



city council minutes

AGENDA June 21, 2016 * 6:30p.m. City Council Regular Session

The Belle Isle City Council met in a City Council Regular Session on June 21, 2016 at 6:30p.m. at the City Hall Chambers located at 1600 Nela Avenue, Belle Isle, FL 32809.

Present was:

Mayor Pisano
Commissioner Weinsier
Commissioner Gold
Commissioner McGinnis
Commissioner Lance
Commissioner Nielsen

Absent was:

Vice Mayor Readey

Also present was Attorney Kruppenbacher, Deputy Chief Houston and City Clerk Yolanda Quiceno.
District 6 – open seat.

CALL TO ORDER

Mayor Pisano called the meeting to order at 6:30pm.

Mayor Pisano announced for the record that Vice Mayor Readey is excused and will not be in attendance.

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

PROCLAMATIONS

Mayor Pisano presented the following Proclamations,

- Sergeant Travis Grimm of the Belle Isle Police Department was presented a proclamation for his commitment to freedom by serving in the Armed Forces of the United States of America. Sergeant Grimm's wife and three children were also in attendance.
- Chief Rich Ring, Belle Isle Chief, was acknowledged for his excellence in leadership, professionalism, innovative training and motivation of officers and all-around service to the community.
- Mayor Pisano read the Community Commemoration in acknowledgement of the events of June 12, 2016 at the Pulse Nightclub. Officer Justin Lemieux, Officer Jon Paul Gargano and Officer Brandon Cornwell were acknowledged for their response to the Pulse Night Club shooting.

SWEAR IN OF DISTRICT 6 COMMISSIONER

Mayor Pisano introduced and swore in Lenny Mosse to serve as District 6 commissioner.

CONSENT AGENDA

- APPROVAL OF RESOLUTION NO. 16-01** - A RESOLUTION OF THE CITY OF BELLE ISLE, FLORIDA CITY COUNCIL AUTHORIZING SPECIFIC COUNCIL MEMBERS AS SIGNATORIES ON THE CITY CHECKING ACCOUNT.
- APPROVAL OF RESOLUTION NO. 16-02** - A RESOLUTION OF THE CITY OF BELLE ISLE, FLORIDA AMENDING THE FISCAL YEAR 2015-2016 ANNUAL BUDGET TO ALLOW FOR THE PURCHASE OF A REPLACEMENT TRUCK FOR THE PUBLIC WORKS DEPARTMENT; AND PROVIDING AN EFFECTIVE DATE.
- APPROVAL OF RESOLUTION NO. 16-03** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELLE ISLE, FLORIDA AMENDING THE FISCAL YEAR 2015-2016 ANNUAL BUDGET BY ACCEPTING FUNDING FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR ELECTRONIC TRAFFIC IMPROVEMENT INITIATIVE PROJECT; AND PROVIDING AN EFFECTIVE DATE.
- APPROVAL OF RESOLUTION NO. 16-04** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELLE ISLE, FLORIDA AMENDING THE FISCAL YEAR 2015-2016 ANNUAL BUDGET BY ACCEPTING FUNDING THROUGH THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT FOR VIDEO AND SECURITY; AND PROVIDING AN EFFECTIVE DATE.

Attorney Kruppenbacher said the City is in the process of looking ~~into~~ at acquiring a vehicle for Public Works and working with multiple dealerships for the best deal. Attorney Kruppenbacher requested that Resolution No. 16-02 be approved with a cost of no more than \$45,000.

**Comm Lance motioned to approve Consent Agenda items a-d as presented.
Comm Gold seconded the motion which passed unanimously.**

PUBLIC HEARING CASE NO. 2016-04-019 (Continuance) - Applicant Christopher M. Comins, property owner, will request for approval of a formal subdivision consisting of a combination of three parcels with a total land area of approximately 3.79 acres, a 13 lot single residential subdivision and a four slip boat dock at 7710, 7728 and 7740 Daetwyler Drive, Belle Isle, Orange County, Florida, also described as Parcel ID #29-23-30-0000-00-013, Parcel ID #29-23-30-4986-00-010 and Parcel ID #29-23-30-4986-00-040. Preliminary plat available at City Hall.

Mayor Pisano announced that the case is being pulled from the agenda this evening. There are some items that staff has not have the opportunity to analyze pertinent to the request, and will be requesting a continuance.

Miranda Fitzgerald of Lowndes, Drosdick, Doster, Kantor and Reed requested the continuance be moved to July 19 due to personal reasons. Attorney Kruppenbacher stated that any discussion for this case be continued until July 19th. Council unanimously approved the request for continuance.

