



## CITY OF BELLE ISLE, FL CITY COUNCIL MEETING

Tuesday, April 04, 2023, \* 6:30 pm

### MINUTES

#### Present was:

District 1 Commissioner – Ed Gold  
District 2 Commissioner – Anthony Carugno  
District 3 Commissioner – Karl Shuck  
District 4 Commissioner – Randy Holihan  
District 5 Commissioner – Beth Lowell  
District 7 Commissioner – Jim Partin

#### Absent was:

Nicholas Fouraker, Mayor  
District 6 Commissioner – Stan Smith

#### 1. **City Council Swear-In District 1 and District 7**

Interim City Manager Grimm administered Oath of Office for Comm Gold, District 1, and Comm Partin, District 7.

#### 2. **Call to Order and Confirmation of Quorum**

Vice Mayor Partin called the meeting to order at 6:30 pm, and the City Clerk confirmed the quorum. Also present were Interim City Manager Grimm, Attorney Chumley, Acting Chief Millis, Public Works Director Phil Price, and City Clerk Yolanda Quiceno.

#### 3. **Invocation and Pledge to Flag**

Vice Mayor Partin gave the invocation and led the pledge to the flag.

#### 4. **Presentations**

- a. Introduction of Code Enforcement and Community Service Officer Julie Wilk
- b. Swear-In of Officer Britzzy Diaz
- c. Promotion of Corporal Lugo to Sergeant and Officer Gargano to Corporal

Acting Chief Millis swore in Officer Diaz and presented Sgt Lug and Corporal Gargano with their promotions. Acting Chief Millis welcomed and introduced Service Officer Wilk.

Vice Mayor Partin called for a motion to excuse Mayor Fouraker and Comm Smith from the meeting.

**Comm Holihan moved to excuse Mayor Fouraker and Comm Smith.**

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

#### 5. **Consent Items**

- a. Approval of the City Council Meeting Minutes - March 20, 2023
- b. Approval of the City Council Meeting Minutes - March 21, 2023
- c. Approval of the City Council Special Called Session - March 27, 2023
- d. Proclamation Declaring May Neurofibromatosis Awareness Month

**Comm Holihan moved to approve the consent items as presented.**

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

**Vice Mayor Partin read the Proclamation for the record.**

#### 6. **Citizen's Comments**

Vice Mayor Partin called for citizen comments.

Mark Cronkite residing at 1925 Hoffner Avenue, opposed allowing RV parking on residential properties.

Jeanine Hollingsworth asked why a Code Enforcement Officer can't serve citations without having a resident report the citation and not suffer the consequences. In addition, why are we discussing RVs in residential districts? She said it had been discussed in detail at a previous meeting. She shared her concern and asked for clarification on placement, use, and front yard size.

## **7. Unfinished Business**

### **a. Discuss Criteria for RV Parking and Survey Monkey Circulation**

Interim City Manager Grimm said the City Council directed staff to look at the language that would allow for a waiver or special exception to allow recreational equipment to park in the front yard. Comm Carugno said he addressed the issue because some constituents requested clarification under Section 30-133(4). He opposes RVs in the front yard. However, several properties are 300-500 deep and may accommodate the use. He requested approval to add language to allow exceptions for RVs if screened from the street on a residential property.

**Comm Carugno moved to direct the staff to draft an ordinance to change the RV parking code that would allow exceptions to RV parking on residential property to include "if lots that can store an RV in the back or front of the residents only if there is a home directly in front that would screen the RV from the street."**

**Comm Shuck seconded the motion.**

Comm Lowell asked if the change to the Code would be easy for the Code Enforcement Officer to determine and if the homeowner is aware since this is a rental.

Interim City Manager Grimm said approval should be done in an open forum and asked if the special exception could come before the Council for approval.

Mr. Cronkite said he called the City on an RV parked on his neighbor's rental property for two years. The RV is obstructing his view and is allowed by the City. A few days later, Mr. Francis gave the resident a permit to allow temporary parking with the intention that the owner registers the RV and moves it to the south of the property; neither happened. This is his home, not a rental property, and he would like the City's help and follow the Code.

Comm Gold said this could cause an unsightly view and create a disservice to another resident.

**The motion failed 3:3.**

### **b. Discuss Change to the Municipal Code for Fences and Survey Monkey Circulation**

Interim City Manager Grimm said the City Council requested discussion on possible changes to the Code on fencing to provide an overlay on Hoffner Avenue. Attorney Geller said general applications such as this do not provide a pecuniary interest, and a commissioner is allowed to vote. Comm Carugno said he would like to recommend a slight change in the code to allow for the repair and replacement of an existing front yard fence which will mirror the existing configuration without applying for a variance. Any other deviation will require variance approval.

Comm Lowell said she has a constituent with a similar situation and would like to include existing front yard fences that do not meet the current standards.

Comm Gold said a repair might not need a permit if repaired in stages. Attorney Chumley said he would have to review the code; it becomes a de facto matter at a certain point.

Vice Mayor Partin opened for public comment.

Holly Bobrowski residing at 2400 Hoffner Avenue, said she has a similar situation; however, to replace the dilapidated fence, she must undergo a variance process. She recommends Council provide specific information on allowable material.

There being no further comment, Vice Mayor Partin closed public comment.

The Council consensus was to move this to the Planning & Zoning Commission for further review and recommendation.

Comm Carugno asked for a 5-minute recess. Vice Mayor Partin called for a five-minute recess at 7:30 pm. The meeting resumed at 7:40 pm.

