



city council minutes

AGENDA **October 18, 2016 * 6:30 p.m.** **City Council Regular Session**

The Belle Isle City Council met in a City Council Regular Session on October 18, 2016 at 6:30 p.m. at the City Hall Chambers located at 1600 Nela Avenue, Belle Isle, FL 32809.

Present was:

Mayor Pisano
Vice Mayor Readey
Commissioner Gold
Commissioner Carugno
Commissioner Weinsier
Commissioner Lance
Commissioner Mosse
Commissioner Nielsen

Absent was:

n/a

Also present was Attorney Kruppenbacher, Chief Houston, Lt. Grimm 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. Vice Mayor Readey led the invocation and the pledge to the flag.

CONSENT AGENDA

- a. Proclamation: Week of the Family,
- b. RESOLUTION NO. 16-14
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELLE ISLE, FLORIDA RELATING TO BOAT DOCK REGULATIONS; EXTENDING THE CURRENT PERIOD OF ZONING IN PROGRESS INITIATED BY RESOLUTION 16-06 FOR AN ADDITIONAL PERIOD OF 90 DAYS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.
- c. RESOLUTION NO. 16-15
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELLE ISLE, FLORIDA; AMENDING THE DEFINED CONTRIBUTION RETIREMENT PLAN FOR THE EMPLOYEES OF BELLE ISLE; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE
- d. Approval of City Council Regular Session minutes – October 4, 2016

Mayor Pisano read the Week of the Family proclamation and presented same to April Smith, Week of the Family representative. In addition, Mayor Pisano provided a proclamation recognizing October as Down Syndrome Awareness month.

Comm Nielsen motioned to pull item d from the consent agenda for editing.
Comm Lance seconded the motion.

**Comm Gold motioned to pull items b and c from the consent agenda for clarification.
Comm Weinsier seconded the motion.**

**Comm Weinsier motioned to approve item a on the agenda.
Comm Gold seconded the motion unanimously approved.**

Comm Lance said he has reviewed Resolution 16-14 and clarified that it states as long as a boat dock application does not require a variance, the applicant would be able to proceed with their application.

April Fisher, consultant for the City stated that the resolution extends the existing moratorium. The reason for the extension is because the Planning & Zoning Board is still reviewing the draft ordinance to present any changes and recommendations for Council approval.

**Comm Nielsen motioned to approve item b - Resolution 16-14.
Comm Weinsier seconded the motion.
Mayor Pisano opened for discussion.**

After discussion, Resolution 16-14 was approved unanimously.

**Comm Mosse motioned to approve item c - Resolution 16-15.
Comm Lance seconded the motion.
Mayor Pisano opened for discussion.**

Frank Kruppenbacher stated that the resolution will amend and increase the defined benefit contribution retirement plan for civilian employees at 7% and law enforcement employees at 10%. Council discussed different classes of employees for contribution purposes.

After discussion, Resolution 16-15 was approved 6:1 with Comm Lance in opposition.

Mayor Pisano opened for discussion on consent agenda item d.

The following changes were made to the October 4, 2016 minutes,

Page 2, reads as follows, "Meloneze Moore residing at 4313 Kandra Court, Belle Isle addressed the disrepair of the drainage pipes in her neighborhood, and asked that the City not select the same company for the new repairs.

Should read, "Meloneze Moore residing at 4313 Kandra Court, Belle Isle addressed the paving and drainage problems on her street and neighborhood. She asked that the City not select the same company for the new repairs."

Page 4, reads as follows, "Comm Lance shared his concern with the pending hurricane and stated that all should be vigilant with the neighbors."

Should read, "Comm Lance shared his concern with the pending hurricane and stated that all should be vigilant and look out for neighbors."

Page 5, reads as follows, “Comm Nielsen clarified that Mayor Pisano cannot set the rules on the process of a meeting and would like to open discussion at the next meeting for Council discussion and vote.”

Should read, “Comm Nielsen clarified that Mayor Pisano cannot, according to the charter, set the rules for the process of a meeting, and would like to invite council to discuss rules at the next meeting.”

Page 3, reads as follows, “**Comm Mosse seconded the motion, which was unanimously approved**”

Should read, “**Comm Lance seconded the motion, which was unanimously approved**”

Page 2, reads as follows, “Comm Nielsen motioned to approve the final settlement agreement with Total Enviro Services for \$4,500, and approve a contract for \$36,843 with Shenandoah, to complete the project”.

Should read, “Comm Nielsen motioned to approve the final settlement agreement with Total Enviro Services for the project at 3303 Cullen Lake Shore Drive for \$4,500, and approve a contract for \$36,843, with Shenandoah to complete the project”

Comm Gold motioned to rescind his motion, made on October 4, 2016, to approve a contract with Accuright Survey of Orlando.

