



city council agenda

Agenda
July 18, 2017 * 6:30 PM
City Council Meeting
City Hall Chambers

Lydia Pisano Mayor	Frank Kruppenbacher City Attorney	Bob Francis City Manager	Ed Gold District 1	Anthony Carugno District 2	Jeremy Weinsier District 3	Bobby Lance District 4	Harv Readey District 5	Lenny Mosse District 6	Sue Nielsen District 7
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Welcome

Welcome to the City of Belle Isle City Council meeting. Agendas and all backup material supporting each agenda item are available in the City Clerk's office or on the city's website at cityofbelleislefl.org.

Meeting Procedures

Workshops are a working session and do not allow for public comment. Order and decorum will be preserved at all meetings. Personal, impertinent or slanderous remarks are not permitted. Thank you for participating in your city government.

1. Call to Order and Confirmation of Quorum
2. Invocation and Pledge to Flag - Sue Nielsen, Commissioner District 7
3. Consent Items
 - a. Approval of the City Council regular session minutes of June 6, 2017
 - b. Approval of the City Council workshop session minutes of June 14, 2017
 - c. Approval of the City Council regular session minutes of June 20, 2017

4. Additions, Deletions or Amendments to Agenda - UPDATED AGENDA

5. Citizen's Comments

Persons desiring to address the Council MUST complete and provide to the City Clerk a yellow "Request to Speak" form located by the door. After being recognized by the Mayor, persons are asked to come forward and speak from the lectern, state their name and address, and direct all remarks to the Council as a body and not to individual members of the Council, staff or audience. **Citizen comments and each section of the agenda where public comment is allowed are limited to three (3) minutes.** Questions will be referred to staff and should be answered by staff within a reasonable period of time following the date of the meeting. Order and decorum will be preserved at all meetings. Personal, impertinent or slanderous remarks are not permitted. Thank you.

6. Unfinished Business

- a. RESOLUTION 17-13: A RESOLUTION OF THE CITY OF BELLE ISLE, FLORIDA, PERTAINING TO ESTABLISHING A TEMPORARY MORATORIUM FOR A PERIOD OF 90 DAYS FROM THE EFFECTIVE DATE OF THIS RESOLUTION ON THE ACCEPTANCE, REVIEW, APPROVAL OR ISSUANCE OF ANY LAND DEVELOPMENT PERMITS AS THE TERM IS DEFINED IN FLORIDA STATUTES SECTION 163.3164(16), BUSINESS TAX RECEIPTS OR ANY OTHER LICENSE OR PERMIT FOR THE ESTABLISHMENT OR OPERATION OF DISPENSING FACILITIES WITHIN THE CITY ENGAGED IN THE ON-SITE DISTRIBUTION, SALE, DELIVERY OR RETAIL OF LOW-THC CANNABIS, MEDICAL CANNABIS OR CANNABIS DELIVERY DEVICES PURSUANT TO SECTIONS 381.986 AND 499.0295 OF THE FLORIDA STATUTES, IN ORDER TO PROVIDE THE CITY WITH AN OPPORTUNITY TO REVIEW AND ENACT REGULATIONS GOVERNING THE ESTABLISHMENT AND OPERATION OF DISPENSING FACILITIES; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE.

7. New Business

"If a person decides to appeal any decision made by the Council with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings, and that, for such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based." (F. S. 286.0105). "Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's Office (407-851-7730) at least 48 hours in advance of the meeting." --Page 1 of 71

- a. Surplus of Public Works Vehicles - F250 and Street Sweeper
 - b. RESOLUTION 17-16: A RESOLUTION DECLARING SURPLUS CERTAIN PERSONAL PROPERTY AND DIRECTING THE CITY MANAGER TO DISPOSE OF THE PROPERTY FOR VALUE THROUGH AN OPEN PUBLIC PROCESS.
 - c. Approval of Cornerstone Charter School Resource Officer Agreement
 - d. Appointment of Special Events Committee
 - e. Social Media Policy review
 - f. Proposed ordinance on nuisance newspapers
 - g. RESOLUTION 17-14: 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.
 - h. RESOLUTION 17-15: A RESOLUTION OF THE CITY OF BELLE ISLE, FLORIDA AMENDING THE FISCAL YEAR 2016-2017 ANNUAL BUDGET TO INCREASE THE BUDGETED EXPENDITURES FOR ENGINEERING FEES WITHIN THE TRANSPORTATION IMPACT FEE FUND FOR THE TRENTWOOD BLVD TRAFFIC STUDY; AND PROVIDING AN EFFECTIVE DATE.
 - i. Approval of BING Grant for Horizon Court Wall
 - j. Appointment of Russell Wayne Cheezum for Planning & Zoning Board District 6
8. Attorney Report
- a. Comins Development LLC's - Request for Relied update
 - b. Open Space and Parks update
9. City Manager Report
- a. Issues Log update
 - b. Chief's Report
10. Mayor's Report
- a. Christmas in July
 - b. FWC Update
 - c. Legislative Update
 - d. School supplied drive
 - e. Marine Patrol Boat
11. Council Reports
- a. NAV Board meeting update - Comm Lance
12. Adjournment



city council minutes

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

The Belle Isle City Council met in a City Council Regular Session on June 6, 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 Nielsen

Absent:

Commissioner Mosse

Also present: Attorney Tom Callan, City Manager Bob Francis, Chief Houston, Deputy Chief Grimm and City Clerk Yolanda Quiceno. Absent: 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 6:30pm. Vice Mayor Readey gave the invocation and led the pledge to the flag.

CONSENT AGENDA

- a) Proclamation designating June 12th as Orlando United Day – A Day of Love and Kindness
- b) Approval of the City Council regular session minutes of May 2, 2017
- c) Approval of the City Council regular session minutes of May 16, 2017
- d) Approval of the City Council workshop session minutes of May 24, 2017

**Vice Mayor Readey motioned to approve the consent items as presented.
Comm Nielsen seconded the motion.**

Comm Carugno stated for the record he misspoke on a discussion regarding the Seminole property. He clarified that during the discussion he assumed that the septic tanks were removed. He corrected his comment, for the record, and said the septic tanks were vacated.

The motion was unanimously approved.

CITIZEN'S COMMENTS

Mayor Pisano opened for Citizen Comments.

1. Greg Gent residing at 2924 Nela Avenue provide for the record a letter dated June 6, 2017 addressing his concerns with the Comins Development Request for Relief. He encouraged Council and the developer to make efforts to develop something compatible with the character of Belle Isle and not to overdevelop the lakeshore. He spoke in opposition; however would support a common sense solution that allows for an appropriate density to be built.
2. Faye Evans residing at 1614 Overlook Road reported sitting rain water in front of her home. She stated that she has reported the situation for over three years and would like this issue resolved.
3. Donna Wright residing at 1810 Stafford Drive conceded her time to Holly Bobrowski.

4. Steve Up residing at 5413 Pasadena Drive thanked City Council for their service and shared his disappointment to hear that there was an effort to remove the Mayor. The actions of these individuals were innocent and the proposed investigation was a waste of his tax dollars.
5. Holly Bobrowski residing at 2400 Hoffner Avenue said she is agreement with Steve Up. She provided for the record a statement with regards to the events on April 29, 2017 and stated that she does not believe there was anything inappropriately done by either of the individuals and Council should work towards the good of the community.

There being no further comment, Mayor Pisano closed the citizen comment session.

UNFINISHED BUSINESS

Memorandum of Understanding (MOU) between Orange County, Orange County Sheriff's Office and City of Belle Isle Police Department (BIPD) for Warren Park.

City Manager Bob Francis gave a brief background of the approved proposed Warren Park Canoe Launch Site Plan. He noted, as a condition of approval a MOU was to be executed, within 90 days, for the patrol and enforcement responsibilities within the park and surrounding the canoe launch. Mr. Francis said the City has received, from Orange County, a signed agreement and asked for Council approval.

**Comm Lance motioned to approve the Memorandum of Understanding between Orange County and Belle Isle that outlines the responsibilities of reinforcement at Warren Park.
Comm Gold seconded the motion.**

Council discussed after hours park access and routing incoming 911 calls to the Belle Isle Police Department first then the Orange County Sheriff's Office.

Mike Sudmeyer, Manager of the Orange County Parks and Recreation Division, said they can provide the BIPD the combination code to the Warren Park locks.

After discussion the motion passed 5:1 with Comm Carugno, nay.

**Comm Nielsen motioned to adjourn the meeting at 8:30pm.
Comm Lance amended the motion to have the meeting end at 9:00pm for discussion.
After discussion, the motion failed 3:3 with Comm Carugno, Comm Weinsier and Comm Gold, nay.**

NEW BUSINESS

RESOLUTION NO. 17-06

A RESOLUTION OF THE CITY OF BELLE ISLE, FLORIDA AMENDING THE FISCAL YEAR 2016-2017 ANNUAL BUDGET TO INCREASE THE BUDGETED EXPENDITURES FOR STREET RESURFACING WITHIN THE PUBLIC WORKS DEPARTMENT; AND PROVIDING AN EFFECTIVE DATE.

Bob Francis presented Resolution 17-06 and said the estimates for the project previously approved by Council were incorrect and therefore the project was not adequately funded. In addition, Mr. Francis provided an additional estimate to include for paving Peninsular Drive and Jetport Drive. These additional estimates are \$9,567.50 and \$18,812.50 respectively. Mr. Francis requested an amendment to reflect,

- quotes for resurfacing using a 1.5" milling;
- quote of \$670,961.25 to resurface the budgeted streets with a deeper milling; and
- authorize a budget amendment to transfer \$350,961.25.

**Vice Mayor Readey motioned to approve Resolution 17-06 as amended.
Comm Lance seconded the motion which was unanimously approved.**

RESOLUTION NO. 17-07

A RESOLUTION OF THE CITY OF BELLE ISLE, FLORIDA AMENDING THE FISCAL YEAR 2016-2017 ANNUAL BUDGET TO TRANSFER FUNDS BETWEEN EXPENDITURE LINES WITHIN THE POLICE DEPARTMENT TO FUND THE PURCHASE OF TWO POLICE VEHICLES; AND PROVIDING AN EFFECTIVE DATE.

Bob Francis presented Resolution 17-07 and said the City allocated \$80,000 for the renovation of the Police Department building for 2016/17; however, the renovation was completed with donated funds. Since the original funds were not used for the budgeted capital improvements the Police Chief is requesting the budgeted funds be transferred from the building project expenditure line to vehicle purchase. The total cost for two additional vehicles will be \$52,649.85 and the remainder of the transfer will be allocated to an equipment replacement plan which will be discussed at a future workshop.

