



**CITY OF BELLE ISLE, FL**

## **CITY COUNCIL MEETING**

Tuesday, June 18, 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 6 Commissioner – Stan Smith  
District 7 Commissioner – Jim Partin

Absent was:

District 3 – OPEN  
District 5 Commissioner – Beth Lowell

#### **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, and City Clerk Yolanda Quiceno were also present.

#### **2. Invocation and Pledge to Flag - Commissioner Holly Bobrowski, District 2** Commissioner Bobrowski gave the invocation and led the Pledge to the Flag.

Mayor Fouraker announced that Vice Mayor Lowell would not be in attendance and asked for an excused absence. He also apologized to the Commissioner for his “roughness” at the last Council meeting.

**Comm Bobrowski moved to excuse Vice Mayor Lowell from the meeting.  
Comm Smith seconded the motion, which passed unanimously 6:0.**

#### **3. Appointment of Vice Mayor - Section 4.03, Vice-mayor: Election.** Mayor Fouraker called for nominations for Vice Mayor.

**Comm Partin moved to nominate Jason Carson as vice mayor.  
There being no further nominations, Comm Smith seconded the motion, which passed unanimously 6:0.**

#### **4. Citizen's Comments**

**Mayor Fouraker opened for citizen comments.**

- Clay Van Camp, who resides at 5452 Ming Drive, shared his concerns about the permit issued for a Boat Dock on 5447 Ming Drive. He provided a plat survey of the building permit for the property. He reached out to the City Manager and staff regarding the concerns and why he believes it should not have been approved, which included 1) the plat is not a true survey and does not show riparian right views, 2) design criteria allow less than 50% of lineage and the permit is showing 75% with obstructing, triangle, riparian right, and 3) ingress/egress is affecting all six neighbors and is self-certified with DEP. He would like staff to research the permitting process so the city can avoid these situations in the future.
- Kristina Giles, residing at 5820 Cove Drive, prepared a PowerPoint presentation and spoke on her neighbor's boat dock issues, including riparian rights, wall foliage blocking residents' view, swale,

and permit alteration of the lake bottom. Ms. Giles also emailed the Council before the meeting dated 6/18/2024.

- Anita Sacco, residing at 4913 Jinou Avenue, spoke on the Live Local Act and the concerns about the city's future property purchase in the City of Orlando. She does not favor purchasing the land on Daetwyler and dedicating a portion of it to affordable housing. She also noted she recently completed a Transportation survey and was surprised by some of the "tone" of the questions.
- Anthony Carugno, who resides at 2372 Hoffner Avenue, said he would contact the commissioners to provide an update on items discussed before he left office. He asked if the city's lobbyists were still active and if the city would receive an update. Who met with the City of Orlando and introduced the affordable housing option. He further said he applied for the open P&Z Board seat, asked for clarification/update on Forms 1 and 6, and said he would like to advise the former Board member of the new changes to the Form to see if he wants to change his mind. He concluded and asked that the council take some care of their decisions on who they place on the boards because the person nominated on the agenda has always spoken poorly about the city.

There being no further comments, Mayor Fouraker closed citizen comments.

#### 5. **Presentations** – na

#### 6. **Consent Items**

- a. Approval of City Council Meeting Minutes - June 4, 2024
- b. Planning & Zoning Member Application - Anthony Carugno
- c. Budget Committee Member Application - John Evertsen
- d. Wildan Contract Extension
- e. RVi Planning Contract Extension
- f. Approval of the SRO contract 2024-2025

Comm Smith moved to pull items a and b from the agenda.

Comm Bobrowksi asked to pull item f from the agenda.

Comm Smith requested the following edits to the meeting minutes as follows:

#### Page 2

1. Invocation and Pledge to Flag – Commissioner ~~Smith~~ Vertoli, District 6  
Commissioner Vertoli gave the invocation and led the Pledge to the Flag.

#### Page 4

He said the City might consider partnering with the City of Orlando to separate the 25 24.5 acres and allow affordable housing through the Live Local Act on the portion of the land that is not needed.

#### Page 5

Mayor Fouraker said staff could be asked questions about this matter offline as it is not an agenda item. Additionally, he noted that their attorney is our former City Attorney, Tom Callan.

Comm Smith asked if the Council could consider Mr. Carugno's application for the P&Z Board at the next Council meeting. This would allow him to find out more information on the Form 1 changes and speak to his wife and the City Clerk about the requirements. The council consensus was to move approval of the application to July 16<sup>th</sup>.