Comm Mosse seconded the motion which passed unanimously

Mayor Pisano called for a motion to approve the changes to the minutes as discussed.

Comm Weinsier motioned to approve the minutes as discussed.

Comm Lance seconded the motion which passed unanimously.

CITIZEN COMMENTS

- Gary Meloon residing at 6101 Matchett Road, Belle Isle spoke of an explosion of harmful weeds on Lake Conway. He said he spoke with EPD and was told that the weeds are due to the illicit discharge from the Charter School property. Comm Lance said there are some known challenges from the school property and the type of fertilizer they use for the football field turf. Discussion ensued. Attorney Kruppenbacher said it has been reported to EPD and the City is looking into a solution.
- Karl Shuck residing at 1658 Wind Willow, Belle Isle stated that the property appraiser’s office website has not been updated, and the Wallace property is not showing being purchased by the City. He further stated that it is important that Council follow the protocol and speak one at a time so that the City can keep a good record.

ATTORNEY’S REPORT

- City Council Protocol
Attorney Kruppenbacher provided a memo speaking to the items relevant to the issue of protocols for city meetings and the conduct of the Mayor, staff and Council members. The City has adopted the Rosenberg’s Rules of Order and it is recommended that it be immediately followed. He further recommended that social media not be used for items that relate to the City. If the need arises, and Facebook is used, he advises Council and Mayor to not opine on any City related item. Discussion ensued on a social media policy and etiquette. Attorney Kruppenbacher suggested sending a mail out advising residents of the City’s website page as the official source of information from the City.

- Civility Pledge

Attorney Kruppenbacher provided a draft Policy of Civil Conduct for discussion.

After discussion, Comm Lance motioned to adopt the Policy of Civil Conduct as presented with the minor housekeeping items.

Comm Nielsen seconded the motion which passed unanimously

CITY MANAGER'S REPORT

- **Purchasing Policy and Bid Templates**

Mr. Kruppenbacher stated that the City does not currently have a purchasing policy. He will be working closely with the Finance Manager to bring forward a policy for discussion and adoption.

- **Hurricane Clean-up**

He authorized additional pickups from Republic Services for hurricane clean up. He reported that the City had a very extensive plan in place during the hurricane, and staff worked diligently, around the clock, to make sure that the City was able to respond to any life threatening situation. He asked for approval to give the employees an additional day for their services.

Comm Gold motioned to approve an additional day in recognition of staff's commitment.

After discussion, Comm Mosse seconded the motion which passed unanimously

- **Increase of Personal Leave Maximum for City Employees**

Mr. Kruppenbacher stated that he will bring forward for approval a personnel policy for all employees of the City along with a travel policy per state statute.

- **Cullen Lake Shore and Jade Circle Project**

Mr. Kruppenbacher introduced Danny DiMura from Shenandoah and Louis Woska from Shen-line, to speak on trenchless culvert repairs needed to repair the existing drainage problem at Cullen Lake Shore.

Danny DiMura provided a power point presentation explaining the trenchless technology, slipline process and common problems that may arise. Discussion ensued on other methods of applications. Dave Taylor from Harris Civil Engineers, with offices at 1200 E Hillcrest Avenue, Orlando FL spoke to the engineering process of the project. After discussion, Mr. Kruppenbacher stated that the contractors should be finished with the Cullen Lake Shore project by the end of the week.

Mr. Kruppenbacher reported on the ongoing project on Jade Circle. He noted that he asked Shenandoah for a quote to repair Jade Circle and was provided a quote for \$21,720 to repair the lining of the pipe to the pump station. He recommended, while the contractor is currently in the City, Council approval of the proposal provided.

Vice Mayor Readey motioned to move forward with the pipe lining repair and the proposed amount, not to exceed, \$21,720.

After discussion, Comm Nielsen seconded the motion which passed unanimously.

Mr. Kruppenbacher stated in order to provide a comprehensive report; it will be required to also approve \$11,970 to Accuright Survey. Dave Taylor said it will be required to survey the underground utilities to avoid any further challenges. He noted that 811 Sunshine will only pick up utility lines and does not locate lines from phone companies or cable services.

For the record, Mr. Kruppenbacher said the staff has searched the records available and have not located a copy of a comprehensive report. Mayor Pisano added that the former City Manager could not locate any document as well.

Comm Gold motioned to approve the contract with Accuright Survey of Orlando to do the topographical, utility and private underground survey for the Jade Circle project in the amount of \$11,970.

Comm Lance seconded the motion not to exceed the approved amount.

Motion passed unanimously.

- **Revenue Bonds**

Currently, the City acquired revenue bonds when they purchased the Cornerstone Charter School property in the amount of \$9,625,000. He is researching whether or not the school bond can be refinanced to save the City money. He stated that he will report back within the next few weeks.

