



CITY OF BELLE ISLE, FL CITY COUNCIL MEETING

Tuesday, April 16, 2024 * 6:30 PM

MINUTES

Present was:

Mayor - Nicholas Fouraker
District 1 Commissioner – Frank Vertolli
District 2 Commissioner – Holly Bobrowski
District 4 Commissioner – Jason Carson
District 5 Commissioner – Beth Lowell
District 6 Commissioner – Stan Smith
District 7 Commissioner – Jim Partin

Absent was:

District 3 – OPEN

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 Dan Langley, Chief Grimm, Public Works Director Phil Price, City Planner Raquel Lozano, and City Clerk Yolanda Quiceno were also present.

2. Invocation and Pledge to Flag

Commissioner Bobrowski gave the invocation and led the Pledge to the Flag.

3. Consent Items

Mayor Fouraker called for approval of the Consent items.

- a. Approval of the City Council meeting minutes - March 27, 2024
- b. Approval of the City Council meeting minutes - April 2, 2024
- c. Proclamation - Celebrating Tree City USA and Arbor Day 2024
- d. RES 24-03 - A RESOLUTION OF THE CITY OF BELLE ISLE, FLORIDA, AUTHORIZING COUNCIL MEMBERS AND THE MAYOR AS SIGNATORIES ON THE CITY CHECKING ACCOUNTS, PROVIDING FOR SEVERABILITY, PROVIDING FOR AN EFFECTIVE DATE.
- e. Approval of JAG Grant C-8C274 Residual - Equipment and Supplies

Comm Smith moved to approve the minutes as presented.

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

4. Citizen's Comments.

Mayor Fouraker opened for citizen comments.

- Anita Sacco, who lives at 4913 Jinou Avenue, spoke on the Live Local State Statute. She expressed concern about the possibility of the new law being applied to new property acquired by the City.
- Bob Harrell, who lives at 2800 Trentwood Blvd, expressed his concerns about the City paying part of its impact fees. He is on the committee that reviewed the school's lease and stated that the current contract with CCA is a Triple Net. He is not in favor of paying any fees.
- Tony Carugno, who lives at 2372 Hoffner Avenue, asked if the apartments on McCoy Road fall under the allotment for low-income housing. He also said he does not favor paying any CCA impact fees. Mr. Carugno announced that the ANAC meeting would be held on Thursday at 10 a.m. and gave a brief overview of the airport traffic.

There being no further comments Mayor Fouraker closed citizen comments.

Mayor Fouraker asked for an excused absence for the Vice Mayor, who is on vacation.

Comm Smith moved to approve an excused absence for Vice Mayor Lowell.

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

5. Unfinished Business

6. New Business

Mayor Fouraker announced that the CCA representative was running behind and asked if he could present later in the meeting. Mayor Fouraker asked for consensus to move the agenda items forward. The council agreed.

b. Review and Discuss JJ's Waste & Recycling Proposal for Continuance of Contract

City Manager Rudometkin said he was approached by Darren Bateson from JJ's Waste & Recycling, who provided two proposals for the Council to consider for continued service and to extend the current contract for an additional three years. The staff are asking if the Council would entertain one of the proposals or if it would like to proceed with a Request for Proposal.

Comm Partin said proposal two looks like it is worth considering and asked for clarification on the fixed and extended years of the contract. Mr. Rudometkin said they would like to keep serving the City residents and offered no increase for three years and a 5% increase on the commercial side. Mr. Rudometkin recommends that the city only renew it for the next three years. Comm Partin asked if the commercial rate was negotiable and shared his concern about Sienna Place and additional increases. Mr. Rudometkin said he addressed the additional pick-ups on their property with their representative and discussed avenues to stop the illegal dumping.

Comm Smith spoke of JJ's proposal in 2023 and their discussion on raising fees because Orange County fees were increasing substantially; what has changed? How can they offer a 3–5-year contract with no increase? Comm Carson agreed. Mr. Rudometkin said he spoke with Mr. Bateson and said he would bring this forward; however, the Council will not entertain an increase. He is unsure if the commercial increase will supplement the loss from the increase in dumping fees.

Comm Vertolli stated that he is very happy with JJ's Waste and that sometimes it is better to stay with what we have and improve without a tremendous increase.

