



city council minutes

August 23, 2016 * 6:30 p.m.
Regular Session
Cornerstone Charter Academy's Auditorium
5903 Randolph Avenue, Belle Isle

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| Lydia Pisano Mayor | Frank Kruppenbacher Acting City Manager City Attorney | Ed Gold District 1 | Katy McGinnis District 2 | Jeremy Weinsier District 3 | Bobby Lance District 4 | Harv Readey District 5 | Lenny Mosse District 6 | Sue Nielsen District 7 |
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The Belle Isle City Council met in a City Council Regular Session on August 23, 2016 at 6:30 p.m. at the Cornerstone Charter Academy's Auditorium located at 5903 Randolph Avenue, Belle Isle, FL 32809.

Present was:

Mayor Pisano
Attorney Kruppenbacher
Commissioner Readey
Commissioner Gold
Commissioner McGinnis
Commissioner Weinsier
Commissioner Lance
Commissioner Mosse
Commissioner Nielsen

Absent was:

Also present: Chief Laura Houston and City Clerk Yolanda Quiceno. Meeting audio is available on the City's website and at City Hall.

CALL TO ORDER

Mayor Pisano called the meeting to order at 6:30pm. Comm Readey gave the invocation and led the pledge to the flag.

Presentation of TRIM Notice (Truth In Millage) - Rick Singh, Orange County Property Appraiser

Mr. Rick Singh gave a brief overview of the proposed Truth in Mileage for the City of Belle Isle. He stated that Orange County is growing rapidly and is one of the most complex County's in the area of assessments. He further added that the City of Belle Isle participates and contributes to the growth and gave a brief summary of the market values, top 10 businesses and property assessment breakdowns.

Duck Hunting Presentation -

Florida Wildlife Commission (FWC), State Representative Mike Miller and Belle Isle Police Department

Mayor Pisano welcomed Captain Byron Smith from FWC, Captain Kevin Michael from the Water Sport Association and Representative Mike Miller.

Captain Byron Smith stated that he does not have a presentation to give; however, he is present to hear and answer concerns from the residents regarding the Duck Hunting issue. In addition, he would like to clarify some misconceptions that have been in the media and House Bill 45.

He stated that there was piece of media he was presented referencing House Bill 45. He clarified that the passing of House Bill 45 has nothing to do with Duck Hunting. It strictly deals with a person being lawfully allowed to carry a firearm in an open capacity on their way to and from hunting, fishing, camping or the fire range. Captain Smith further added that, he appreciates the residents concerns however it does not negate the fact that the Lake is

sovereign land and the hunters are lawfully allowed to hunt. Discussion ensued; Attorney Kruppenbacher also clarified that there is a statute that reads if anyone interferes with a Florida hunter is subject to a criminal act. The Belle Isle Police Department cannot issue any tickets for a potential violation; however, they can detain the individuals and report the offense to FWC.

Mayor Pisano opened for public comment,

1. Dave Snavely residing at 2800 Alsace Court spoke in opposition of the Duck Hunting and said it is ridiculous to allow hunters to hunt so close to residential homes. He shared his concerns and asked if there was any recourse.
2. Harris Gainey residing at 5423 Pasadena Drive spoke in opposition of Duck Hunting on Lake Conway and spoke of some of the events that occurred last year during hunting season and asked if the residents have any rights because he feels that FWC does not share a lot of support for the residents.
3. Jeanine Hollingsworth residing at 2229 Nela Avenue spoke in opposition of the Duck Hunting and asked if adding a bird feeder on the beach prevent hunters from hunting in the area. Discussion ensued on placing duck feeding signs and feeders on residential properties near the lake.
4. Ralph Yarborough waived his opportunity to speak.
5. Bo, resident, said many of the hunters were from Lake County and asked if the City thought of doing anything with the boat access ramps.

Wake Boarding:

Florida Wildlife Commission, State Representative Mike Miller and Belle Isle Police Department

6. Alexander Clem residing on the north shore 4859 Murray Drive, Orlando FL 32806 spoke of a series of emails that have been circulated in social media. He spoke of video taped lakeshore erosion caused by large wakes caused by wake boarders. He encouraged Council to consider passing an ordinance to regulate speed limits, wakes and public safety on Lake Conway.
7. Randy Holihan residing at 2513 Trentwood Blvd spoke on behalf of the wake boarders that have taken the blunt of the resident's complaints. He is being proactive and taking steps to address wake boarder etiquette for discussion at a future meeting on September 21, 2017.
8. Phil Price residing at 7440 Daetwyler Drive asked if the Belle Isle Police Department, in addition to the wake boarders, could also enforce the Jet Skiers on the lake.
9. Randy Holihan residing at 2513 Trentwood Blvd said, with all the concerns of the traffic on the lake, he asked for clarification on a rumor he heard regarding the conversion of Warren Park Beach into a boat ramp. Attorney Kruppenbacher stated that Commissioner Pete Clarke asked for the City to review converting the Warren Park beach area into a kayak launch. At some point it will come to City Council for approval; at this time a formal application has not been submitted.
10. Kevin Michael from the Water Sports Industry Association with offices at 1720 Weeks Avenue, Orlando offered residents to contact him with any questions on recreational lake water concerns. He further added that he has a Captain's Etiquette Video that is available on YouTube and available to everyone in the public.
11. Dr. Erik Gilmore residing at 1031 Waltham Avenue shared his concerns on the increase in traffic in the community between Marinell Drive and Randolph Avenue. He has watched children crossing the street on Waltham and is concerned about the safety issues on the speed and volume of traffic. In addition, he observed that the steel fence surrounding the perimeter of the school is not secure. He has watched adults jump the fence and is concerned for the safety of the children. He proposed replacing the fence or placing high shrubbery around the parameter of the school to shield the children from view.

