



city council minutes

MINUTES May 24, 2017 * 6:30 p.m. City Council Workshop Session

The Belle Isle City Council met in a City Council Workshop Session on May 24, 2017 at 6:47 p.m. at the City Hall Chambers located at 1600 Nela Avenue, Belle Isle, FL 32809.

Present:

Mayor Pisano
Commissioner Gold
Commissioner Carugno
Commissioner Weinsier
Commissioner Lance
Commissioner Nielsen

Absent:

Vice Mayor Readey
Commissioner Mosse

Also present: Attorney Kruppenbacher, Attorney Callan, City Manager Bob Francis, Chief Houston and City Clerk Yolanda Quiceno. Absent: Vice Mayor Readey and Comm Mosse. Meeting audio is available on the City's website at www.cityofbelleislefl.org and at City Hall.

CALL TO ORDER

Mayor Pisano called the meeting to order at 6:47pm, gave the invocation and led the pledge to the flag.

CHARTER REVIEW AND DISCUSSION

Attorney Kruppenbacher opened discussion on Charter review Sections 3.07 thru Section 8.11 of the charter. Attorney Kruppenbacher provided a draft policy addressing ethical responsibilities for Council members and employees for review.

At the last meeting, Council discussed Section 3.07(a-d) filing of vacancies. Attorney Kruppenbacher said there are only three ways to fill a vacancy, (1) Governor can be asked to fill a vacancy; (2) Mayor proposes a candidate and Council ratifies; or (3) the authority lies solely with the Council as a whole and that it falls within the election cycle. Discussion ensued on various options on holding an election, Mayor appointment and the application process.

He further addressed Section 3.10(a-c) – Prohibitions which speaks to a former city official holding city office of employment. He stated if Council agrees to an amendment it should clearly define when the term ends.

The City Clerk stated that all charter amendments are required to be in English and in Spanish and should be submitted to the Supervisor of Elections office no later than noon on the last day of qualifying,

The Council agreed to modify Section 3.07 as follows,

- the public will be notified that there is a vacancy, clearly defining when the term ends and that it falls within the election cycle; and
- the Council, based upon the applicants, will decide who fills that vacancy for the remainder of term that has become vacant; and
- in the case of a tie, Council will continue to vote until there is a majority vote.

Attorney Kruppenbacher spoke of Article IV. Executive and Administration – Section 4.01. He said there is a clear delineation that the Mayor position is not part of the prohibitions that fall under the Council members. He recommends realigning elected officials under the Elected Officials section including the Mayor and staff under the other. There are inconsistent issues candidly all through the Charter that has created some challenges. Discussion ensued on the

“power” of the Mayor and the sunshine law. Mayor Pisano asked the City Attorney to request an opinion on moving the Mayor under the Legislative section under the charter.

Bob Francis clarified that the proposed charter changes are to protect the City in the future and not directed to an individual.

Section 4.04 was discussed and it was agreed to amend section 4.04 to align with the previous discussion on vacancies Section 3.07. Attorney Kruppenbacher stated that Council should realize, whoever is elected, as vice mayor, they should be looked upon, as the Mayor should the issue arise. Discussion ensued on unexcused absences. Attorney Kruppenbacher said he would research what other agencies have on file before a change is proposed.

Section 4.05 was discussed and it was recommended that the City Manager set the agenda instead of the Mayor. Attorney Kruppenbacher said the City Manager is not a political figure and it may place him in a position with elected officials. Council agreed to “set the agenda” does not mean to “control the agenda” and the collaborative approach currently in place is effectively working. It is incumbent upon Council to understand what their role is and how to place an item on the agenda.

Section 4.09 was discussed and Attorney Kruppenbacher recommends Council to define the development of the administrative code and the approval process. After discussion, Council agreed Section 4.09 (k) and Section 4.13. Administrative Code should include, subject to Council approval and adopted by Resolution.

Section 4.10 – Supervision of departments and 4.11 – City Clerk was discussed. Bob Francis asked if the City Manager manages the City Clerk and asked for clarification. Discussion ensued and Attorney Kruppenbacher said it would make for a more effective council and administration to have staff managed by the City Manager. Council consensus was to bring forward changes to have the City Clerk report to the City Manager for review.

Section 4.12 – City Attorney was discussed and it was stated that the City Attorney should be solely accountable to the Council. Council consensus was to further clarify the section as discussed.

Attorney Kruppenbacher opened discussion on an overriding issue, which relates to converting the current seven districts and boards down to five for a City this size. Discussion ensued and Comm Weinsier stated that converting the Districts should be addressed at a later date to not confuse the current charter revisions. Council discussed for the charter to be reviewed to include proper representation for the public depending on the census results every ten years. After discussion, Council agreed to leave the 7-member board however the City Attorney will draft a revision to address attendance and unexcused absences.

Mayor Pisano opened for public comment.

- Holly Bobrowski residing at 2400 Hoffner asked why the City couldn't have the City Board's converted to a 5-member board and be appointed at large.
- Anita Sacco residing on 4913 Jinou Avenue asked if the State Bill requesting a change to the election cycle to have commissioners serve a four-year term instead of three. Mayor Pisano said the bill failed and did not pass the Legislative level.
- Karl Shuck residing at 1658 Wind Willow Road asked if the election process could be considered to be by district instead of at-large.

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

Discussion ensued on sunshine law violations and communications between Council and appointed Boards.

ADJOURNMENT

There being no further business, Mayor Pisano called for a motion to adjourn, unanimously approved at 8:47pm.

Yolanda Quiceno, CMC, City Clerk