**Comm Weinsier motioned to approve Resolution 17-07 as presented.
Comm Gold seconded the motion which was unanimously approved.**

RESOLUTION NO. 17-08

A RESOLUTION OF THE CITY OF BELLE ISLE, FLORIDA AMENDING THE FISCAL YEAR 2016-2017 ANNUAL BUDGET TO INCREASE THE BUDGETED EXPENDITURES FOR CAPITAL IMPROVEMENTS WITHIN THE STORMWATER FUND FOR THE PERKINS BOAT RAMP PROJECT; AND PROVIDING AN EFFECTIVE DATE.

Bob Francis presented Resolution 17-08 and said the City allocated \$38,000 –from the FY 2015/2106 Stormwater Fund to repair the Perkins Boat Ramp, new signage and fencing; however, at that time the repairs were not completed due to the high water levels. He asked for Council approval for the repair of the ramp and the drainage in the amount of \$38,000 from the Stormwater Fund as previously presented. The new signage and fencing should be re-allocated to the general fund and be included in next year's budget discussion.

**Comm Weinsier motioned to approve Resolution 17-08 as discussed to allocate \$38,000 from the Stormwater Fund to complete the Perkins Boat Ramp and the storm drainage project.
Comm Lance seconded the motion which was unanimously approved.**

RESOLUTION NO. 17-09

A RESOLUTION OF THE CITY OF BELLE ISLE, FLORIDA ASKING GOVERNOR RICK SCOTT TO VETO CS/HB 687 AND SUPPORT THE HOME RULE AUTHORITY GRANTED AND GUARANTEED LOCAL MUNICIPALITIES BY THE FLORIDA CONSTITUTION.

Mayor Pisano presented Resolution 17-09 and said at the request of the Florida League of Cities, the City is being asked to approve a resolution requesting Governor Scott to veto this legislation. Legislation HB687 supports efforts to strip cities of the ability to regulate the placement of unsightly and potentially unsafe wireless communications equipment on city property and take away home rule.

**Comm Lance motioned to approve Resolution 17-09 requesting Governor Scott to veto CS/CS/HB687.
Comm Weinsier seconded the motion which was unanimously approved.**

ATTORNEY REPORT

Comins Development I, LLC's – Request for Relief Pursuant to SS 70.51, FLA, STAT. (2017)

Attorney Callan reported on the Request for Relief filed by Comins Development I, LLC to rezone their property located at 7710, 7728 and 7740 Daetwyler Drive. On June 1st, by and through its undersigned attorneys, the owner filed a Request for Relief pursuant to SS 70.51 FL Stat. (2017) from City Council's denial of their request for approval of a preliminary subdivisions plan and rezoning from a R2 to a PD. Attorney Callan gave a brief statement of the Common Land Use Law process and acceptable requirements for response. He stated that the City must file a response not later than 15 days on receipt of the Request for Relief. In addition, the City will have 21 days to notify anyone who appeared at the Public meeting to allow them the opportunity to be a participant at the magistrate proceeding and hold a hearing within 45 days.

Attorney Callan said this is a non-binding process and asked for Council approval to designate the City Attorney and the City Manager authority to comply with the statute and meet the deadlines as prescribed.

After Council discussion, Comm Lance motioned to,

- **designate City Manager Bob Francis as the lead to represent the City in this process under Section 7.51 to comply with all the requirements under that section;**
- **allow the City Attorney to send the request to a special magistrate;**
- **set the location of the hearing;**
- **send out the proper notices; and**
- **formulate the response to the Request for Relief.**

Comm Nielsen seconded the motion which was unanimously approved.

City Attorney and City Manger will provide an update at the following Council meeting

Attorney Report requested by Council at the May 16th, 2017 City Council regular session

Attorney Callan reported on the request made by Council at the May 16, 2017 meeting concerning the allegations arising from the April 29th City computer disposal event. Attorney Callan provided a package that included a 20 page document dated June 5, 2017, a 99 page supplement containing statements and face book posts and, by drop box, both the WFTV news clips and three mini videos of Mr. Cedric Frazier's statement. He gave a brief summary of the findings and circumstances that arose from the April 29th City event, reports and accusations filed. Following he spoke of whether there was any unauthorized spending of City funds and inappropriate direction to City staff made by the Mayor.

Attorney Callan stated under the Belle Isle Charter Section 3.07(B)(2) a commissioner can be removed for violation of standard of conduct or code of ethics established by law. He said that there were no findings of ill-will by either party. The course of action or response by Council can take many form such as; (1) do nothing, reprimand or an admonition, suspension or removal.

Attorney Callan stated he does have concerns with the statements made to WFTV News by the Mayor. Under Section 4.05 of the City Code the Mayor has limited authority and is not the Chief Executive of the City or a spokes person of the City. The Mayor only represents the City in ceremonial purposes and intergovernmental relationships. The course of action or response by Council under Section 4.04 of the Charter is the only reference to the removal of the Mayor which shall result in the Vice Mayor taking over those duties. While the Charter contemplates the removal of a Mayor or a Commissioner, there is no Charter provision outlining a procedure for reprimand or suspension. Council will need to provide what direction, if any, they which to pursue.

Attorney Callan then spoke of the second direction from Council to review the unauthorized City purchases of items for special events by the Mayor. He stated that he met with the Finance Director and the City Clerk to discuss the issues presented. He stated that it is very clear that the Mayor does not have any authority to make purchases on behalf of the City; however, she has informed the Council of the special event purchases. He stated that the findings were that all purchases appear to be made under the financial limit of the City Manager, by City staff at the direction of the Mayor; on events that were disclosed to Council at a meeting prior to expenditure; and were later endorsed by City Manager approval and in some instances paid by a check signed by two City Council members. Discussion ensued.

Comm Weinsier said he believes the Mayor is providing a service by coordinating events and is not required to do so and has done a good job. In the absence of a City Manager, the Mayor assumed some of those responsibilities. He, however, would like to see a process formulated on purchases for future events. His concern is speaking to news reporters representing the City. He would like to ensure that any future comments made to the media, on behalf of the City, be approved by Council. If a statement is made a disclaimer should be made that their statement is as a citizen and not on behalf of the City.

Vice Mayor Readey motioned to put these events aside. There was no malice intended and that the report speaks for itself.

Comm Lance seconded the motion for discussion.

Bob Francis spoke to the unauthorized expenditures and directing of City staff. Since his employment as the City Manager he stated that he has not seen the Mayor directing any City staff without consulting with him first. He is in agreement with Comm Weinsier that a policy should be formulated including one for social media, special events, and rules of council and civility of council moving forward. In addition, he would like to have Council designate a public information office (PIO) to speak on behalf of the City. He believes policies should be put in place to avoid these types of situations in the future.

Comm Lance read an excerpt from an email he received from Donna Wright which read, "The measure of a man (or woman) is ultimately their actions." Comm Lance said this does not only apply to the Commissioners but to the Mayor and the residents. His only intent to agree to the investigation was to clear the reputation and honesty of Commissioner Gold. He further apologized for any miscommunications regarding the issues discussed on the April 29th event.

Comm Nielsen said everyone is correct that the theft of the computers was not an issue, there was no ill intent and should have been left alone. The Mayor was advised by the City Manager and City Attorney to leave it alone; and she chose to make a statement. This caused a problem, and initiated for an investigation to clear the integrity of Commissioner Gold.

Comm Gold stated that he has been accused of perjury twice by the Mayor in sworn statements. He does not appreciate the accusation and will find it hard to continue to serve under the circumstances if it was to continue in the future. Mayor Pisano stated that there are a lot of inconsistencies with the findings.

Chief Houston stated that the Police Department has concluded that there was no theft and the case is closed.

After discussion, Vice Mayor Readey reiterated his motion to put the matter to rest.
Comm Lance seconded the motion which was unanimously approved.

Comm Lance motioned to appoint the City Manager as the Public Information Officer for the City.

Comm Carugno seconded the motion.

Vice Mayor Readey shared his concern and said if an individual wants to speak on an issue they should be allowed to do so.

Attorney Callan stated that he has first amendment concerns as well. He offered to draft a reasonable policy that will have guidelines for the Mayor, Council and staff to talk to the press however, not in front City Hall or in front of the City seal to give the impression that they are speaking on behalf of the City. He will bring forward a draft document for review and approval.

Attorney Callan reported that he will be on vacation for the following two weeks. In the meantime, his office will be gathering any information on the real estate issue that may arise.

Mayor Pisano, acknowledged Steve Upp. Mr. Upp stated that he saw the news interview and the Mayor was speaking for herself and not the City.

BING GRANTS

Mayor Pisano provided and gave an overview of Bing Grant submittals as follows,

- | | | |
|---|-----------------------------------|------------|
| 1. Windsor Place – District 7 | Replace video surveillance system | \$3,895.00 |
| 2. Lake Conway Shores – District 1 | Replacement of wood pavilion | \$3,365.00 |
| 3. Lake Conway East – District 6 | Landscaping | \$1,635.00 |
| 4. Windward on Lake Conway – District 4 | Lighting | \$2,910.00 |

Comm Carugno motioned to approve the Bing Grants as presented.

Comm Lance seconded the motion which was unanimously approved.

CITY MANAGER REPORT

Project Update

Bob Francis reported on the following project updates,

- Lake Conway Shores Drainage project has been delayed to mid-June due to weather
- Meeting with an Engineer to inspect the Charter School facility to start the capital improvement project plan for replacing major infrastructure items.
- Working with an Orange County Surveyor to place a gauge at the Perkins Boat Ramp as required by Ordinance.
- Next week working with contractor to adjust the Nela Bridge lights
- Duke Energy will be visiting to review the LED lighting throughout the City and discuss proposed solar projects
- Bulletin to be distributed in July. Articles should be submitted no later than next week.

MAYOR'S REPORT

- Mayor Pisano reported that she has submitted the grant for the messaging board through the FLC grant.
- Pulse event will be taking place on June 12th at Lake Eola .
- Save the Date – July 6th for Congresswoman Val Demings Town Hall meeting

Mayor Pisano called for a motion to officially cancel the July 4th Regular Session.

Comm Lance motioned to cancel the July 4th City Council Regular Session in observance of Independence Day.

Comm Carugno seconded the motion which was unanimously approved.

COUNCIL REPORTS

Comm Nielsen – District 7 – no report.