Attorney Langley updated us on the revisions for Forms 1 and 6. He does not see the requirement to submit the forms to be changed. The threshold for reporting on Form 1 is \$10,000. Mr. Carugno said he would like more time to review his options.

Comm Bobrowski asked if they asked for the additional SRO from CCA or the City. Chief Grimm said the City requested two SRO employees to assist with population growth. The contract language remains the same except for the increase in costs.

Mayor Fouraker called for approval of Consent Items a-f as discussed.

**Comm Smith moved to approve the Consent Agenda items as discussed.**

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

**7. Unfinished Business - na**

**8. New Business**

- a. Resolution 24-06 - A RESOLUTION OF THE CITY OF BELLE ISLE, FLORIDA, AUTHORIZING AN INCREASE IN THE ANNUAL NON-AD VALOREM STORMWATER ASSESSMENT; AND PROVIDING AN EFFECTIVE DATE.

City Clerk read Resolution 24-06 by title.

City Manager Rudometkin said the staff is researching increasing the assessment for next year and is working with Willdan Financial Services, a consultant, on a stormwater rate study.

**Comm Smith moved to adopt Resolution 24-06 as presented.**

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

- b. Resolution 24-07 - A RESOLUTION OF THE CITY OF BELLE ISLE, FLORIDA, AUTHORIZING THE ANNUAL NON-AD VALOREM SOLID WASTE COLLECTION ASSESSMENT; AND PROVIDING AN EFFECTIVE DATE.

City Manager Rudometkin noted that there will be no increase in rates for the residential portion for 2024-2025.

City Clerk read Resolution 24-07 by title.

**Comm Smith moved to adopt Resolution 24-07 as presented.**

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

- c. Discussion on "Peacocks"

City Manager Rudometkin provided a handout and noted that the staff had contacted several cities and found that many had not taken any action to deal with peacocks. They find educating residents on how to live with the fowl and advising them not to feed it to be effective and not become a nuisance.

Mr. Price, the Public Works Director, confirmed the discussions with other cities. He also added that the process is costly and lengthy, and it is not guaranteed that they will not return. He said the other concern addressed was having the trappers on private property. He asked the Council that it would be their decision on how the staff would tackle this issue.

Vice Mayor Carson asked if anyone had physically seen them in the City. Mr. Price said he had seen a couple of them on Gran Lac. He has heard that some have seen them in small groups throughout the city and not localized.

Comm Vertolli said this will be a problem; today, we have 5, and in a few months, it will be 20. He would like the City to be proactive in any approach.

Comm Bobrowski said she prefers to educate the residents and explain how to live with fowl.

- d. Surplus - Electronics and Marine Patrol Boat Motor

City Manager Rudometkin presented the surplus items for approval. Chief Grimm spoke about the surplus of the Yamaha SHO Engine and stated that it has approximately 1500 hours. He provided quotes for the current value and asked for the Council's direction on how they would like staff to sell the item. Mr. Price stated that a dealer offered to pay \$3,000. After discussion, the Council agreed that it be posted on a public auction site with a reserve.

**Comm Bobrowski moved to have the Chief place the item on a public auction site with a reserve he deems appropriate.**

**Attorney Langley recommended the motion to read, approve the surplus, and sell all agenda items with the caveat that the engine would be auctioned as specified. Comm Bobrowski agreed to the modified motion. Comm Partin seconded the motion, which passed unanimously 6:0.**

- e. Reschedule August 20th CC Meeting due to Primary Election Use of City Hall Chambers  
The City Clerk asked the Council to reschedule the August 20th meeting due to the Election use of the Chambers.

**After discussion, Comm Smith moved to reschedule the August 20<sup>th</sup> meeting for Thursday, August 22, 2024, at 6:30 p.m. Comm Carson seconded the motion, which passed unanimously 6:0.**

## **9. Attorney's Report**

- a. Federal Court Injunction Regarding Form 6  
Attorney Langley updated the Council on the temporary Preliminary Injunction on Form 1 and Form 6 submittals required by Elected Officials. He stated that if not already filed, Elected officials must file Form 1 no later than July 15, 2024.

