



city council minutes

MINUTES February 21, 2017 * 6:30 p.m. City Council Regular Session

The Belle Isle City Council met in a City Council Regular Session on February 21, 2017 at 6:30 p.m. at the City Hall Chambers located at 1600 Nela Avenue, Belle Isle, FL 32809.

Present:

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

Absent:

Attorney Kruppenbacher

Also present: Attorney Callan, Interim City Manager April Fisher, Chief 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 6:35pm. Comm Lance gave the invocation and led the pledge to the flag.

CONSENT ITEMS

- a) Proclamation designating March as Problem Gambling Awareness Month
- b) Commending the Florida Association of City Clerks for its 45th Anniversary

**Comm Gold moved to approve consent agenda items as presented.
Comm Weinsier seconded the motion which was passed unanimously.**

CITIZEN COMMENTS

Mayor Pisano opened for public comment.

Steve Upp residing at 5413 Pasadena Drive said he was surprised that the Venetian Boat Ramp was not on the agenda. He shared his concerns on the discussions of the last meeting regarding the activities at the boat ramp and stated that he does not believe the activities presented at the last meeting were accurate. He said the ramp is enjoyed by the whole neighborhood and would hate to see that access restricted.

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

RESOLUTION NO. 17-05

A RESOLUTION OF THE CITY OF BELLE ISLE, FLORIDA AMENDING THE FISCAL YEAR 2016-2017 ANNUAL BUDGET TO ACCOUNT FOR SPECIAL EVENTS REVENUE RECEIVED AND INCREASE CORRESPONDING EXPENDITURES; AND PROVIDING AN EFFECTIVE DATE.

Mayor Pisano said the Resolution will amend the budget to include sponsorships for past City events and will replenish the funds used in the special events fund.

Comm Mosse moved to approve Resolution No. 17-05 as presented.

Comm Lance seconded the motion for discussion.

Comm Lance asked if Council will be able to receive a report on each event to see the expenditures.

After discussion, Resolution 17-05 was unanimously approved.

ORDINANCE 17-01 SECOND READING AND ADOPTION

AN ORDINANCE BY THE CITY OF BELLE ISLE, FL AMENDING THE CITY OF BELLE ISLE CODE OF ORDINANCES TO REPEAL ORDINANCE 78-17 and ORDINANCE 15-04; TO ADOPT A NEW FLOOD DAMAGE PREVENTION ORDINANCE; TO ADOPT FLOOD HAZARD MAPS, TO DESIGNATE A FLOODPLAIN ADMINISTRATOR, TO ADOPT PROCEDURES AND CRITERIA FOR DEVELOPMENT IN FLOOD HAZARD AREAS, TO ADOPT TECHNICAL AMENDMENTS TO THE FLORIDA BUILDING CODE, AND FOR OTHER PURPOSES; PROVIDING FOR APPLICABILITY; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

Comm Lance moved to adopted Ordinance 17-01 as presented.

Comm Nielsen seconded the motion which passed 7:0 upon roll call,

- Vice Mayor Readey aye
- Commissioner Gold aye
- Commissioner Carugno aye
- Commissioner Weinsier aye
- Commissioner Lance aye
- Commissioner Mosse aye
- Commissioner Nielsen aye

ATTORNEY'S REPORT

Attorney Callan presented a draft copy of a Resident Guide that provides a summary of what are the City management roles, contact information and code of civility. He stated that the City's intent is to provide this document to the citizens and asked that Council review and give corrections to the City Attorney or City Clerk before finalizing. Comm Lance asked if the Attorney can provide Council a document, with great specificity, which covers the responsibilities and roles of the Council, Mayor, City Manager and City Clerk's. Attorney Callan stated that the Charter can be found on Municode with a link on the City's website. Attorney Callan said he will discuss the concern with the City Attorney.

City Manager Interview Process

Attorney Callan addressed the City Manager interviews completed last week pursuant to Councils previous direction. The City Manager selection is appointed by the City Council and does not require a notice of public hearing. The selection is a legislative act such that the exparte communication clause does not apply.

Attorney Callan stated that Council has the same options moving forward,

- select one of the two candidates;
- delay the process;
- to not select either one;
- reopen the process and start over again, allowing the two applicants to reapply.

Comm Lance motioned, as a Resolution, to accept Robert Francis as the City Manager and negotiate a contract as far as his employment and a moving contract.

Comm Weinsier seconded the motion.

Mayor opened for Council discussion.

Comm Weinsier amended the motion to negotiate a primary contract with Mr. Francis and a back up for Mr. Kennedy. Comm Lance did not accept the amendment.

Comm Carugno shared his concerns and stated that he would like to start the process over.

Mayor Pisano spoke and said the residents believe the system is flawed and she personally sees that they are not a fit for the City and would like to start the process over again. She spoke of the ICMA designation and the alleged sunshine law violation.