Comm Lance – District 4

- Comm Lance reported on an article in the Central Florida monthly report on Belle Isle families.
- NAV Board meeting to be posted for next Tuesday at 6:30pm.

Comm Weinsier – District 3 – no report.

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Vice Mayor Readey – District 5 - no report.

Comm Carugno – District 2

- Comm Carugno asked if we can add NAV Board report and Police Department updates on the next agenda.
- Comm Carugno reported on some boaters on the lake that are taking surveillance of residential properties and stealing items from the surrounding homes.

Comm Gold – District 1

Comm Gold addressed resident concerns on loud music in moving vehicles in the early morning hours.

CHIEF’S REPORT

- Chief Houston reported that during the Click It or Ticket Campaign the officers issued 120 tickets for drivers not wearing their seatbelts.
- The agency is currently in full capacity and looking into re-establishing the Elderly program.
- We will be one of the first Departments in Florida to demo new computer software in anti-terrorism for law enforcement throughout the State. He will keep Council posted when finalized.

There being no further business, Mayor Pisano called for a motion to adjourn, unanimously approved at 8:55p.m.

Yolanda Quiceno
CMC-City Clerk



city council minutes

MINUTES June 14, 2017 * 9:00 a.m. City Council Workshop Session

The Belle Isle City Council met in a City Council Workshop Session on June 14, 2017 at 9:00 a.m. at the City Hall Chambers located at 1600 Nela Avenue, Belle Isle, FL 32809.

Present:

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

Absent:

Commissioner Gold

Also present: Attorney Tom Callan, City Manager Bob Francis, Chief Houston, Deputy Chief Travis Grimm and City Clerk Yolanda Quiceno. 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 9:05am. Comm Nielsen led the pledge to the flag.

1. OPEN SPACE, PARKS AND BOAT RAMP DISCUSSION

City Manager Bob Francis spoke to Council regarding the public parks inventory and function currently defined in the City's 1990 Comprehensive Plan. Since the last update in 2010, the City has not updated the Evaluation and Appraisal Report to include Peninsular Park and the Wallace and Matchett property. He further noted, for this discussion, he did not add the private parks managed and owned by the Home Owners Associations.

Mr. Francis addressed the Perkins Boat Ramp and stated that the City is required, by prior litigation, to have standardization of signage. In addition, he spoke of the consideration between using the NAD27 and NAVD88 to determine the lake elevation before there is required closing by the City per Resolution 03-07. He noted that he would continue to use the NAD27 until he receives further direction from Council. He reported that he would be installing a gauge by the Perkins Boat ramp measuring the current lake elevation as defined by Resolution.

Mr. Francis further provided a sample sign for the Perkins and Venetian Boat ramp. After discussion, Council agreed to the following changes,

Perkins Boat Ramp

- Parked vehicles should have a maximum boat and trailer length. Discussion ensued and the maximum length is to be determined after measuring the parking location.
- Add the word "NO" to all prohibited items
- Amoeba warning should be prominent on the sign
- Violations subject to fines of \$150 per occurrence
- Anchoring or mooring within 100 feet of ramp
- Boat launching takes priority over fishing off the ramp

Venetian Boat Ramp

Mr. Francis said both signs will be standardized and those items not germane to the Venetian Boat Ramp will be removed. Mr. Francis spoke of the concerns at the Venetian boat ramp made by some of the residents. After discussion, Council agreed to the following sign changes for the Venetian boat ramp,

- Residents will be issued a City decal for parking and use – all others will be subject to fine or tow.
- Specific ramp hours should be determined
- No picnicking or loitering
- Discussion ensued on the City providing restroom facilities. Council agreed to address at a later date.
- Consider adding curbing to the Venetian park area to limit parking

Attorney Callan said the outward appearances of both docks are different. He recommended the City to revisit the fencing surrounding the Venetian Boat dock to limit access and usage. He further recommended having Sunday hours limited to the public. Attorney Callan said before the ramps can be dedicated for residents only, the City will need to update the Comp Plan to designate the area as part of the boat ramp and not the city street to protect the Lake. Discussion ensued and Council consensus was to have the City Attorney research the possibility of designating the Perkins and Venetian boat ramp for residents only before any changes were to be made.

Wallace Property

Mr. Francis opened discussion on the Wallace and Matchett open space. Currently the property is designated R2 and asked if Council would like to consider a zoning change to open space. Discussion ensued.

Comm Carugno requested that the City install a fence around the entire property to eliminate any safety concerns until a decision can be made on the re-zoning. Council consensus was to move forward with the fence and initiate the rezoning process.

Attorney Callan disclosed that his wife represented the Meloons on the Wallace property going towards the lake. He does not know if there is an inclination to turn the area into a park or a boat ramp. If there isn't he said the City can benefit from vacating the property to the surrounding neighbors. Mr. Francis said in the meeting he attended with the residents Walt Meloon stated that he intended to purchase the property from the City in the 1970's with the intent to allow the City to lease with conditions. Discussion ensued on various options, public restrooms and easement access for the police department and first responders.

After discussion, Council consensus was to have the Attorney Callan and the City Manager meet with the neighbors and have a formal conversation on development of the easement on Wallace Road. Attorney Callan recommended that the discussion include the private driveway, vacating the property on Wallace Road east of the private road going east on Matchett towards the lake and an agreement to have the property a public park with a surrounding fence. Mayor Pisano stated that she is not in agreement with vacating the property.

Mr. Francis stated until the City designates the Wallace property as open space the area would be fenced off except for City sponsored events. Attorney Callan said it is not required by Florida Law that the City have a specific formula to have a number of parks per resident in the Comp Plan. The Comp Plan should be updated to have general principles governed by Resolution. Discussion ensued on the Comp Plan requirements for open space designation, current use of the football field and the ongoing drainage issues.

Council concluded and was in agreement to erecting a surrounding fence, opening discussions on vacating the Wallace property easement and rezoning the open space.

Mayor Pisano opened for public comments.

A few residents in attendance shared their concerns with the installation of a surrounding fence, signage and the cut through traffic at the Wallace property. They further shared their views on the use of the boat docks at Perkins and Venetian and inquired if the City would be able to charge a fee for the use or trespassing. Discussion ensued.

Karl Shuck shared his concerns with the discussion on the open space at the Wallace property. He referred to a copy of the email he sent to Council, Mayor and staff. He said the property, since its purchase, has no proper signage, electrical or water connections. In his opinion the property in its current condition is not safe and needs to be addressed as soon as possible. He further noted that the ordinances should be reviewed and revised as necessary.

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

Comm Readey provided a sample fountain statue for consideration at the next meeting for the Nela roundabout. He excused himself due to a prior scheduled appointment.

Parks

Mr. Francis addressed and provided a sample sign for the Parks with lake access. Signs will be adjusted accordingly if they do not have water access. After discussion, Council agreed to the following sign changes for the parks with lake access,

- Add the word "NO" to all prohibited items
- Pet clean up stations should be provided in all parks where pets are allowed
- Swim at your own risk – swimmers must be 18 years or older or with an adult supervision. Report any dangerous wildlife to the City for assistance.
- No camping at any time
- Remove "solicitation" and replace with no commercial vending, advertising or posting
- No Littering (strictly enforced)

Discussion ensued on safety concerns regarding swimming and non-swimming areas in City parks, boat ramps and road access areas to the lake. Attorney Callan said the City has sovereign immunity and must carry insurance for all parks and boat dock areas. After discussion, Council consensus was to allow swimming, with the appropriate signage, in all parks with water access. Mr. Francis asked if there was a need to form a parks advisory board. Council agreed that it would be beneficial however; the appointments should be made at-large and should be considered after the Comp Plan has been updated.

Comm Lance reported that his District 4 Tree Board member resigned and would like to appoint Ruthie Harrell at the next City Council meeting.

Attorney Callan gave an update on the open lawsuit and stated that the City will have to pay for all the costs per the statute. He is currently working with the developer and the court on scheduling a special magistrate. He will be filing a request today and will provide an update at the next meeting.

ADJOURNMENT

There being no further business, Mayor Pisano called for a motion to adjourn, unanimously approved at 12:00p.m.

Yolanda Quiceno
CMC-City Clerk



city council minutes

MINUTES
June 20, 2017 * 6:30 p.m.
City Council Regular Session

The Belle Isle City Council met in a City Council Regular Session on June 20, 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:

Also present: Attorney Tom Lang, City Manager Bob Francis, Chief Houston, Deputy Chief Grimm and City Clerk Yolanda Quiceno. 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 6:30pm. Comm Mosse gave the invocation and led the pledge to the flag.

RECOGNITION OF LESLIE JOHNSON

Chief Laura Houston recognized Leslie Johnson and introduced Officer Trendafilov who gave a few words of appreciation to Leslie Johnson for her continued support to animal life, the residents of Belle Isle and the Belle Isle Police Department. Ms. Johnson was awarded a Certificate of Appreciation for her generous contribution for the use of her boat dock for the Belle Isle Marine Patrol.

Mayor Pisano introduced Mr. Gavin, a Cornerstone Charter School student, who gave a demonstration of a robot that he built for the "Project Lead The Way" program.

CONSENT AGENDA

- a) Approval of the City Council regular session minutes of June 1, 2017

**Comm Nielsen motioned to approve the consent item as presented
Comm Lance seconded the motion, which was unanimously approved.**

ADDITIONS, DELETIONS OR AMENDMENTS TO THE AGENDA

City Manager Bob Francis stated that the new category on the agenda will allow Council to briefly add, delete or amend items on the agenda when the meeting is in session. In addition, it will allow for rearranging agenda items as needed for discussion.

Mr. Francis requested that items 8g be moved to 8a to allow for a presentation by the Greater Orlando Aviation Authority representatives.

**Comm Mosse motioned to approve moving item 8g to 8a on the agenda as requested.
Comm Weinsier seconded the motion, which was unanimously approved.**

CITIZEN'S COMMENTS

Mayor Pisano opened for Citizen Comments.

1. Cindy Lance residing at 3401 Trentwood Blvd spoke of the disclaimer on the agenda under the Citizen Comment section which states, (1) direct all remarks to the Council as a body and not to individual members of the Council, staff or audience and (2) order and decorum will be preserved at all meetings. Personal, impertinent or slanderous remarks are not permitted. She shared her concerns on the actions of many persons in the last few months at Council meetings and asked that the City follow the rules of conduct and to make sure that what is written is enforced.
2. Dina Goodenow 6416 Gibson Drive shared her concerns regarding the Wallace property. She stated that she is opposed to having a blockade fence erected or vacating the property to the adjacent residents as previously discussed at the last City Council workshop. She would like to see the area open to emergency vehicles and first responders and not enclosed to limit access.

