A brief discussion ensued on parking and logistics.

### b. Chief's Report

Chief Grimm reported the following,

- He clarified some of the code nuances of the noise ordinance. Warnings are not typically given because the Officer was told about it; they observed it, and the violation is issued.

c. Public Works Report

Phil Price reported the following,

- Sidewalk repair on hold due to weather.
- The Police Department is scheduled to be repainted to match City Hall.
- Bids for Landscaping City Hall in moving forward.
- The City Hall clock is experiencing electrical issues; we are working on a repair.
- Political signs on the City's right of ways are unsightly and prohibited. They should be placed in front yards and permitted areas only and picked up after the election period.

**10. Mayor's Report**

Mayor Fouraker asked about the County's Annexation ordinance and if it would harm the City's opportunity to annex property into the City. Attorney Langley said it may not be good for any City if it passes. The City may want to negotiate an agreement with the County to establish areas that can be annexed without the County commission doing super majority votes or constraints to the land use regulations. A brief discussion ensued on the possible referendum to annex the Publix property.

Mayor Fouraker met with the OC Fire Chief and the City Manager to discuss the Fire increase. He said they spoke of services, resources, and a prorated share for a city our size.

**Comm Smith moved to extend the meeting an additional 15 minutes.**

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

**11. Commissioners Report**

- Comm Lowell reported that she would like to ask for an excused absence for September 3, 2024.
- Comm Bobrowski said she heard that the City of Edgewood is organizing cities to join them in meeting with Orange County regarding the increased Fire invoice. She noted that she has heard concerns from residents on the lake levels, and we should proactively ask to lower the weir boards. Mr. Price noted that St John's controls the weir. Mayor Fouraker said at the next NAV Board meeting that they are asking an expert to review the policies at the weir.
- Comm Vertolli announced that OC will have hearings on the weir on Sept 5th and Sept 19<sup>th</sup>.

**12. Adjournment**

With no further business, Mayor Fouraker called for a motion to adjourn the meeting, which was unanimously approved at 9:30 pm.