After discussion, Attorney Kruppenbacher recommended that City Council pass an Ordinance to send to the State for approval. He asked Chief Houston to identify the areas around the Lake that address the wake boarding issues and beach erosions.

He further reported that the Belle Isle Police Department, Orange County and FWC would have targeted law enforcement to enhance public safety on Labor Day on Lake Conway.

State Legislative Update: State Representative Mike Miller

Representative Mike Miller gave an update on the highlights at the January Legislative session, which included repeal of the manufacturing machinery sales tax, school tax, health care and home rule.

There being no further comment, Mayor Pisano closed public comment.

USA Street Sweeping Consultant - No report.

Republic Services Representative

Brian Thornton thanked the City for allowing Republic Services to service the City.

CONSENT ITEMS

- a. Purchase of Marine Patrol 2015 Ford F150/50 miles - \$20,998.00
- b. Surplus of PD 2008 Crown Vic - 111,962 mileage/Kelly Blue Book \$3,000
- c. Approval of City Council Workshop July 15, 2016 minutes
- d. Approval of City Council Workshop July 19, 2016 minutes
- e. Approval of City Council Workshop July 25, 2016 minutes
- f. Approval of City Council Workshop August 2, 2016 minutes

Comm Nielsen motioned to approve the consent agenda as presented

Comm Weinsier seconded the motion.

Comm Lance made a correction to the July 19, 2016 workshop as redlined in the draft minutes.

Comm Nielsen said the correction is a bit obsessive and meeting minutes should not include so much detail in the meeting minutes. Attorney Kruppenbacher recommended that Council approve the minutes, less that particular item. He will listen to the audio with the City Clerk and make sure it is exactly as what was said and correct as discussed.

The motion to approve consent items a-f passed unanimously.

Ordinance No. 16-10 - FIRST READING AND CONSIDERATION:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELLE ISLE, FLORIDA, AUTHORIZING THE NEGOTIATION OF A LOAN IN AN AGGREGATED AMOUNT NOT TO EXCEED \$1,170,000 FROM THE FLORIDA MUNICIPAL LOAN COUNCIL TO REFUND A PRIOR LOAN, AS DESCRIBED HEREIN; APPROVING THE FORM OF AND THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT WITH THE FLORIDA MUNICIPAL LOAN COUNCIL; APPROVING THE FORM OF AND THE EXECUTION AND DELIVERY OF A BOND PURCHASE CONTRACT; APPROVING THE FORM OF AND THE EXECUTION AND DELIVERY OF A CONTINUING DISCLOSURE AGREEMENT; PROVIDING CERTAIN OTHER MATTERS IN CONNECTION WITH THE MAKING OF SUCH LOAN; AND PROVIDING AN EFFECTIVE DATE.

Attorney Kruppenbacher reported that this is a refinancing of the Nela Bridge loan. It will result after all costs and proceeds of an additional savings of \$31 342.39 to the City. He further said he would bring forward a refinance agreement for the Cornerstone Charter School property bond

Comm Nielsen made a motion to advance Ordinance 16-10 to second reading and adoption.

Comm Lance seconded the motion for discussion.

Comm Lance asked if all the monies going to be used for the refinance of the loan.

Attorney Kruppenbacher said yes.

After discussion the motion was unanimously approved.