There being no further comment, Mayor Pisano closed the citizen comment session.

INTERLOCAL AGREEMENT WITH GREATER ORLANDO AVIATION AUTHORITY (GOAA)

Bob Francis presented a draft Interlocal Agreement (ILA) for review. The ILA is for the adoption of airport zoning regulations as part of the Belle Isle Municipal Code. He said this agreement should be passed before July 1st. The ordinance can be adopted at a later time and it will be scheduled to be reviewed by the P&Z Board at their next meeting. He introduced the GOAA representatives.

Chris Wilson from Marchena & Graham with offices at 976 Lake Baldwin Lane, Orlando FL said the agreement will establish airport protection zoning, basically dealing with height requirements, within or near all GOAA jurisdictions. Discussion ensued on current municipal code. Council asked if there is a conflict of interest in having the Chairman of the GOAA Board also as the City's Attorney. Attorney Lang said no, there is no conflict.

Brad Friel, Director of Planning for GOAA with offices at 1 Jeff Fuqua Blvd, Orlando, FL spoke on the process to submitting zoning applications within the airport jurisdiction. He stated that the interlocal agreement will provide more power in the hands of the municipality.

Comm Nielsen motioned to approve the interlocal agreement with the Great Orlando Aviation Authority. Comm Lance seconded the motion, which was unanimously approved.

UNFINISHED BUSINESS - no report

NEW BUSINESS

a. RESOLUTION NO. 17-10

A RESOLUTION OF THE CITY OF BELLE ISLE, FLORIDA AUTHORIZING COUNCIL MEMBERS AND THE CITY MANAGER AS SIGNATORIES ON THE CITY CHECKING ACCOUNTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Comm Mosse motioned to approve Resolution 17-10 as written. Comm Lance seconded the motion, which was unanimously approved.

b. RESOLUTION NO. 17-11

A RESOLUTION OF THE CITY OF BELLE ISLE, FLORIDA AMENDING THE FISCAL YEAR 2016-2017 ANNUAL BUDGET FOR INCREASED BUILDING PERMIT ACTIVITY WITHIN THE GENERAL GOVERNMENT DEPARTMENT; AND PROVIDING AN EFFECTIVE DATE.

Comm Nielsen motioned to approve Resolution 17-11 as written.

Comm Mosse seconded the motion, which was unanimously approved.

c. RESOLUTION NO. 17-12

A RESOLUTION OF THE CITY OF BELLE ISLE, FLORIDA AMENDING THE FISCAL YEAR 2016-2017 ANNUAL BUDGET TO INCREASE THE BUDGETED EXPENDITURES FOR CAPITAL IMPROVEMENTS WITHIN THE STORMWATER FUND FOR THE LAKE CONWAY SHORES DRAINAGE IMPROVEMENT PROJECT; AND PROVIDING AN EFFECTIVE DATE.

Comm Gold motioned to approve Resolution 17-12 as written.

Comm Nielsen seconded the motion, which was unanimously approved.

d. Public Hearing 2017-04-028

Pursuant to City of Belle Isle Land Development Code Sec. 50-33(2)(d), the City Council shall consider for approval an informal plat, submitted by applicant Hoffner Fruit, LLC consisting of one tax parcel referenced located at 4400 Hoffner Avenue, Belle Isle, FL 32812, Orange County also known as Parcel #20-23-30-0000-00-012.

Bob Francis said the applicant is requesting approval of the boundary adjustment made to the plat for conformity. Discussion ensued on the lot line adjustment which was previously approved by Council.

Randy Holihan from Brandon Partners residing at 2513 Trentwood Blvd, Belle Isle said this process will legally describe the parcels and allow for a legal description. Discussion ensued on future development of the property.

Comm Nielsen motioned to approve the informal plat submitted by applicant Hoffner Fruit, LLC.

Comm Lance seconded the motion, which was unanimously approved.

e. Approval of contract for City Engineering Services

Bob Francis gave an overview of the Request for Qualifications for an Engineer of Record for the City of Belle Isle. He stated that the City received three applications. A panel of three (City Manager, David Woods and John Evertsen) reviewed the proposals. After review, the panel is recommending that Harris Engineering be approved by Council with an initial term of five years. Bob Francis provided the fee schedule and the financial impact. There were minor contract changes clarifying the indemnification clause and the archival requirements of all City projects.

Comm Nielsen motioned to approve the contract for Engineering Services and appoint Harris Engineering as Engineer of Record for the City of Belle Isle.

Comm Lance seconded the motion, which was unanimously approved.

f. Discuss/Approve Special Events Policy

Bob Francis gave an overview of the proposed special events policy. He said that the designation is in the Municipal Code in Chapter 26, Article II. The committee has the responsibility for reviewing and approving special events within the City. Term limits of City Council members are three years. He requested City Council to approve the designation at-large and to direct the City Manager to look for candidates for the Committee. Discussion ensued on the selection process, ex-officio members and appointments.

Comm Carugno motioned to approve the Special Events Committee policy and to direct the City Manager to look for candidates for the Committee.

Comm Mosse seconded the motion, which was unanimously approved.

ATTORNEY REPORT – No report.

CITY MANAGER REPORT

Project Update

- Bob Francis reported that the Lake Conway Shores project should start early next week. The project was delayed about a month due to the weather.
- With regards to the paving projects for this year, he will be meeting with the contractors on a projected start date in August.
- He released the bond for final acceptance for the Mattamy Homes project. He stated that it was released with the conditions that Mattamy Homes replace the landscaping sod and repair the fog line on Daetwyler.
- Mr. Francis reported that he has initiated a building inspection company to develop a scope of work for the Charter School to start the Capital Improvement Plan. He has scheduled for replacement of the caulking at some of the windows. He is currently developing an RFP to replace the roof at the middle school.

Bob Francis further reported on the following updates,

- Mr. Francis reminded Council that articles are due by June 27 for the newsletter.
- After discussion, Council consensus was to move forward with reviewing the social media policy at the next meeting.
- FWC will hold a meeting on July 10-11 at the Convention Center. He reported that he has opened discussion with Shannon Wright on moving forward with the City designation as a bird sanctuary. After discussion, Council consensus was to have the City Manager move forward in starting the process to have the City designated as a bird sanctuary.
- The Nela Bridge lights have been adjusted. The contractor stated that there is a problem with the controller and recommended that it be replaced. The cost of a new controller will be approximately \$1,000. Brief discussion ensued on replacement of the controller and panel.
- The Florida League of Cities (FLC) is holding an event on August 16th to discuss medical marijuana. Mr. Francis said in December the City passed a 90-day moratorium on medical marijuana and asked if Council would like to address an extension until the City can develop a process.

Comm Mosse motioned to extend the moratorium for another year.

Attorney Lang recommended that Council extend the moratorium to September 30th to benefit from the discussion at the FLC meeting in August.

After discussion, Comm Mosse was in agreement with the recommendation and restated his motion to extend the moratorium to September 30th.

Comm Gold seconded the motion, which was unanimously approved.

Comm Nielsen called for an amendment to the motion to schedule a workshop for discussion after the FLC event. Comm Mosse was not in agreement with the amendment.

- Mr. Francis reported that he will be meeting with Jack Liberty's Attorney regarding the Perkins Boat ramp on June 22nd. In addition, he will be meeting with Ken Derik from Universal Engineering to follow-up on services and process.
- Bob Francis said he received concerns on unsolicited newspapers, magazines and papers. After discussion, Council consensus was to have the City Manager bring forward a draft ordinance, similar to the City of Orlando, for review at the next meeting.

MAYOR'S REPORT

- Mayor Pisano reminded Council of the July 1st deadline for the Statement of Financial Interests. She further reported that the FLC is holding another Ethics Training on July 27th.

CHIEF'S REPORT

- Chief Houston reported on burglaries on Conway Circle. The vehicle used during the burglaries has been retrieved. The BIPD is working with other agencies to bring this to a close.
- She met with the new principal at Pine Castle Elementary, Bernadette Jaster. The discussion was very positive and all resources are working together to minimize challenges for the start of the school year.
- Deputy Chief Grimm spoke of an incident regarding stolen property at Plant Fitness. With good investigative work the items were retrieved the same day without incident.

COUNCIL REPORTS

Comm Gold – District 1

- Comm Gold thanked the City Manager for his assistance in connecting with Orange County and repairing the ditch near the Hoffner Bridge.

Comm Carugno – District 2

- Comm Carugno asked if the cameras on the four way intersection on Orange Ave and Hoffner be used by the City.
- Comm Carugno asked if Orange County can be notified to repair the sidewalks on Hoffner.
- Comm Carugno asked for an update on the items discussed at the workshop. Mr. Francis reported that he is currently working on the following, per Council consensus,
 - Meet with the Meloons regarding the Wallace property
 - Research installation of a fence around the entire Wallace property area
 - Signage at the Perkins boat ramp and Venetian to be identical, including, boat ramp decals to be used for both ramps
 - Standardized signage for all parks
 - Set the gage at the Perkins boat ramp per NAVD 88
 - Attorney Callan to research any un-platted street access to the lake and converting the area to boat access ramps

Comm Readey – District 5

- Comm Readey called for a motion to approve the fountain discussed at the prior workshop. Discussion ensued on different sculptures that can be used. Comm Readey offered to bring other samples to the following meeting.

Comm Lance – District 4

- a. Comm Lance reported on the Orange County repairs on the roads on the west side of Daetwyler Road.
- b. He reported that he extended, to the NAV Board, the invitation to use our facility. Pete Clarke expressed having a compromise and suggested the AG Center for future meetings.
- c. Appointment of Tree Board member Ruthie Harrell for District 4

Comm Weinsier motioned to ratify Ruthie Harrell for the Tree Board.

Comm Carugno seconded the motion, which was unanimously approved.

Comm Nielsen – District 7

- Comm Nielsen said she would like to have the minutes not reflect the absence of Attorney Kruppenbacher. According to the new contract the City Attorney can be Attorney Kruppenbacher or any other attorney designated. Attorney Kruppenbacher is always accessible however will not necessarily always be present.
- Comm Nielsen shared her concerns with the decorum of the past meetings and asked that enforcement be implemented moving forward.

There being no further business, Mayor Pisano called for a motion to adjourn, unanimously approved at 8:21p.m.