Mayor Fouraker asked if it would be beneficial to speak with our Commercial Properties and ask how this would affect them. The council consensus was to have the City Manager post-issue the RFP, negotiate proposal number two with clarification on the 5% minimum on commercial properties, and bring it forward at the next meeting.

a. Review and Discuss the Cornerstone Charter Academy (CCA) Expansion Project and the Exemption of Certain Fees and Assessments

Mr. Taylor Smith, a CCA Consultant with offices at 445 Kelnepe Drive, Jacksonville, Florida, spoke on behalf of the school and gave an update on the construction at CCA, which is on schedule. Mr. Smith stated that he has communicated with the city manager and said a provision in the city code allows the council to consider support with fees in cases from which the school may otherwise be exempt. Typically, charter schools are exempt from other costs, i.e., city legal counsel and City Consulting Planner. Since CCA, the Church, and the City are partners in this application, Chairman Brooks is asking to waive 1/3 of the fees incurred per the letter submitted to the City.

City Manager Rudometkin gave a synopsis of the request to consider waiving the development fees. He provided a copy of his response to CCA stating that development application fees do not fall within statutory exemptions.

Comm Bobrowski shared her concern and said this is strictly a Tenant/Landlord contract that does not favor granting the request. Comm Carson agreed with the comment.

Mayor Fouraker said that while the Council is not open to changing the lease or committing dollars back, he hopes it will not look unfavorable because the City has many obligations at this time. He believes the relationship between the Council, staff, and the police department is symbolically strong with the school and hopes it will continue.

Comm Smith asked if CCA pays April Fisher to run and review the planning. Mr. Smith said the city hired April Fisher to review the plans.

Attorney Langley responded to the inquiry forwarded by CCA and concluded that the Statute does not cover/apply the development review fees. The fees incurred do not impact fees or business tax licenses or fall under the classification for exemption.

c. Discuss and Approve ARPA Fund Allocations

City Manager Rudometkin discussed ARPA allocations previously approved by the Council, the increased costs of sidewalk repairs and concrete work, and the deadline to obligate the ARPA funds. He provided a reallocation of ARPA funds with explanations for consideration. He clarified that \$1.6m of the ARPA Funds must be obligated and under contract before the end of 2024.

Comm Smith asked how much is needed to finish the sidewalks and if it can be done by the end of the year. The residents are looking forward to having all paving projects completed. Mr. Price said the staff has completed about half of the City. If the Council wants to complete the remaining portion of the City, it will be hard to give a hard number. The big push is to complete the trip hazards and safety conditions of the sidewalks and not aesthetics.

Comm Smith asked what part of the paving schedule was removed. Mr. Price stated that the paving amount was set before his employment and in the 5-year plan. He said that it would be the Council's decision where to allocate the money to repair the sidewalks. Comm Bobrowski said she remembers approximately 5 years ago Cay Circle off Matchett and the sidewalk off Judge being discussed a few years ago as a priority.

Mayor Fouraker asked if the City is repaving roads to be widened. He said some areas in the city desperately need widening, specifically Judge & Daetwyler and Hoffner. Mr. Price said the City has strictly scheduled the repair and replacement of sidewalks; the goal is safety, not widening. City Manager Rudometkin said most of the streets in the City are accessible to golf cart riders. Widening the sidewalks is extremely costly and, due to the locations of some areas, may push the residents too close to the road and cause a safety issue. He said the City would apply the \$750,000 grant to the interior parts of the City, i.e., Hoffner, and address the widening of sidewalks in future meetings.

Comm Smith moved to reallocate the ARPA Funds as delineated in the graph.

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

d. Discuss Pete Madison Management LLC contract for RFP

e. Discuss Albert Moore LLC contract for RFP

Mr. Rudometkin reported that Pete Madison's contract is up for renewal in September 2024. We are at the start of Hurricane season, and the staff have updated the debris storage sites to FEMA and asked if the

Council would like to move forward with an RFP or extend Mr. Madison's contract for an additional two years.

Comm Partin said that the previous City Manager asked for a two-year renewal when the contract was up for renewal in 2022, and an RFP was not issued. He said to provide the best service and competitive price for the residents, he would like to send out an RFP.

Mayor Fouraker said that, by statute, the City would have to take the low bidder in an RFP. When selecting vendors and looking at our current vendors, can the Council address the quantitative things we are accustomed to? Madison Management has a FEMA-approved site; can that be a requirement? He would not want to lose any of the services because of dollars. Or should the City go with an ITN? Attorney Langley said the City could add a score sheet and non-pricing criteria in an RFP (i.e., where is your location) and be upfront with the scoring system.

Comm Bobrowski said she would be much in favor of extending the contract with Mr. Madison. He has provided a great service to the city. From the audience, Bob Harrell agreed with Comm Bobrowski, saying Mr. Madison's services are invaluable and that he believes he will provide the best price for the city. Comm Carson agreed.