ACTING CITY MANAGER'S REPORT

- a. Police Department building update - Attorney Kruppenbacher provided a copy of the results of the completed studies of the police department. The study shows a significant mold problem. The PD staff was relocated to City Hall until the issue is corrected. The Police Department may need to be reconstructed down to the shell and rebuilding; if that is the case they will be looking into renting a trailer during the construction phase. He will keep Council closely advised on the situation as the final reports are received. He further reported that the City has received two workers comp claims in relation to the mold issues.
- b. Delia Beach update – The Engineering Company that gave us the quote has gone out of business. We will be looking to restart the process. Attorney Kruppenbacher stated, unless directed otherwise, he will hold off on having this issue addressed at this time and wait for the incoming City Manager to resolve.
- c. Florida Municipal Bond Borrower Continuing Disclosure Policies – The City has ongoing disclosure policies and has appointed Tracey Richardson as the point of contact.
- d. Boat Ramp Access – If the City has the ability to limit boat ramp access to Belle Isle residents he will be research State law and report back to Council with some options. Discussion ensued on surrounding non-City ramps.
- e. Red Light Camera – The Belle Isle Police Department would like to research placing a red light camera on Lindos and McCoy. This issue was raised in the past and it was not passed. Council discussed having increased patrol. Chief Houston said the traffic pattern is very bad in that intersection and is looking to the most effect safety solution. After discussion, Council consensus was to have a representative give a presentation at a future meeting before moving forward.
- f. Attorney Kruppenbacher further reported,
 - a. The Perkins Boat Dock is being completed;
 - b. Wind Harbor paving to be completed by August 29. We did our first small test of the door hangers and the response was very positive.
 - c. We received a quote in the amount of approximately \$20,000 for removal of the s-curve on Daetwyler and Trentwood. Comm Lance stated that Clarke Sprinkle from Mattamy Homes called for a meeting with the Daetwyler Shores HOA on September 14th to go over the control arm device. Discussion ensued on Mattamy Homes repair of the s-curve and future maintenance of the private driveway.
 - d. The City will be having a meeting with Cornerstone Charter Schools to discuss the role and responsibilities regarding the building, grounds and upkeep.
 - e. Will be bringing forward an Ordinance to repeal the Transportation Impact Fee Ordinance.
 - f. He reminded Council that the deadline for Belle Isle Bulletin articles would be September 2nd.
 - g. The Police Department will be placing signs that politely discourage duck hunting and reminding everyone that it is also a residential area.
 - h. Attorney Kruppenbacher recommended that the minutes be simplified to have action items only.
 - i. Attorney Kruppenbacher reported that all City Manager candidates passed the criminal checks and background checks. Once Council identifies the final three candidates a deeper search will be recommended. After discussion, Council agreed to provide three dates and have all three interviews on the same day for candidates 2, 3 and 12.
 - Council agreed to have the budget special session on Thursday, September 1st and 6:00pm.
 - Call for interview availability for August 31 or September 1st. It is customary to pay for the flight for any out of town candidates. The initial interview will be by phone and the second interview will be in person.
 - j. The boat dock ordinance that was on the P&Z Board meeting has been moved to next month.
 - k. Attorney Kruppenbacher spoke of the boat dock moratorium and discussed some challenges that have affected a few residents. Attorney Kruppenbacher recommended that Council pass a motion authorizing modification to the moratorium that would say it is being lifting to allow any application that would require a variance for one boat and/or an application for one boat at the dock.

Comm Lance made a motion to modify the moratorium to lift only to those residents who do not need a variance and/or for any application that will accommodate a boat dock for one boat.
Comm Gold seconded the motion, which passed unanimously.
 - l. Attorney Kruppenbacher spoke of a Travel Policy that will allow the City to pay any Commissioner to attend any Florida League of Cities meeting. Consensus was to bring forward a policy for discussion and approval

MAYOR'S REPORT

- a. Update on Florida League of Cities meeting - will report at the following meeting.

COUNCIL REPORTS

Comm Nielsen

- Comm Nielsen said a 4-way or 2-way stop in Conway Estates would take care of the traffic problem. Comm Nielsen will connect with the Chief to discuss further.
- Attorney Kruppenbacher reported that a Tree Ordinance will be provided at the next meeting and a tree board can be created.
- Comm Nielsen suggested having a commissioner corner on the website. Discussion ensued on mailing and emailing future Bulletins.
- Comm Nielsen asked for everyone to receive a brief one-page version of the Rosenberg's Rules of Order.

Comm Mosse – no report

Comm Lance

- Comm Lance gave a Florida League of Cities update and said they recommend minutes to be completed within seven days.
- Would have liked to see the junk trees on Nela, Seminole and Indian removed however, the City must find a way to stop the removal of the mature oaks and other valuable trees.
- He spoke to the heavy traffic in the school area and resident complaints.

Comm Weinsier

- With regards to the school traffic, the City must work with the School Staff to encourage car pooling and walk-to-school.
- There have been a few side conversations throughout this entire meeting and it is not fair to others in attendance. Council should adopt a code of conduct and agree on how to run our meetings.
- Duane Jackson from the Wind Harbor HOA emailed him and the Interim City Manager and he would like to know if the concerns have been addressed. Mayor Pisano said they had.
- Comm Weinsier suggested modification to the regulations on the Perkins Boat ramp to allow for vehicle parking and remove the trailer requirement.

Comm McGinnis

- Comm McGinnis spoke to placing speed bumps or 4-way Stops on Hoffner Avenue. She added that the surrounding residents are against this proposal because it will cause major traffic issues.

Comm Gold

- Comm Gold asked for an update on code revisions. Attorney Kruppenbacher said it would be going to the P&Z Board in September and no later than October to Council for approval.

ADJOURNMENT

There being no further business, Mayor Pisano called for a motion to adjourn, unanimously approved at 10:00p.m.

Yolanda Quiceno
CMC-City Clerk