Yolanda Quiceno
CMC-City Clerk



**CITY OF BELLE ISLE, FLORIDA
CITY COUNCIL AGENDA ITEM COVER SHEET**

Meeting Date: July 18, 2017

To: Honorable Mayor and City Council Members

From: B. Francis, City Manager

Subject: Resolution 17-13, 90-day Moratorium on Medical Cannabis

Background: In December 2016, the City Council adopted resolution 16-19 placing a 90-day moratorium on temporary building and zoning moratorium on the establishment and operation of dispensing facilities within the corporate limits of the City of Belle Isle until adequate regulations have been developed, considered and adopted is in the best interest of the health, safety and general welfare of the community and the residents of the City. This initial moratorium has expired but the City Council would like to extend the moratorium for another 90-day period. This will allow the Council to take advantage of a symposium on medical marijuana in August conducted by the Florida League of Cities. This symposium will allow Council to review the latest updates and provide better information and guidance on how to proceed with medical marijuana issues.

Staff Recommendation: Adopt Resolution 17-13

Suggested Motion: I move we Adopt Resolution 17-13 providing for a 90-day moratorium on medical Cannabis.

Alternatives: Do not adopt the resolution and allow the public to apply for establishing and operating dispensing facilities in Belle Isle

Fiscal Impact: Unknown at this time how much revenue could be generated.

Attachments: Resolution 17-13

RESOLUTION NO.17-13

A RESOLUTION OF THE CITY OF BELLE ISLE, FLORIDA, PERTAINING TO ESTABLISHING A TEMPORARY MORATORIUM FOR A PERIOD OF 90 DAYS FROM THE EFFECTIVE DATE OF THIS RESOLUTION ON THE ACCEPTANCE, REVIEW, APPROVAL OR ISSUANCE OF ANY LAND DEVELOPMENT PERMITS AS THE TERM IS DEFINED IN FLORIDA STATUTES SECTION 163.3164(16), BUSINESS TAX RECEIPTS OR ANY OTHER LICENSE OR PERMIT FOR THE ESTABLISHMENT OR OPERATION OF DISPENSING FACILITIES WITHIN THE CITY ENGAGED IN THE ON-SITE DISTRIBUTION, SALE, DELIVERY OR RETAIL OF LOW-THC CANNABIS, MEDICAL CANNABIS OR CANNABIS DELIVERY DEVICES PURSUANT TO SECTIONS 381.986 AND 499.0295 OF THE FLORIDA STATUTES, IN ORDER TO PROVIDE THE CITY WITH AN OPPORTUNITY TO REVIEW AND ENACT REGULATIONS GOVERNING THE ESTABLISHMENT AND OPERATION OF DISPENSING FACILITIES; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to the Compassionate Medical Cannabis Act of 2014, the Florida Legislature authorized a very limited number of large nurseries to cultivate, process, and dispense non-euphoric, low THC cannabis and operate dispensing organizations, as of January 1, 2015; and

WHEREAS, in 2016, the Florida Legislature amended Section 381.986 of the Florida Statutes to include medical cannabis, revise the requirements for physicians ordering low-THC cannabis, medical cannabis, or cannabis delivery devices, amend the requirements for the cultivation, processing, transportation, and dispensing of low-THC cannabis or medical cannabis, revise the Florida Department of Health's authority and responsibility and provide for penalties; and

WHEREAS, pursuant to Section 381.986(8) of the Florida Statutes, a municipality may determine by ordinance the criteria for the number and location of, and other permitting requirements that do not conflict with state law for dispensing facilities of dispensing organizations located within its municipal boundaries; and

WHEREAS, due to the historical prohibition of cannabis, the City of Belle Isle does not currently have any land development regulations governing the use of real property for the purpose of on-site distribution, sale, delivery or retail of low-THC cannabis, medical cannabis or cannabis delivery devices as provided by Florida Statutes Sections 381.986 and 499.0295; and

WHEREAS, in order to promote the effective regulation of such activities, the City Council wishes to preserve the status quo while researching, studying, and analyzing the potential impact of dispensing facilities within the City's boundaries upon adjacent uses and the surrounding areas, including its effect on traffic, congestion, surrounding property values, demand for City services including inspections and increase police monitoring, and other aspects of the operation of dispensing facilities impacting the general welfare of the community; and

WHEREAS, the City Council finds that a ninety (90) days temporary moratorium on the issuance of business tax receipts and the acceptance, processing and approval of any building or zoning permits for the establishment and operation of dispensing facilities within the corporate limits of the City of Belle Isle is a reasonable period of time; and

WHEREAS, the City Council finds that a ninety (90) days temporary moratorium will allow the City sufficient time to determine what zoning districts are best-suited for this particular use, and how best to formulate land development and licensing regulations that will appropriately govern

the use of real property for the purpose of on-site distribution, sale, delivery or retail of low-THC cannabis, medical cannabis or cannabis delivery devices; and

WHEREAS, the City Council finds it is in the best interest of the citizens of the City to minimize and control the adverse effects of dispensing facilities by adopting appropriate land development and licensing regulations; and

WHEREAS, a court should not set aside the determination of public officers in land use matters unless it is clear that their action has no foundation in reason, and is a mere arbitrary or irrational exercise of power having no substantial relation to the public health, the public morals, the public safety of the public welfare in its proper sense. *Id.*; and *Smithfield Concerned Citizens for Fair Zoning v. Town of Smithfield*, 907 F.2d 239, 243 (1st Cir. 1990); and

WHEREAS, the first step in ensuring a proper moratorium, is to ensure that the City's legislative has a rational basis and legitimate governmental purpose for the imposition of a moratorium; and

WHEREAS, the second step is for the Mayor and City Council to establish a record that the moratorium would further the governmental purpose of creating, finalizing, and adopting regulations relating to medical cannabis; and

WHEREAS, it is well-settled that permissible bases for land use restrictions include concern about the effect of the proposed use on traffic, on congestion, on surrounding property values, on demand for City services, and on other aspects of the general welfare. *WCI Communities, Inc.*, 885 So.2d at 915 and *Corn v. City of Lauderdale Lakes*, 997 F.2d 1369, 1375 (11th Cir. 1993); and

WHEREAS, the City is not interfering with a vested right obtained as a result of a final order from the City Planning and Zoning Board, or permit already obtained under the Florida Building Code; and

WHEREAS, the City Council finds that imposing a temporary moratorium until adequate regulations have been developed, considered and adopted is in the best interest of the health, safety and general welfare of the community and the residents of the City; and

WHEREAS, the Mayor and City Council desire to adopt a 90-day moratorium.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BELLE ISLE, FLORIDA:

SECTION 1. Recitals. The foregoing recitals are incorporated by this reference as if fully set forth in the text of this Resolution. The recitals evidence the concern, motivations and reasons for imposition of this Resolution.

SECTION 2. Moratorium Imposed. The City of Belle Isle, Florida hereby declares a temporary building and zoning moratorium on the establishment and operation of dispensing facilities within the corporate limits of the City of Belle Isle. The City shall not accept, process or approve any application for business tax receipts, building permits, land use changes, zoning variances or permits, or any other development permits for any property, entity, or individual concerning or related to dispensing facilities engaged in permitted uses under Florida law, specifically Florida Statutes Sections 381.986 and 499.0295, whether as a principal or accessory use, so long as this resolution is in effect. No person, corporation, partnership or other entity shall establish or operate a dispensing

facility engaged in permitted uses under Florida law, specifically Florida Statutes Sections 381.986 and 499.0295.

SECTION 3: Duration Of Moratorium. The temporary moratorium shall take effect immediately upon adoption of this resolution and shall terminate ninety (90) days from the adoption of this resolution, unless the City Council rescinds or extends the moratorium by a subsequent ordinance.

SECTION 4. Severability. That if any clause, section or other part of this Resolution shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Resolution shall not be affected thereby, but shall remain in full force and effect.

SECTION 5. Effective Date. This Resolution shall take effect upon execution.

PASSED and ADOPTED this 18th day of July, 2017.

CITY OF BELLE ISLE:

Lydia Pisano, Mayor

ATTEST:

Yolanda Quiceno, City Clerk

(CITY SEAL)

Approved as to correctness and form:

City Attorney



**CITY OF BELLE ISLE, FLORIDA
CITY COUNCIL AGENDA ITEM COVER SHEET**

Meeting Date: July 18, 2017

To: Honorable Mayor and City Council Members

From: B. Francis, City Manager

Subject: Surplus of Property, Resolution 17-16

Background: In accordance with Section 2-221, the city council shall have the discretion to classify as surplus any of the city's property that is obsolete or the continued use of which is uneconomical or inefficient, or which serves no useful function. Any such determination of the council that such property is surplus shall also estimate the value of such property, and Section 2-224, If the estimated value of property determined by the council to be surplus is greater than \$100.00 but less than \$5,000.00, the city manager shall dispose of such property by (1) Soliciting three bids for the property; or (2) Public auction, after publication of notice not less than one week or more than two weeks prior to the sale in a newspaper having general circulation. There is no specific guidance on how the Council declares property as surplus; therefore, a resolution is attached for this purpose.

Also, the BIMC Section 2-244 (above) does not allow for internet sales of surplus property between \$100 and \$5,000. Attached is a proposed ordinance to change the municipal code to allow for internet sales.

Staff Recommendation: Adopt Resolution 17-16 and direct staff to prepare the proposed ordinance in its final form for adoption.

Suggested Motion: I move to adopt Resolution 17-16, sale of surplus property. No motion is needed for the ordinance change, just consensus from Council to move forward to draft the ordinance in final form for the next meeting.

Alternatives: Do not adopt the resolution or ordinance

Fiscal Impact: \$3,500 in Revenue if all items sell for the listed price

Attachments: Resolution 17-16 & Memorandum from Police chief on surplus (Exhibit A) and draft ordinance

1 Adopted by the City Council on this 18th day of July, 2017.

2
3 _____

4 LYDIA PISANO, MAYOR

5
6 **Attest:**

7 Yolanda Quiceno, City Clerk

8
9 _____

10 Approved as to form and legality

11 City Attorney

12
13 STATE OF FLORIDA

14 COUNTY OF ORANGE

15 I, YOLANDA QUICENO, CITY CLERK OF THE CITY OF BELLE ISLE, FLORIDA, do hereby
16 certify that the above and foregoing Resolution No. 17-16 was duly and legally passed and
17 adopted by the Belle Isle City Council in session assembled, at which session a quorum of its
18 members were present on the _____ day of July, 2017.