CITIZEN COMMENTS

Mayor Pisano opened for citizen comments.

- Steve Up residing at 5113 Pasadena Drive spoke of two issues. One is the establishment of a State recognized bird sanctuary and wanted to know the status for Belle Isle; and the second item is the paving of the streets in the Venetian neighborhood (Pasadena, Parkway, and Venetian). He stated that it is inexcusable to not have these streets already paved, due to the fact that other streets in Belle Isle have been paved twice, and asked for an update on the progress and ~~the~~ next steps on the paving projects?

Mayor Pisano responded that the City is waiting on a status update from FWC regarding the bird sanctuary from State Representative Miller. As far as the paving projects, she noted that unfortunately the previous City Manager left the subdivisions off the priority list and the Interim City Manager had overlooked those streets because they were not on the previous list. She said that it will be addressed for the next budget year and the hiring of a new City Manager.

Attorney Kruppenbacher stated that Council passed a resolution banning the discharge of firearms and would hope that another episode would not happen subsequent to that passage. Attorney Kruppenbacher had directed the prior Chief of Police to place "No Hunting" signs around the lake. His position is that anyone objecting can take the City to court, and that he would rather have a judge say it is Ok for the use of shot guns around our lake and citizens. Unfortunately, the issue is beyond the City and the State has not ~~gone~~ gotten around to changing the law.

There being no further comments, Mayor Pisano closed the citizen comment section.

APPEAL BY THIRUMALA HOTEL, LLC PUBLIC HEARING CASE NO. 2016-04-012- - Withdrawn by Applicant

Applicant Thirumala Hotel, LLC requests a variance for approval on 2635 McCoy Road, Belle Isle, FL also described as Parcel I.D. # 30-23-30-0000-00-005, from Section 50-73(a) to change the maximum building height for a C1 Retail Commercial hotel development from 30 feet maximum height to 60 feet maximum height.

Mayor Pisano announced that the applicant withdrew their variance request. Attorney Kruppenbacher clarified that the appeal for the height variance has been withdrawn; however, the project will be moving forward.

ATTORNEY'S REPORT

Discussion of Police Department Pension Plan

- Attorney Kruppenbacher spoke of the current 401K investment policy. He is recommending that the contribution plan be modified to allow contributions, for all staff, to the 401K after 30 days of employment and be vested immediately at the end of the first year of employment. In speaking with Finance, he stated that other changes to the pension plan cannot be addressed at this time because we cannot assure that the funds will be available this budget year. He said, if in agreement, the recommended changes can be made by passing Resolution 16-05 amending the defined contribution retirement plan for employees of Belle Isle.

Comm Nielsen motioned to approve Resolution 16-05 as recommend.

Comm McGinnis seconded the motion.

There being no further discussion, motion passed unanimously.

Permitting Process

- Attorney Kruppenbacher stated that he has asked April Fisher to develop an application review process time frame on City letterhead so that when someone comes in to file a permit, they will be provided a document that will let them know how much time it will take to process. The document will state that an applicant will be notified within ten days ~~and if of~~ their application. If the application has any errors, it will take up to a maximum of eight weeks for approval for site plans, variances and special exceptions. He noted that a check lists will also be made available so applicants will know what specific documents are required for their project. Applications for non-planning items, such as pavers, pool, shed fences and roofs, may take up to five days for approval. Yard sales may take up to two days for approval.

Comm Weinsier asked if the time frame should be calculated in business or calendar days. Discussion ensued and it was agreed that the process will be calculated as business days.

Comm Nielsen motioned to approve the application review process timeline with a modification that it will be calculated in business days.

Comm Gold seconded the motion.

There being no further discussion, unanimously approved.

Attorney Kruppenbacher clarified; if a citizen finds themselves in an emergency situation they did not contemplate they should let City staff know so that the appropriate arrangements can be made.

Discussion of Inter-local Agreement with Orange County Environmental Protection Agency

- Attorney Kruppenbacher reported that he is working to obtain copies of the previous inter-local agreements with Orange County Environmental Protection Agency. In addition, Attorney Kruppenbacher recommended that the City enter into an inter-local agreement with Orange County Environmental Protection Department.

Comm Lance said after reading several documents related to dock permits, sea walls, swales and the water shore-line, the City really needs to have a professional. In speaking with Liz Johnson from the County, she informed him that the reason Orange County had decided to back away is because our ordinance mirrored Orange County's. He further added that Orange County said they would work with the City, without an agreement, if the current ordinance is repealed.