Comm Bobrowski moved to extend Peter Madison Services LLC's contract for an additional two years. Comm Smith seconded the motion, which passed unanimously at 5:0.

Chief Grimm said Albert Moore is the City's emergency response service for tree removal or street clearing and has been exceptional at any time of day, during an emergency, and in hurricane season. He also takes care of the city's tree canopy. He and Mr. Madison work hand in hand and provide a great service.

Comm Bobrowski moved to extend Albert Moore LLC's contract for two more years. Comm Carson seconded the motion, which passed 3:2 with Comm Smith and Comm Partin nay.

- f. RESOLUTION NO. 24-02 - A RESOLUTION OF THE CITY OF BELLE ISLE, FLORIDA, REVIEWING AND APPROVING THE INVENTORY LIST OF CITY PROPERTIES AVAILABLE FOR USE AS AFFORDABLE HOUSING WITHIN THE CITY'S JURISDICTION; PROVIDING CRITERIA FOR ESTABLISHING IF A PROPERTY MAY BE APPROPRIATE FOR AFFORDABLE HOUSING; AND PROVIDING AN EFFECTIVE DATE.

Mayor Fouraker read Resolution 24-02 by Title.

City Manager Rudometkin spoke on the Resolution for Live Local Act, stating that an ordinance will be brought forward for Council approval. The ordinance applies to the site plan and general requirements only for LLA projects and does not remove the restrictive language that already exists in the code.

Attorney Langley said if the City were to purchase other property, the Live Local Act would not force the City to use any property owned by the City for affordable housing. The statute requires the city to assess its properties to determine if they would be appropriate for sale for affordable housing.

Comm Smith moved to adopt Resolution 24-02. Comm Vertolli seconded the motion, which passed unanimously 5:0.

7. Attorney's Report

Attorney Langlet announces that we will hold an Ethics and Sunshine Law general overview training on May 21, 2024. Mayor Fouraker announced that he may be out of town that day at a work conference.

8. City Manager's Report

- a. City Manager Rudometkin confirmed a Sunshine Law and Ethics Training - May 21, 2024, at 5:30-6:30 pm
- b. City Manager Task/Log List – City Manager Rudometkin provided a City Manager Task List for Council review. He noted that items will be removed and added periodically. He gave an update on the Lancaster House and provided a letter sent by Billy Morgan. He said he had spoken to Mr. Brooks, who said money was set aside should the house be moved. The Council shared their concern and said it was decided that CCA would rehab, take care of the home, and work on a sublease for Pine Castle Pioneer Days. CM Rudometkin asked if the Council would like to have this as an agenda item. Discussion ensued. The Council consensus was to add it as an agenda item for discussion.

Mr. Rudometkin updated us on the Stormwater Grant and said we are waiting for further information from our Lobbyists on whether we will receive one.

There being no further comment, he concluded his report.

- c. Chief's Report
Chief Grimm reported quarterly STAT numbers and said they have issued 304 cases.
Mayor Fouraker commended PD for the Marine presence on the Lake; it is making a difference.
- d. Public Works Report
Phil Price gave an update on sidewalks. The staff have addressed graffiti in Swan Park.
The PD Boat Dock is now under contract and will report at a later date.
- e. Comp Plan Update
City Manager Rudometkin provided survey results and notes from Stephen Soto from RVI. He asked for a Council review of the documents provided at the link provided in the email. RVI is scheduled to report to the Council on May 7th.

9. Mayor's Report – Mayor Fouraker shared an email he received from John Shultans' regarding sidewalk repairs in Wind Harbor.

10. Items from Council

- Comm Bobrowski said she received a call from a resident on the boat trailers parked on LaBelle. It came to light that there was a meet-up on the lake who parked around the area. She noted that the Council had spent much time on CCA issues; has the City considered selling the property or carving out the Lancaster house?
- Comm Vertolli said that while studying the Comp Plan update, he was surprised by the total of 72 responses to the survey. He would like to see a better response. The Council discussed some options for promoting better communication with the residents, such as sending a mailer posting on a sign trailer or walking the city with flyers promoting the survey. The City Planner noted that 72 responses are a realistic number; getting 100 people to participate will be fair. She can discuss the option of a mailer with the consultant to see if it would be worth the cost and time since the deadline is in September.
- Comm Smith said he will not be at the next meeting as he will be traveling.

11. Adjournment

With no further business, Mayor Fouraker moved to adjourn the meeting, which was unanimously approved at 8:30 p.m.