19
20 _____

21 Yolanda Quiceno, City Clerk



Belle Isle Police Department

Interoffice Memorandum:

TO: Bob Francis
City Manager

FROM: Chief Laura Houston

DATE: July 12, 2017

RE: Request to Surplus Vehicle and Equipment

On behalf of the Public Works Manager, we are requesting approval to surplus the listed City of Belle Isle vehicle and equipment.

1. **Public Works Truck.** 1997 FORD F250, 102,000 miles. The truck is not dependable and the interior and exterior are in poor condition. Estimated value \$1000.
2. **Elgin Pelican Street Sweeper.** 1990. Not operational and not needed. Hydrostatic drive needs replacing and other costly repairs are needed. We currently have a functioning street sweeper. If no buyer is located, we would like to give this away as surplus. This machine is taking up valuable space at the Public Works facility. Estimated value \$500.
3. **John Deere Mower.** 2005, Model 2653A, SN 2SN TC2653D131489. Mower is functional but the 30 REEL mower does not meet the needs of our City. It was purchased by a previous administration from a vendor. Public Works staff has another functioning mower and this equipment is also taking up valuable space. Estimated value \$2000.

Please let me know if you have any questions. Thank you.

** Community First **

ORDINANCE NO.

(An ordinance amending Section 2.224— Disposal of Personal Property when value \$100.00 to \$5,000.00.—of the Belle Isle Municipal Code)

WHEREAS, the City of Belle Isle’s surplus city property code (Sections 2.221-226) contains provisions governing the disposition of personal property and specifies that only the City Manager may declare personal property surplus and the methods of disposing of surplused personal property;

WHEREAS, Section 2.224 does not allow the sale of surplus personal property to be conducted electronically, such as at an internet auction (eBay, Craig’s list, etc.);

WHEREAS, Section 2.224 requires three bids or public auctions of personal property;

WHEREAS, internet auctions are also a way to dispose surplus property;

WHEREAS, because internet auctions do not occur on a specific date and time, the advertisement requirement of 2.224 is not practical for internet auctions;

WHEREAS, a separate advertisement requirement should, therefore, apply to internet auctions;

WHEREAS, the public welfare requires that this ordinance goes into effect immediately.

NOW, THEREFORE, THE CITY OF BELLE ISLE ORDAINS AS FOLLOWS:

Section 2.224 of the Belle Isle Municipal Code is amended to read as follows:

- **Sec. 2-224. - Disposal when value \$100.00 to \$5,000.00.**

If the estimated value of property determined by the council to be surplus is greater than \$100.00 but less than \$5,000.00, the city manager shall dispose of such property by:

- (1) Soliciting three bids for the property; or
- (2) Public auction, after publication of notice not less than one week or more than two weeks prior to the sale in a newspaper having general circulation or, for an auction conducted electronically on the world-wide web, within 3 days of the date the personal property is delivered to the entity conducting the auction. The published notice shall specify the time, place and terms upon which the personal property shall be offered and a general description of the personal property to be sold; for auctions conducted electronically on the world-wide web, the published notice shall include a general description of the personal property to be auctioned and the world wide web address of the auction location;



**CITY OF BELLE ISLE, FLORIDA
CITY COUNCIL AGENDA ITEM COVER SHEET**

Meeting Date: July 18, 2017

To: Honorable Mayor and City Council Members

From: B. Francis, City Manager

Subject: School Resource Officer (SRO) Agreement with Cornerstone Charter Academy (CCA)

Background: During this past year, the City Manager and Chief of Police needed to review the SRO Agreement with CCA in preparation for the next budget year. Attempts to locate a formal agreement were not successful by either the City or CCA. Therefore, the City Manager, Chief of Police, and CCA have been working on a new SRO Agreement. Although CCA has not approved the agreement, the City is taking the position that all of the significant issues with the Agreement have been addressed by both parties and the agreement is ready to be executed. The SRO also commits .2 FTE hours to OCPS in Pine Castle Elementary School. We have a separate agreement with OCPS for this commitment.

Staff Recommendation: Approve the SRO Agreement with CCA

Suggested Motion: I move that we approve the School Resource Officer Agreement with Cornerstone Charter Academy.

Alternatives: Do not approve the agreement and continue to operate the program without an agreement or discontinue the SRO Program.

Fiscal Impact: \$41,550 to CCA for the cost of the officer

Attachments: SRO Agreement

**SCHOOL RESOURCE OFFICER AGREEMENT
(CHARTER SCHOOL)**

THIS AGREEMENT is made and entered into as of this _____ day of _____, 2017, by and between:

THE CITY OF BELLE ISLE, FLORIDA
a Florida municipal corporation
for The City of Belle Isle Police Department
1600 Nela Ave.
Belle Isle, FL 32809
(hereinafter "City")

and

CITY OF BELLE ISLE CHARTER SCHOOLS, INC.
a Florida not-for-profit corporation
for Cornerstone Charter Academy
5903 Randolph Avenue
Belle Isle, FL 32809
(hereinafter "Academy")

WHEREAS, the City has established a School Resource Officer Program (hereinafter referred to as the "SRO Program") pursuant to applicable Florida law; and

WHEREAS, the Academy desires that the City provide a law enforcement officer to serve as its School Resource Officer (hereinafter "SRO") at the Academy and the City is willing to assign a law enforcement officer to serve as an SRO under the terms and conditions set forth herein; and

WHEREAS, the City and the Academy agree that the SRO Program is a great benefit to the school administration, the student body and the community as a whole, and desire to enter into this School Resource Officer Agreement (hereinafter referred to as "Agreement") to accomplish the purposes expressed herein; and

WHEREAS, the City and the Academy understand and agree that the SRO Program is established for the purposes set forth under applicable Florida law, including assistance in the prevention of juvenile delinquency through the provision of programs specifically developed to respond to those factors and conditions that give rise to delinquency.

NOW THEREFORE, in consideration of the premises and of the mutual covenants contained herein, the parties agree as follows:

ARTICLE 1 – RECITALS

1.01 **Recitals.** The parties agree that the foregoing recitals are true and correct and are incorporated herein by reference.

ARTICLE 2 - SPECIAL CONDITIONS

2.01 **Term of Agreement.** This Agreement shall take effect upon signature of both parties, and shall remain in effect until terminated by either party in accordance with Section 3.04 of this Agreement (hereinafter referred to as the "Term").

2.02 **Assignment of School Resource Officer.** The City, or its designee, shall assign one law enforcement officer to serve as an SRO at the Academy at the following school locations: Cornerstone Charter Academy K-8 and Cornerstone Charter Academy High School, located at 5903 Randolph Avenue, Belle Isle, FL 32809. The Chief of Police shall be considered a designee of the City for all purposes described herein. If the Academy has concerns with the SRO's work performance, Academy may request a meeting to attempt to resolve any concerns, which meeting shall occur within 5 business days of Academy's request. If the issues cannot be resolved, Academy may request another officer be assigned to Academy. The City, or its designee may change the law enforcement officer assigned to participate as an SRO at any time during the Term of this Agreement, and shall have sole discretion and authority to hire, discharge, and discipline the SRO. Unless precluded by law enforcement requirements or emergency circumstances, the City shall at all times maintain the SRO on duty during those regular school hours during which students are required to be in attendance, and shall attend any required SRO training programs conducted by the City. The City shall assign a replacement law enforcement officer, on a temporary basis, in the event of an absence of the assigned SRO for 6 or more consecutive days.

2.03 **Employment of School Resource Officer.** The law enforcement officer assigned as an SRO under this Agreement shall be an employee of the City, and shall be subject to the administration, supervision, and control of the City. The City shall at all times be responsible for all aspects of the employment, control and direction of the SRO. Nothing herein is intended to create an employment or agency relationship between the Academy and any law enforcement officer assigned by the City to participate in the SRO Program. All compensation, salaries, wages, benefits and other emoluments of employment payable to the SRO shall be the sole responsibility of the City. The Academy will compensate the SRO for working after school or off-duty events at the current rate established by the City. The Parties agree that the City, or its designee, and the Academy, or its designee, will jointly participate in an annual pre-planning meeting prior to the commencement of the academic year to address operational needs, issues and/or concerns.

2.04 **Qualifications of the SRO.** All SROs shall meet or exceed the following qualifications:

- A. Minimum of two years' experience as a State of Florida certified law enforcement officer.
- B. SROs will receive formal training (to include SRO Basic Certification Training) within 12 months of being assigned to the SRO program.
- C. These requirements may be modified by mutual agreement of the City and Academy.

2.05 **Applicable Policies and Standards.** The City shall ensure that the exercise of law enforcement powers by the SRO shall be in compliance with the authority granted by applicable law. The law enforcement officer assigned to the SRO Program shall perform his/ her duties as

an SRO in accordance with the Florida Association of School Resource Officer Training Standards and with applicable Florida law.

2.06 Duties of School Resource Officer. The SRO shall not function as a school disciplinarian or security officer, shall not intervene in the normal disciplinary actions of the Academy which do not involve criminal acts, and shall not be used as a witness to any disciplinary procedures or actions at the Academy, excepting however, that SRO may be involved in disciplinary procedures or actions arising from those matters and/or incidents within the scope of SRO's duties. The SRO shall at all times act within the scope of authority granted to the SRO by applicable law. The SRO work year will follow the schedule established by the Academy for its teachers and in accordance with the Academy's academic calendar (approximately 10 months). In the event the SRO is absent from work, the SRO shall notify his or her supervisor in the Police Department and shall also notify the Academy. The SRO shall perform duties including, without limitation, the following:

- a. the performance of law enforcement functions within the school setting;
- b. to serve as liaison between the Academy (including Administration, Staff, parents and students) and the City;
- c. to be visible on the Academy's campus, serve as a role model and mentor for students, participate in campus activities, student organizations, and athletic events when possible;
- d. to routinely monitor the Academy's campus and facilities to ensure a safe environment;
- e. to report and investigate crimes originating on Academy's campus. When indicated, the SRO will investigate criminal incidents involving Academy (including Administration, Staff, parents, and students) which occurred off-campus and in the SROs jurisdiction;
- f. the identification and prevention of juvenile delinquency (including substance abuse) through counseling and referral services. The SRO shall be a resource for staff, parents, and students dealing with individual problems or questions. The SRO shall be familiar with community resources and agencies including but not limited to: mental health, counseling, drug treatment, crisis management, etc., and shall make referrals as necessary;
- g. the enhancement of student knowledge of the law enforcement function and of the fundamental concept and structure of law;
- h. the development of positive student concepts of the law enforcement community and promotion of positive interaction and enhanced relations between students and law enforcement officers;
- i. the provision of assistance and support for crime victims (including victims of abuse) identified within the school setting;
- j. the presentation of a variety of topics, including, but not limited to: educational programs concerning crime prevention and the rights, obligations and responsibilities of students as citizens, to students, teacher conferences, parent groups and other groups, as requested. The SRO will formulate educational crime prevention programs to reduce opportunity for crime against persons or property in the Academy. The SRO will seek permission, guidance, and advice from the Academy prior to enacting any new programs within the Academy;
- k. to perform traffic control duties before and after school;

- l. to share appropriate information with Academy administrators which presents a danger to the Academy (school, students, and/or staff). The SRO shall review the Academy Emergency Plan on an annual basis and will provide feedback to Academy administrators regarding any potential deficiencies or any potential improvements, and will advise Academy on Police Department emergency planning. SRO and Academy administrators will work collaboratively to develop plans and strategies to prevent and/or minimize any potential dangers; and
- m. SRO shall notify Academy administrators and shall attempt to notify a parent prior to interviewing a student regarding a criminal investigation or allegation.