Attorney Kruppenbacher reported that he has had some difficulty getting a return phone call from FEG and indicated there are a couple of drainage issues that need to be addressed immediately. He advised Council, if he does not get a returned call from Larry Ray (FEG), he will meet with the Mayor regarding some standing issues and will ask for approval for the repairs if the cost remains under \$10,000. Commissioner Nielsen suggested that the Attorney try to contact Harvey Harper at ERD who has also done work for the City.

Tree City USA committee member selection

- Attorney Kruppenbacher opened discussion for the Tree City committee member selection. He read the names of the individuals who were selected previously. Comm Weinsier suggested that the Commissioners reappoint the individuals that had previously volunteered to serve. Council was directed to provide their candidate appointees to the City Clerk to place ~~in on~~ the agenda for the next City Council meeting.

Mayor Pisano stated that Tree City Committee members will be tasked with doing the BING neighborhood grants, and advising where trees should be planted throughout the City. Comm McGinnis asked when a Tree City Board meeting will be held and who will be the point person for questions. Mayor Pisano said the dates will be determined once the Board is created and Comm Nielsen will be the point person.

- Attorney Kruppenbacher reported that the Belle Isle Police Department currently has a finger-print system that is outdated and capable of being attacked and compromised. To update it would run about \$10,000. We average approximately one Belle Isle citizen per month, and it is primarily used for people who come to be fingerprinted, who are applying for something. Attorney Kruppenbacher stated that the City of Edgewood has an updated system and recommends that the City not spend the money to update the system. He would like to have the City direct those in need, on the City's website, to the Edgewood Police Department for service. Council was in agreement of the recommendation.
- Attorney Kruppenbacher asked for a motion to declare Vehicle #901 - 2007 Chevrolet Impala with 118,016 miles as surplus. Several costly repairs have been made; it continues to run poorly and now needs a new cooling and air conditioning system.
Comm Gold motioned to surplus vehicle #901.
Comm Lance seconded the motion.
No further discussion, motion passed unanimously.
- Attorney Kruppenbacher said that he has been advised that the City previously spent approximately \$15,000 to repair roof leaks at the school facility. He has an initial report that there may be leaks in other buildings, which may cost roughly \$250,000 to repair. As the landlord of the property we have certain landlord obligations, and **are is** recommending an evaluation of the building; establish a maintenance plan, as well as a master plan that evaluates all systems. Additionally, he has learned from Finance that there is an account containing money, which is required by the bond trustee, held by the trustee, **and** intended for repairs of the school facility.
- Attorney Kruppenbacher informed Council that by July 1 all Council members, and any appointed board members in the City, must file their financial disclosure form with the State of Florida for the year 2015 to avoid being fined for non-compliance. Attorney Kruppenbacher recommends if any Board member knowingly **choosing chooses** not to file, Council should consider their term on the Board expired. Council discussed the position of the P&Z Board members and the Tree USA Advisory Board.
- Attorney Kruppenbacher acknowledged Acting Chief Houston's role in the early morning hours of Saturday taken place at the Pulse nightclub and thanked her for her professionalism.
- Attorney Kruppenbacher provided an update on the Mattamy Homes project. He stated that he is waiting for an update **front from** the Attorney General's office on the road standards. Discussion ensued.
- Attorney Kruppenbacher asked Council to e-mail any projects or thoughts for this year's budget to the City Clerk so that she may forward them to Finance. Finance will be drafting the budget Fiscal Year 2016/2017. Comm Nielsen commented that with all the projects that need to be done, Council may need to keep the option open to increase the ad valorem. Mayor Pisano also noted that once the mileage rate is submitted, the number can come down, but it cannot be raised.

Attorney Kruppenbacher stated that Council needs to get ahead of the budget because of some of the structural issues that have to be addressed with the school property. The worst case scenario is that they may need to use some of the reserve funds to get things done because he is finding things that have not been addressed.

Comm Mosse asked if there a maintenance superintendent at the school. Attorney Kruppenbacher said there is a janitor at the school; however, it was beyond the level of a building tech. As the owner of a property of this size, he will be recommending a thorough site evaluation be required.

COUNCIL REPORTS

Comm Nielsen - District 7

Commissioner Nielsen said she has received a few calls from residents about street sweeping in Lake Conway Estates and other areas near the lake. The City contracts with Orange County who uses a company who provides ~~and~~ a satisfaction guarantee policy. The company should not be leaving debris on our streets and should not be going any faster than ten miles per hour. She asked if someone becomes aware of any issues the resident can call someone with the date and time and report it to the Orange County Senior Environmental Specialist. Comm Nielsen asked if it will be appropriate to place the information on the Belle Isle web site. Attorney Kruppenbacher directed the City Clerk to obtain a street sweeping schedule and map along with the information they would like to post on the website.