Comm Mosse shared his concern and said the City should restart the process and hire a head hunter to lead the process.

Comm Lance disagreed and spoke of the initial process and said the City will need to move forward. He believes Mr. Francis is a good fit and will do a good job. If Mr. Francis is not the right person we will have a 90 day probation period to make a decision. He further added that he had no one call or email him opposing either candidate. Mayor Pisano said Comm Lance inadvertently mentioned how the process was flawed and should start over. Comm Lance respectfully disagreed to start the process over. Discussion ensued.

Comm Nielsen said she agrees with Comm Lance and states that this decision is a Council decision only; she is 100% in support of offering Mr. Francis a contract. She would like to negotiate a moving contract with a caveat if he leaves before a certain period he will have to repay the cost.

Comm Carugno shared his concerns and said he would like to start the process over.

Comm Gold shared his concerns and said he would not like to start the process over, but open up the process for 14 days due to the current public trust issue.

Comm Readey said the City has to get the job done. The Interim City Manager has already given her resignation. The City does not have time to do it over and either candidate will work fine. He further added that he has not received one single call to the negative.

Mayor Pisano opened for public comment.

- Holly Bobrowski residing at 2400 Hoffner shared her concerns and asked that the City reopen the selection process for a few weeks before making a decision.
- Pam Carter residing at 5901 Cove Drive said she is in agreement with Comm Gold and would like to reopen the process.
- Richard Weinsier residing at 6824 Seminole Drive said he feels that residents are getting their information from other sources rather than attending the meetings to better understand what the City is trying to get done. If the process is restarted it can take another year. He agrees with Comm Lance and does not believe the process should be reopened but should be continued with the two candidates.
- Eric Spaulding, Belle Isle resident, said he agrees that they are two excellent candidates however would like to reopen the application process for another 30 days.
- Dina Goodenow residing at 6416 Gibson Drive is in favor of continuing the process and moving forward.

Mayor Pisano said, for the record, the process needs to be reopened for another 2-3 weeks and would feel better that the City made a good decision.

Comm Carugno stated that the process for selecting a city manager should be restarted as he was appointed well into the selection process. Comm Carugno shared his concerns on the sunshine law violation and an alleged tainted process. Comm Carugno made a motion to reopen the application process. The motion was null because there is currently a motion on the floor.

Mayor Pisano called for a roll call on Comm Lance’s motion to hire Robert Francis as the City Manager.

Comm Nielsen	aye
Comm Mosse	nay
Comm Lance	aye
Comm Weinsier	aye
Vice Mayor Readey	aye
Comm Carugno	nay
Comm Gold	nay

Attorney Callan stated that Council should designate a Council member to negotiate the contract with Attorney Kruppenbacher.

Comm Weinsier motioned to have Comm Lance negotiate the contract.

Comm Nielsen seconded the motion.

After reviewing the Charter, Attorney Callan said he may have misspoke. He corrected his statement and said Attorney Kruppenbacher has advised the Board previously that the Mayor will negotiate the contract with the City Attorney and bring back to City Council. Discussion ensued. Motion was not passed.

In response to Comm Carugno’s comment, Comm Lance said he understands his concern. Comm Lance stated the money the City has lost just in grants alone is tremendous; and Mr. Francis is very strong with grants. As an example, Comm Lance reported that he is currently under contract to purchase a new home in District 5 within the next 90 days and there may be the possibility that he may need to resign from his seat. If he resigns, the process would have to be restarted again once a new commissioner is appointed because he would have not seen the previous applications. Comm Lance stated that Attorney Kruppenbacher is aware of his possible situation and will provide an update.

Comm Nielsen spoke briefly about the City being a Council/Manager form of government and not a strong Mayor form of government.

Comm Gold motioned for a subsequent vote to have a unanimous approval.

Comm Lance motioned to reconsider the vote.

After discussion, Attorney Callan clarified the motion requested by Comm Lance as follows to reconsider the previous vote to allow the commission to vote again; to place the qualifying language to authorize the Mayor and Attorney to negotiate with Mr. Francis, first and if not able to reach an acceptable agreement then they are authorized to present and negotiate with Mr. Kennedy, second and bring back to Council for approval at the next Council meeting. Discussion ensued.

Comm Lance was not in agreement with the clarification and said he will restate his motion.

Comm Lance restated his motion and said if the City cannot negotiate a contract with Mr. Francis; the City will restart the process. He further motioned to authorize the Mayor and the City Attorney to negotiate the contract and to bring back for Council approval.

Comm Gold seconded the motion which passed 7:0 upon roll call,

Nielsen	aye
Mosse	aye
Lance	aye
Weinsier	aye
Readey	aye
Carugno	aye
Gold	aye

CITY MANAGER'S REPORT

Major Projects Update

April Fisher provided an update project list identifying the major projects in the City. She stated that here are a few items that are still open and will be coming before Council for approval at a following meeting.