2.07 **Student Instruction.** The City shall at all times maintain control over the content of any educational programs and instructional materials provided at the Academy by the SRO through the SRO Program. The SRO will provide instructional activities to the students at the Academy in areas of instruction within the SRO's experience, education and training. The SRO will formulate educational crime prevention programs to reduce the opportunity for crimes against persons and property in the school. The SRO will seek permission, guidance, and advice prior to enacting any new programs within the school.

2.08 **Academy Contact Person(s).** The Principal at the Academy shall be the on-site contact person for the SRO assigned to the Academy. In addition, this Section confirms that the City has designated the Chief of Police to serve as the City's contact person for the SRO Program.

2.09 **Payment for SRO Program Services.** The Academy shall pay to the City the sum of _____ (\$_____) per school year (August through June) for the SRO assigned by the City under the Term of this Agreement, as further set forth on Exhibit A, attached hereto and incorporated herein by reference. The City shall invoice the Academy in 10 equal monthly installments for SRO services rendered under this Agreement, and invoices shall be delivered to the Academy on a monthly basis. Upon certification by the Academy's Principal that the services rendered were satisfactory, payment for SRO services shall be made by the Academy within 30 days of receipt of the invoice for such services.

2.10 **Indemnification.** Each party agrees to be fully responsible for its own acts or omissions and its own agents, contractors, servants, employees, licensees, or invitees, and any acts of negligence, or its agents' acts of negligence when acting within the scope of their employment, and agrees to be liable for any damages resulting from said negligence. Each Party shall indemnify and save the other Party harmless from and against, and shall reimburse the indemnified Party for, all liabilities, obligations, damages, fines, penalties, claims, demands, costs, charges, judgments and expenses, whether founded in tort, contract, or otherwise, including attorney's fees and costs for any act or neglect of the indemnifying Party in connection with the respective Party's obligation under this Agreement. Nothing contained herein shall be deemed a waiver by the City or Academy of its immunities provided by law, including those immunities set forth in Section 768.28, Florida Statutes.

ARTICLE 3 - GENERAL CONDITIONS

3.01 **No Waiver of Sovereign Immunity.** Nothing contained in this Agreement is intended to serve as a waiver of sovereign immunity by the City or Academy.

3.02 **No Third Party Beneficiaries.** The parties expressly acknowledge that it is not their intent to create or confer any rights or obligations in or upon any third person or entity under this Agreement. Neither of the parties intends to directly or substantially benefit a third party by this Agreement. The parties agree that there are no third party beneficiaries to this Agreement and that no third party shall be entitled to assert a claim against any of the parties based upon this Agreement. Nothing herein shall be construed as consent by an agency or political subdivision of the State of Florida to be sued by third parties in any matter arising out of this or any contract.

3.03 **Non-Discrimination.** The parties shall not discriminate against any employee or participant in the performance of the duties, responsibilities and obligations under this Agreement because of race, age, religion, color, gender, national origin, marital status, disability or sexual orientation.

3.04 **Termination.** This Agreement may be canceled with or without cause by either party during the Term hereof upon 30 days written notice to the other party of its desire to terminate this Agreement. Payment, in accordance with paragraph 2.09, shall be prorated, and shall be made in full, up to and including the day of termination.

3.05 **Records.** Academy acknowledges that the public shall have access, at all reasonable times, to certain documents and information pertaining to City contracts, pursuant to the provisions of Chapter 119, Florida Statutes. Academy agrees to maintain public records in Academy's possession or control in connection with Academy's performance under this Agreement and to provide the public with access to public records in accordance with the record maintenance, production and cost requirements set forth in Chapter 119, Florida Statutes, or as otherwise required by law. Academy shall ensure that public records that are exempt or confidential from public records disclosure requirements are not disclosed except as authorized by law.

Unless otherwise provided by law, any and all reports, surveys, and other data and documents provided or created in connection with this Agreement are and shall remain the property of City. In the event of termination of this Agreement by either party, any reports, photographs, surveys and other data and documents and public records prepared by, or in the possession or control of, Academy, whether finished or unfinished, shall become the property of City and shall be delivered by Academy to the City Manager, at no cost to the City, within seven (7) days of termination of this Agreement. All such records stored electronically by Academy shall be delivered to the City in a format that is compatible with the City's information technology systems. Upon termination of this Agreement, Academy shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure. Any compensation due to Academy shall be withheld until all documents are received as provided herein. Academy's failure or refusal to comply with the provisions of this section shall result in the immediate termination of this Agreement by the City.

3.06 **Entire Agreement.** This document incorporates and includes all prior negotiations, correspondence, conversations, agreements and understandings applicable to the matters contained herein and the parties agree that there are no commitments, agreements or understandings concerning the subject matter of this Agreement that are not contained in this document. Accordingly, the parties agree that no deviation from the terms hereof shall be predicated upon any prior representations or agreements, whether oral or written.

3.07 **Preparation of Agreement.** The parties acknowledge that they have sought and obtained whatever competent advice and counsel as was necessary for them to form a full and complete understanding of all rights and obligations herein, and that the preparation of this Agreement has been their joint effort. The language contained herein expresses their mutual intent and the resulting document shall not, solely as a matter of judicial construction, be construed more severely against one of the parties than the other.

3.08 **Waiver.** The parties agree that each requirement, duty and obligation set forth herein is substantial and important to the formation of this Agreement and, therefore, is a material term of this Agreement. Any party's failure to enforce any provision of this Agreement shall not be deemed a waiver of such provision or modification of this Agreement. A waiver of any breach of a provision of this Agreement shall not be deemed a waiver of any subsequent breach, and shall not be construed to be a modification of the terms of this Agreement.

3.09 **Compliance With Laws.** Each party shall comply with all applicable federal, state and local laws, codes, rules and regulations in performing its duties, responsibilities and obligations pursuant to this Agreement.

3.10 **Governing Law.** This Agreement shall be interpreted and construed in accordance with and governed by the laws of the State of Florida and venue and jurisdiction shall lie in the courts of Orange County, Florida.

3.11 **Binding Effect.** This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.

3.12 **Assignment.** Neither this Agreement or any interest herein may be assigned, transferred or encumbered by any party without the prior written consent of the other party. There shall be no partial assignments of this Agreement including, without limitation, the partial assignment of any right to receive payments from the Academy.

3.13 **Force Majeure.** Neither party shall be obligated to perform any duty, requirement or obligation under this Agreement, if such performance is prevented by a hurricane, earthquake, explosion, wars, sabotage, accident, flood, acts of God, strikes, or other, labor disputes, riot or civil commotions, or by reason of any other matter or condition beyond the control of either party, and which cannot be overcome by reasonable diligence and without unusual expense ("Force Majeure"). In no event shall a lack of funds on the part of either party be deemed Force Majeure.

3.14 **Place of Performance.** All obligations of the City under the terms of this Agreement are reasonably susceptible of being performed in Orange County, Florida and shall be payable and performable in Orange County, Florida.

3.15 **Severability.** In case any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, unlawful, unenforceable or void in any respect, the invalidity, illegality, unenforceability or unlawful or void nature of that provision shall not affect any other provision and this Agreement shall be considered as if such invalid, illegal, unlawful, unenforceable or void provision had never been included herein.

3.16 **Notice.** When any of the parties desire to give notice to the other, such notice must be in writing, sent by U.S. Mail, postage prepaid, addressed to the party for whom it is intended at the place last specified; the place for giving notice shall remain such until it is changed by written notice in compliance with the provisions of this paragraph. For the present, the parties designate the following as the respective places for giving notice:

City:
Robert G. Francis
City Manager
1600 Nela Avenue
Belle Isle, FL 32809

Academy:
City of Belle Isle Charter Schools, Inc.
6340 Sunset Drive
Miami, FL 33143
ATTN: Governing Board Chair

3.17 **Captions.** The captions, section numbers, article numbers, title and headings appearing in this Agreement are inserted only as a matter of convenience and in no way define, limit, construe or describe the scope or intent of such articles or sections of this Agreement, nor in any way effect this Agreement and shall not be construed to create a conflict with the provisions of this Agreement.

3.18 **Authority.** Each person signing this Agreement on behalf of either party individually warrants that he or she has full legal power to execute this Agreement on behalf of the party for whom he or she is signing, and to bind and obligate such party with respect to all provisions contained in this Agreement.

[SIGNATURES APPEAR BELOW]

IN WITNESS WHEREOF, the parties hereto cause these presents to be signed on the above date.

CITY OF BELLE ISLE, FLORIDA

By: _____
Lidia Pisano
Mayor

ATTEST:

Yolanda Quiceno, City Clerk

ACADEMY

By: _____
for City of Belle Isle Charter Schools, Inc.
Name:
Title:
Date:

ATTEST:

Name:
Title:

Exhibit A

The following annual costs associated with the School Resources Officer Program are:

Salary:	\$42,000
Benefits:	\$17,500
Operating Costs:	\$ 2,500
Training:	\$ 1,000
Vehicle:	<u>\$ 6,250</u> (based on vehicle rotation every 4 years @ \$30,000 @ 0.833)
Total Annual Cost:	\$69,250
SRO time	\$51,938 (.75 FTE)
Cost to CCA	\$41,550 (.8 of .75 FTE)

Salary: Self-Explanatory

Benefits: Retirement, Insurances (health, dental, vision, life, disability), FICA, Medicare

Workers Comp

Operating Costs: Uniforms, radio, weapon, auto maintenance, gas, consumable supplies

Training: Specialized training for SRO

Vehicle: Officer Vehicle

Prior to July 1 of each year of this Agreement, the Police Department will send a proposed budget for the SRO Program to the CCA for review. Should there be disagreement between the parties on the funding for the next budget year the parties will meet to discuss the costs of the program for the next fiscal year.