Comm Nielsen asked how many resumes have been received for the City Manager position and when will Council start reviewing the resumes already received. Attorney Kruppenbacher said he will forward the 39 resumes received and asked that the applicants not be contacted at this time. Discussion ensued on the evaluating process. Council was in agreement to review the current applications and bring their top 10 selection the next meeting for discussion.

Attorney Kruppenbacher commented that an application for a police department vacancy has been received. He has been interviewed and has had the appropriate reviews. Council authorized Acting Chief Houston to fill vacancies as needed. However, new positions will be brought to Council for approval.

Comm Lance - District 4

Comm Lance was happy to report that the NAV Board has approved \$6,000 for the lake clean up. He stated that a private company has been hired to do the work. The cleanup will not be on the City's dollar, but paid through the collected MSTU tax dollars.

Comm Lance noted that with all the development proposed in the City it is important to make sure that trees are not removed. Additionally, it is important to make sure developers are aware of our ordinances.

Mayor Pisano noted that she had appeared before the NAV Board to request more police dollars. Comm Lance said that he is lobbying to get more funds allocated to the City. Discussion ensued on lake activity and the need for police lake patrol in the evening.

Comm Weinsier - District 3

Comm Weinsier said he received an email regarding parking at the Perkins Boat Ramp. Permits are required for vehicles pulling trailers. If someone has a paddle board do they have the same access? Mayor Pisano said April Fisher should look into this issue and report back to Council.

Comm Weinsier referenced correspondence from Orange County Commissioner Pete Clarke inquiring about the status of putting a paddle board ramp at Warren Park. Comm Weinsier said he sees it as a benefit and asks, what can Council do to move this forward.

Comm Nielsen stated that a permit is required by the City and the previous City Council had voted not to issue the permit. She believes it will be a benefit. Attorney Kruppenbacher recommended that it be placed on the agenda for the next council meeting.

Comm Weinsier spoke of using "green" products and techniques for lawn care. He asked if the City can maintain a list of lawn care providers who utilize "green" products. Comm Lance suggested that perhaps lawn companies spraying any chemicals be required to have a permit. He further added that Orange County has an ordinance that does not allow the use of nitrogen or phosphorous in the summer months if you live on the lake.

Attorney Kruppenbacher asked Ms. Fisher to research the approved green products and laws for discussion.

Comm Weinsier asked if the Belleisle.gov domain has been reserved. Attorney Kruppenbacher said he will have an update at the next meeting.

Comm Weinsier announced that the Pine Castle Historical Society will be having a book release signing. Dr. Weir will be at the Woman's Club on Sunday at 3:00pm.

Comm McGinnis - District 2

Comm McGinnis requests to nominate former Comm Larry Ady for the Florida League of Cities Lifetime Achievement Award. She noted that the award will be presented ~~to~~ at the Florida League of Cities Conference in August.

Comm McGinnis gave an update ~~in~~on the purchase of the yard signs to announce City Council meetings. She said they ~~would~~will cost more than she had anticipated. After Council discussion, it was agreed to move forward. Comm McGinnis said she is waiting to speak with Code Enforcement on placement ~~if~~of signs in the City.

Commissioner McGinnis proposed that the City host an Orange County Candidates Meet and Greet. Discussion ensued. Council agreed that Comm McGinnis speak with the Woman’s Club and work in conjunction with them on the forum.

Comm Gold - District 1

Comm Gold would like to move forward with a pension plan for the police department and ask that figures be brought forward. He believes the City must match the competitors. Attorney Kruppenbacher said these discussions are counterproductive. He suggested that the any issues or suggestions brought to Council members should be addressed with the Chief, so that she can bring forward recommendations.

Comm Gold asked if the Public Works Department has adequate equipment for some of the jobs, such as a power saw. The City Clerk responded that larger assignments are usually contracted out.

Comm Gold spoke of a 360 degree camera (360 Fly) that would be useful for televising meetings at such time as City Council decides to video them. Attorney Kruppenbacher stated that this item may or may not be on the agenda for a vote, and asked that it be placed on the agenda for a future meeting.

ADJOURNMENT

There being no further business, Mayor Pisano called for a motion to adjourn, unanimously approved at 8:55pm.

Yolanda Quiceno
CMC, City Clerk