## **10. City Manager's Report**

- a. City Manager Task List  
City Manager Rudometkin gave an update on the following,
- Annexation—He met with Bricksmore, who has shown interest in annexing into the City. He is preparing a preliminary meeting with Publix before considering their concessions for Council consideration.
  - Lancaster House—CCA Legal provided a draft with the carve out of the Lancaster property. He has forwarded it to the City Attorney for review. Once edited, he will bring a draft to the Council for consideration.
  - Lobbyists—He has met with Chris Dawson and spoke on grant updates for stormwater and runoff to lakes and canals, and he will have an update shortly.
  - Vulnerability Assessment Grant – Information has been provided and is moving forward.
  - Conway/Judge—He and the Mayor met with the City of Orlando and are working on a Vulnerability Study for Council review.
- b. Chief's Report  
Chief Grimm gave a monthly STAT update. He briefly mentioned the lake event posted for the weekend. BIPD will work with Orange County to maintain safety and order.

c. **Public Works Report**

Phil Price gave an update on the following,

- He gave an update on the Orange County lift station projects on Cullen Lake Shore, Jade Circle, and St. Partin.
- Trimble Park – Mr. Price addressed the dead fish at Trimble Park. He noted that the lagoon was very low, which lowered the oxygen. The rain flushed out the dead fish, and the staff cleaned up the area on Friday. On Monday, they revisited the area, and there were no dead fish. He noted rumors that FDOT had sprayed the ditch, which killed the fish. He spoke with FDOT and found that it was not the case. They sprayed weeds a month before, and it did not cause any harm to the fish.
- The RFP for the Landscaping Services is being revised and will be published shortly. He said the RFP would be posted on DemandStar, the City's website, and in the Orlando Sentinel. Comm Bobrowski asked if the City can piggyback off of Orange County. Unfortunately, it is rare to piggyback off anything these days. Discussion ensued on contacting the City of Edgewood and the City of Oakland on options.

**11. Mayor's Report**

Mayor Fouraker said some residents asked about the City's Lobbyists and that they had not updated the Council after the executive session. With the new Council members on the Council, he would like to consider reviewing the contract and putting it out for RFP this year. Mayor Fouraker spoke of an issue with the Lobbyist company and was surprised that the firm did not inform the Council of the policies they put in place to avoid a reoccurrence.

**12. Items from Council**

- Vice Mayor Carson spoke about the dead fish and asked if an RFP would be sent out for the aerator. Mr. Price said the purchase of the aerator does not require an RFP; 3 quotes have been submitted, and we are awaiting delivery.
- Comm Bobrowski shared her concerns about the two cases presented earlier today. Can the Council review the concerns and place a stop work order before it becomes a larger issue? Mr. Rudometkin said the staff is researching the concerns.
- Comm Vertolli reported clearing the land on Hoffner Avenue and found that they are building 346 luxury apartments.
- Comm Smith gave a brief on the PRM conference he attended and shared the discussion had on lobbyists and DEP Grants. He further noted that he would like to start discussions on the millage rate. Mr. Rudometkin noted that a discussion on the millage is on the agenda at the next budget committee meeting.

Comm Smith said he would like the Council to consider adding the two public concerns in Public Comment as an agenda item to ensure the city follows the correct process for these specific projects. The council discussed the benefit/or not of opening a discussion on two approved projects and how they meet State Statutes or considered whether something was missed in the code during the review.

Comm Bobrowski said it appears that the ball was dropped, and this is the only forum the residents have where we can discuss these issues and have their say.

Mr. Rudometkin said he does not believe the ball was dropped. He does not place items like this on the agenda because they usually take care of themselves with a code enforcement issue or through a civil matter, not for the council to opine on and approve. However, there is a mechanism

for residents to come before the Council, and if there is a consensus from the Council to add it to the agenda, he will add it.

Attorney Langley said if the Council would like to add to the agenda, he would recommend a motion and a second for approval. It may be helpful to explain what will be discussed on the agenda so that the concern does not become a litigating issue.

Comm Partin said he would not like to be in a position to make a judgment call. He said if a resident has a concern, it would be best to make an appointment with staff or a commissioner instead of having it in an open forum and asking the Council to decide on a one-sided discussion; the Council will then need to provide the other side the opportunity to speak. He recommended extending Public Comment to 10 minutes and allowing the resident to make their presentation.

After the discussion, Mayor Fouraker objected and added that he was in the middle of litigation and was uncomfortable with it. He asked the Vice Mayor to close out the meeting.

### **13. Adjournment**

There being no further discussion, Vice Mayor Carson made a motion to adjourn, which was unanimously approved at 8:20 p.m.