The Tree Board is kicking off and some of the Board members are asking if they can have a city email account on the new Google system. The Gmail will cost \$10.00 monthly/per person and will require Council approval.

Ms. Fisher gave an update on the email transition and stated that the IT Consultant will be able to perform the transfer. During the 3-5 month transition phase of existing accounts from COBI will take about 4-5 hours totaling approximately \$500. In addition, exporting all emails from COBI email to the new Gmail accounts will be approximately \$1,000-\$2,000 based on the size of the data in all accounts. The IT Consultant said that he can provide a formal quote for discussion and approval at the next Council meeting,

Comm Weinsier said Council has already motioned to move forward to the Gmail system. Our old system is aging every day. If we choose to discard the work already done on the Gmail system we will need to have a full update on our current 15 year old system. Once the items are transferred over to the Gmail system it will be the most cost effective and appropriate way to manage our IT system. It will not be an immediate change, it will link the systems within a 3-month phase and access to all emails will be on the new Gmail system.

Comm Weinsier made a motion to get a hard cost on making these changes and approve the cost based on the improvements discussed.

Comm Lance seconded for discussion.

Comm Lance asked how much it will cost to update the old 15-year old system. Comm Weinsier said there will be an updating cost on hardware and software. We are currently working on a 2007 operating system and the spam system does not work. The one time transferring cost will be much lower than updating the current system.

Mayor Pisano recommended waiting for the start of the City Manager to move forward with the transferring of the email accounts. Comm Weinsier said there is no reason to wait for the hiring of a City Manager. The decision has already been motioned by Council and the Gmail accounts are already set up. This is the final decision to approve the cost and start the transitioning phase. Discussion ensued.

Attorney Callan recommended, from a procedural standpoint, that the item should be re noticed as an agenda item because it will be approved as a Resolution.

Comm Lance rescinded his second.

April Fisher announced that the Police Department has installed an AED machine at City Hall.

MAYOR'S REPORT

- Mayor Pisano said some residents are asking if the Candidates would like to have a Candidate Forum. Both candidates were in attendance and agreed to the Forum.
- Mayor Pisano acknowledged Chief Houston for the Police Officer's visibility on Hoffner and throughout the City. She further noted that there is a huge epidemic of heroin overdoses in Orange County and in the City. The Chief is working in conjunction with the Orange County Medical Examiner's Office to purchase Narcan to save lives.

COUNCIL REPORTS

District 7 – Comm Nielsen

- Comm Nielsen reported that some of the house numbers in the City are not visible and can cause a safety issue. She would like the City to have code enforcement research further.
- She would like the City to think about starting a citizen advisory committee, specifically for special events. Comm Nielsen asked if the Tree Board will be involved with the Arbor Day Celebration. Mayor Pisano said she is working on the dumpsters and food sponsors and would welcome volunteers. Comm Nielsen asked for an Attorney opinion on establishing sponsorship/donation policy for City events.

District 4 – Comm Lance

- Comm Lance asked if the Tree Board will be able to have evening meetings to accommodate all members. Holly Bobrowski, Tree Board member said the Board will discuss the schedule at the upcoming meeting.
- Announced the upcoming Pioneer Days Festival at Cypress Grove Park on Saturday/Sunday. He also announced the upcoming Cornerstone Charter production of Hairspray.
- Comm Lance asked, in regards to public requests, can a person obtain a list of emails from the City to be used for personal or political gain. Attorney Callan said yes, it is generally open, except if it is exempt from public record.

District 3 – Comm Weinsier

- Comm Weinsier motioned that the City ask for a formal quote so that Council can make a decision to move forward. Comm Lance seconded the motion, which was unanimously approved.
In regards to providing email accounts for Tree Board members, he suggests it be discussed once the IT quote is approved.
- Comm Weinsier asked for an agenda item to schedule a Charter Revision discussion at the next meeting.

District 5 – Comm Readey

- Comm Readey reported that the center strip on Nela Avenue may need to be painted soon.

District 2 – Comm Carugno

- Comm Carugno reported that the lights on the Nela Bridge need to be readjusted. He further added that the maintenance of the bridge also needs to be addressed.

District 1 – Comm Gold

- Comm Gold asked if the City will be meeting with the residents of Lake Conway Shores regarding the waste water repairs. April Fisher said the City received feedback from two residents. She met with the engineer and the two property owners. After the meeting, FEG has agreed to revise the engineered plans to address those residents concerns.

ADJOURNMENT

There being no further business, Mayor Pisano called for a motion to adjourn, unanimously approved at 8:10 p.m.

Yolanda Quiceno
CMC-City Clerk