Vice Mayor Partin asked for Council approval to reopen public comment to allow for two comments. The Council agreed.

Susan Collins, District 3-OC Soil and Water Conservation (OCSWC) District said that the City was recognized for its affiliation as a Tree City and for being environmentally conscience. She also said the OCSWC would sponsor the poster contest at the Arbor Day event.

Betty Butler residing at 5231 Hawford Circle, spoke on removing a non-permitted large Oak Tree in her neighborhood. She said her husband researched a process that would save the tree while working around repairing the sidewalk. She urged Council for a moratorium on removing trees to allow for staff to review the information her husband provided.

## **8. New Business**

### **a. At-Large Appointment of Planning & Zoning Member District 3 (Per Section 42-32)B)(3)**

Interim City Manager Grimm said the P&Z seat for District 3 has been vacant for more than six months, and Comm Shuck, with every effort, has been unable to find anyone in his district interested in filling the vacancy per Section 42-32(b)(3). Staff is recommending posting an At-Large appointment for the vacancy for the term May 2023-2026.

**Comm Lowell moved to direct the staff to post the vacancy At-Large for Council consideration at the April 18 Council meeting.**

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

### **b. Approval of BING Grant for Conway Lakes HOA, Inc.**

Interim City Manager Grimm presented a BING Grant for Conway Lakes HOA for landscaping and irrigation repairs on Judge Road and Conway Lake Drive totaling \$12,824.67. Comm Smith has approved 50% of the total cost and would like to grant the request.

**Comm Gold moved to approve the BING Grant for Conway Lakes HOA for \$6,412.33, District 6.**

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

### **c. Approve Extension of Albert Moore's Contract Agreement**

Interim City Manager Grimm presented a two-year extension agreement of Albert Moore's Tree Service Contract to provide tree removal services to the City. Staff recommends approval for the two-year extension with the same terms to allow services to continue.

**Comm Shuck moved to approve Albert Moore's tree Service contract with the same services for two years.**

**Comm Carugno seconded the motion.**

Comm Carugno asked who is responsible for maintaining the Tree City guidelines of removing and replacing trees on a City right-of-way if the City is the applicant. Council discussion was that it might fall under the Public Works Department to follow up. He would like the staff to report that there is a process for tracking, replacing, and removing trees.

Comm Gold said he wants to ensure the City gets the best value. Interim City Manager Grimm noted that with the past hurricanes, we were the first clean City in Orange County because of their service. The trees that have been removed are to prevent dangers during storms.

Comm Lowell asked if there is a formal policy for tree removals. Mr. Grimm said the staff could inform Council about emergency removals. Attorney Chumley said the State had curtailed the City regulating tree removals about two years ago.

**After discussion, the motion passed unanimously at 6:0.**

d. Approval of Surplus Miscellaneous Office Equipment

Interim City Manager Grimm requested approval for a surplus of a LaserJet Pro and picture frames to donate to the Russell Home.

Comm Gold moved to approve the surplus items as presented.

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

**9. Attorney's Report - na**

**10. City Manager's Report**

Interim City Manager Grimm said the temporary transition has been moving in the right direction. Colin Baenziger has reported that they are finalizing the salary assessment and have met with all Council members. They said they would have a final brochure for approval shortly.

a. Chief's Report

Acting Chief Millis reported the following,

- Lake Take Over went well – 37 citations were issued, and a few calls for noise were received. Council briefly discussed some concerns and partnering continued partnerships with Orange County.
- A 6-foot alligator was found on someone's doorstep – FWC was notified.
- 1615 Idaho caught fire over the weekend and is officially condemned. Attorney Chumley said this home has a pending lien for the sewer replacement. The City has filed a motion of default.
- Acting Chief Millis reported 27 reports, 761 Red Light Camera violations, and YTD 633 citations on Hoffner.

b. Public Works Report

Mr. Price said the City had received the Dump Trailer. He provides a sample of the PW Project update that will go out to the residents to notify them of upcoming projects.

**11. Mayor's Report - na**

**12. Items from Council**

- Council thanked the Police Officers and their families.
- Comm Carugno spoke briefly on finding new facilities for the Belle Isle Police Department. Comm Carugno motioned to cancel the Wallace Field Use Agreement with CCA to build a Police Department. Comm Carugno restated his motion to add the discussion to the next Council agenda.
- Comm Carugno summarized the last meeting. He added that the next ANAC Meeting would be held on April 21, 2023.
- Comm Gold said he would like to add, to the next agenda, a discussion on compensation for the Interim City Manager.
- Holly Bobrowski invited everyone to the Easter Egg Hunt/Arbor Day Event at 10 am on Saturday, April 8, 2023.

Attorney Chumley read Section 3.08 in response to adding items to the agenda as follows, “The order of the agenda and order of business for the week shall be set by the city manager no later than 4 business days prior to the regularly scheduled meeting. The city manager shall include any items as requested or designated to the city manager by a majority vote of the council. The city manager shall include any items submitted by the mayor for the meeting agenda prior to the agenda cut-off date. In addition, Article 4 – Rules of Decorum and Procedures, (g) Assist the city manager and to insert items in the city agenda under the mayor’s report and perform such other duties as are specified in this charter or may be required by the council. The council has deadline dates to add items to the agenda in the City’s Code.

### **13. Adjournment**

There being no further business, Vice Mayor Partin called for a motion to adjourn.

The motion passed unanimously at 8:35 pm.