- On November 8th he has scheduled a meeting with the Orange County Administrator, Mr. Agit and the County Stormwater Department to open dialogue on working together on storm water utility projects. He will report at a following meeting.

Personnel Policy

Mr. Kruppenbacher said before he brings the personnel policy for approval he will be authorizing 40 hours to be paid out to an officer who will otherwise lose his time under the current policy.

Mr. Kruppenbacher advised that former Mayor Brooks father-in-law passed away. He was one of the first responders at Pearl Harbor and a highly decorated officer. He asked for Council approval to send an appropriate condolence flowers/basket from the City. Council gave consensus.

Mr. Kruppenbacher further advised that the former City Manager raised questions on what the City is paying him as the City Attorney and Acting City Manager position. After speaking with the Mayor, he stated that the City was not in the position to pay him at the hourly rate, and billed the City \$7,500 monthly in total, for the additional responsibilities. In companion to that question he asked, what is Chief Houston's role? Attorney Kruppenbacher clarified that he has utilized Chief Laura Houston, as a senior manager of the City, to follow up and oversee current projects and other duties as assigned in his absence.

In addition, Mr. Severns contacted Chief Houston, who felt threatened with the discussion, and questioned the quotes received for the Cornerstone Charter School roof. Discussion ensued.

MAYOR'S REPORT

Mayor Pisano reported on the following,

- Fall Festival will be on Saturday October 29, 2016 – 10-3:00pm
 - Legislative Update will be provided at the next meeting.
- Mayor Pisano asked Frank Kruppenbacher to provide an update on the Interim City Manager search. Mr. Kruppenbacher gave an update on the City Manager candidate search. He said many of the candidates asked if there will be a housing allowance during the interim. Many of the candidates were not available and were looking for full time positions. He offered a viable option and asked April Fisher, who was the previous Deputy County Administrator for Seminole County, if she will be willing to temporarily step into the City Manager position.

After Council discussion, it was agreed that the salary will not exceed what is currently being paid and the cost to the City will not increase. Attorney Kruppenbacher stated that he will have a contract prepared for review at a following meeting.

Vice Mayor Readey motioned to have April Fisher as the interim City Manager.

Comm Nielsen seconded the motion which passed unanimously.

Attorney Kruppenbacher stated that Chief Houston will continue to have signing authority for emergency situations only.

COUNCIL REPORTS

Comm Nielsen District 7

- Comm Nielsen asked all Council members to provide the City Clerk with their Tree USA Board member name, address and contact numbers so that they can meet and start planning for Arbor Day.
- On the City website, there was previous discussion to create a Commissioner's Corner and reminded Council to give the Clerk any articles that will be helpful to City residents.
- Comm Nielsen asked for an update on the School Board meeting. Mayor Pisano said there was discussion on the Wallace property. Chairman Brooks offered to provide a plan for the property and stated that the School will cover the cost to grade and level the property.

Comm Lance District 4

- Comm Lance asked for an update on Perkins Boat Ramp repairs. Attorney Kruppenbacher said Public Works has had other duties to complete and will repair the Perkins area in short order.
- Comm Lance also asked for an update on the cancelled meeting process and the required motion.

Comm Weinsier District 3

- Comm Weinsier provided an update on the google apps and email accounts. He expects to have an update at the next meeting.
- He spoke to the revisions to the agenda from the Rosenberg's rules of order. It is important that Council look to follow guidelines and gave an overview of the Rosenberg Rules meeting procedures. Discussion ensued. Attorney Kruppenbacher said it would be beneficial to have the language written out so that the public clearly understands the procedure.

Vice Mayor Readey District 5

- Vice Mayor Readey asked if it was legal for the City to require owners to rent roll off bins from Republic Services. Attorney Kruppenbacher said the staff is currently researching the contract as it relates to the current City ordinance.
- He further questioned the legality to require an arborist to inspect a tree before it is removed. Attorney Kruppenbacher said it is required by ordinance and beneficial to maintain the City's canopy.

Comm Carugno District 2

- Comm Carugno asked, what is the protocol on voting on an item that is not posted on the agenda? Attorney Kruppenbacher stated that it is important to always have the item noticed on the agenda, for transparency; however there are some instances when it doesn't happen.
- He further asked for a brief history on the Venetian gate. Frank Kruppenbacher said the City has an agreement with a resident that clearly defines his responsibilities to open and close the gate. Discussion ensued. Comm Carugno said many residents in the surrounding neighborhood do not want to close the gate and asked, since it is his district, if he will be able to select the person who opens and closes the gate.

Holly Bowbroski residing at 2400 Hoffner Avenue said in the past, City Hall provided a key for a fee for the boat ramps. Discussion ensued on other options to revisit providing key access to our public boat ramps.

ADJOURNMENT

There being no further business, Mayor Pisano called for a motion to adjourn, unanimously approved at 9:35 p.m.

Yolanda Quiceno
CMC-City Clerk