**CITY OF BELLE ISLE, FLORIDA
CITY COUNCIL AGENDA ITEM COVER SHEET**

Meeting Date: July 18, 2017

To: Honorable Mayor and City Council Members

From: B. Francis, City Manager

Subject: Special Events Committee

Background: The City Council created a Special Events Committee and directed the City staff to advertise for members. The City did this twice. A total of six people expressed interest, and the City received four applications (Holly Bobrowski, Cindy Lance, Lora Brannan, and Renee Guadalupe). Since Mayor Pisano has experience in coordinating special events, it is recommended she be appointed to the Committee.

Staff Recommendation: The requirement for initial terms is to appoint 4 members to 3-year terms and 3 members to 2-year terms. Council should appoint the applicants for the following terms:

Mayor Pisano	3 year term
Renee Guadalupe	3 year term
Lora Brannan	3 year term
Holly Bobrowski	2 year term
Cindy Lance	2 year term

Suggested Motion: I move that we appoint the following members to the Special Events Committee for the following terms:

Mayor Pisano	3 year term
Renee Guadalupe	3 year term
Lora Brannan	3 year term
Holly Bobrowski	2 year term
Cindy Lance	2 year term

Alternatives: Do not appoint any or all of the applicants and continue to seek others on the Committee.

Fiscal Impact: The City has budgeted \$8,000 to the Special Events line item in the Budget.

Attachments: Special Events Committee policy, applications of Holly Bobrowski, Cindy Lance, Lora Brannan, and Renee Guadalupe



special events committee

CITY OF BELLE ISLE SPECIAL EVENTS COMMITTEE MEMBERSHIP APPLICATION

The Special Events Committee's purpose is to organize, plan and prepare for "special events" that the City can either host or attend. If you are interested in becoming part of this committee, please email Yolanda Quiceno, City Clerk a completed application at yquiceno@belleislefl.gov.

Name: Renee Guadalupe

Home Address: 5010 Gramont Ave. Belle Isle, FL 32812

Home Phone: _____ Cell Phone: 407-230-1004

Email: rguad08@gmail.com Fax: _____

1. Will you have time to fulfill the duties of this committee? Yes No
2. Are you able to attend the necessary meetings? Yes No
3. Describe your community involvement experience and or any special expertise you have which would be applicable to this committee.

I have years of corporate experience in marketing. I have planned and executed grand opening events, kick-off meetings and rallies. I have a bachelors degree in Business.
I'm very organized and I enjoy working with people.

4. Describe why you are interested in serving on the Special Events Committee:
My family has lived in Belle Isle for a few years now and we love the community and the people. I would very much like to be contribute to the events that help bring this community together and make it an enjoyable place to live.

By signing below, you are affirming to the best of your knowledge that the information you have provided on this form is true and complete.

Signature: Renee Guadalupe Date: 6/28/17



special events committee

CITY OF BELLE ISLE SPECIAL EVENTS COMMITTEE MEMBERSHIP APPLICATION

The Special Events Committee's purpose is to organize, plan and prepare for "special events" that the City can either host or attend. If you are interested in becoming part of this committee, please email Yolanda Quiceno, City Clerk a completed application at yquiceno@belleislefl.gov.

Name: Cynthia G. Lance
Home Address: 3401 Trentwood Blvd.
Home Phone: 407-855-8616 Cell Phone: 321-388-7075
Email: icglance@bellsouth.net Fax: _____

1. Will you have time to fulfill the duties of this committee? Yes No
2. Are you able to attend the necessary meetings? Yes No
3. Describe your community involvement experience and or any special expertise you have which would be applicable to this committee.

Attendance at most City events & meetings
Administrator of "Belle Isle, Conway, Edgewood, Pine Castle
Calendar of Local Events" Facebook page
(Alternate) President of Pine Castle Woman's Club, member of
Pine Castle Historical Society

4. Describe why you are interested in serving on the Special Events Committee:
I love community involvement & want to help
organize events that will bring the community
together for activities that encourage socialization.
Also, I want to be involved in events that offer
help & support for community members in need i.e.
elderly, special needs & economically challenged.

By signing below, you are affirming to the best of your knowledge that the information you have provided on this form is true and complete.

Signature: Cynthia G. Lance Date: 7/12/17



special events committee

CITY OF BELLE ISLE SPECIAL EVENTS COMMITTEE MEMBERSHIP APPLICATION

The Special Events Committee's purpose is to organize, plan and prepare for "special events" that the City can either host or attend. If you are interested in becoming part of this committee, please email Yolanda Quiceno, City Clerk a completed application at yquiceno@belleislefl.gov.

Name: Lora Brannan

Home Address: 7414 Lake Drive, Orlando, 32809

Home Phone: _____ Cell Phone: 407.484.2882

Email: lorastev@aol.com Fax: _____

1. Will you have time to fulfill the duties of this committee? Yes No
2. Are you able to attend the necessary meetings? Yes No
3. Describe your community involvement experience and or any special expertise you have which would be applicable to this committee.


As a public high school teacher I have had to reach out to the community with information regarding academic concerns, and as a track coach I had to reach out to the community for support.

I understand that there are many conflicting concerns and opinions involved so I do my best to remain impartial and focus on what is best for the goals established.

4. Describe why you are interested in serving on the Special Events Committee:

I believe Belle Isle is a great place to live and raise my two boys. I want to be a part of connecting the community through special events; however, I do want to see more than events. I would like to see events become part of the culture and shared Belle Isle experience. For example, when we drive by the park on Matchett my boys remind me about the Easter Egg hunt they participated in this past April. They will remember this experience for years to come.

By signing below, you are affirming to the best of your knowledge that the information you have provided on this form is true and complete.

Signature: Lora Brannan 

Date: 7.7.2017



special events committee

CITY OF BELLE ISLE SPECIAL EVENTS COMMITTEE MEMBERSHIP APPLICATION

The Special Events Committee's purpose is to organize, plan and prepare for "special events" that the City can either host or attend. If you are interested in becoming part of this committee, please email Yolanda Quiceno, City Clerk a completed application at yquiceno@belleislefl.gov.

Name: HOLLY BOBROWSKI
Home Address: 2400 HOFFNER AVE BELLE ISLE 32809
Home Phone: 407-826-3536 Cell Phone: 407-340-9131
Email: hbobrowski@aol.com Fax: _____

1. Will you have time to fulfill the duties of this committee? Yes No
2. Are you able to attend the necessary meetings? Yes No
3. Describe your community involvement experience and or any special expertise you have which would be applicable to this committee.

CHAIRMAN - Belle ISLE TREE BOARD
Belle ISLE Toy DRIVE - 6 YEARS.
PAST STATE CONVENTION CHAIRMAN - TEENAGE REPUBLICANS
AUCTION ORGANIZER FOR VARIOUS CHARITIES.

Describe why you are interested in serving on the Special Events Committee:
THIS WOULD BE ONE MORE WAY FOR ME TO
GIVE BACK TO MY COMMUNITY. AND PROMOTE
CITIZEN INVOLVEMENT.

By signing below, you are affirming to the best of your knowledge that the information you have provided on this form is true and complete.

Signature: Holly A Bobrowski Date: 6/29/2017



special events committee

CITY OF BELLE ISLE SPECIAL EVENTS COMMITTEE POLICY

INTRODUCTION: The purpose of this document is establish a Special Events Committee to outline the procedures required to hold a City of Belle Isle sponsored festival or special event on City property and to insure the events are carried out in accordance with the provision in Chapter 26, Article II of the Belle Isle Municipal Code.

COMMITTEE MEMBERS: The Special Events Committee is formed by the City Council under Section 2-54 of the Belle Isle Municipal Code. The Committee shall consist of a Chair, Vice-Chair, and 5 other members who will be appointed by the City Council. Members appointed by the Council may be at-large appointments. Members will serve three-year terms with the exception that the first appointments will be four 3-year terms and 3 2-year terms to provide for staggered terms and allow for continuity of membership.

PURPOSE: The Special Events Committee's purpose is to organize, plan and prepare for "special events" that the City can either host or attend. It should be emphasized that memberships on an Advisory Committee does not carry any administrative powers. The Advisory Committee cannot implement their recommendations without formal approval from the City Council. All expenditure of funds as well as legislative decisions are only made by the City Council (by motion or Resolution) prior to implementation.

SCOPE OF WORK:

1. Solicit input from citizens regarding their wants and requirements for public events and assist the City Council in evaluating the public's expectations for City sponsored events and participation in other events in the City of Belle Isle.
2. Develop short and long term goals, objectives and projects
3. Identify sources of financing/grants that will aid in achieving goals/objectives
4. Work with other community members or committees in developing plans that will further enhance the quality of life.
5. Work in conjunction with the City Manager in budgeting costs associated with Special Events issues and proposed programs for the Belle Isle Community

6. Coordinate with City Manager for the provision of government services for special events
7. Explore opportunities to enhance community involvement and accomplish committee goals in the City of Belle Isle.
8. Develop resolutions or motions for presentation, and provide presentations on events to the City Council in Regular Council Meetings for approval and funding.
9. Provide information and photos of completed projects for the City website and local media.
10. Work with other appointed committees to provide/obtain information necessary to achieve goals.
11. Discuss any other topic that the committee would like to bring before the City Council.

MEETING SCHEDULE: The Special Events Committee will meet on at a place and time convenient for the Committee to establish a quorum and for the public to attend. The Special Events Committee meeting cannot conflict with other regularly scheduled City Committee meetings. At no time should a quorum of the City Council present at any committee meeting deliberate a matter that will come before the Council at a later date.

The Special Events Committee Meetings will be considered by the City Council as Open & Public Meetings. "Special Meetings" can be called by the Chair, under the same guidelines as the City Council. Notices for "Special Meetings" must be posted in the same manner as City Council Special Meetings.

If the regularly scheduled monthly committee meeting date falls on a recognized National holiday, the monthly meeting can be cancelled or re-scheduled by the Chair at his/her discretion. The Chair is responsible for communicating with committee members if there are any changes in the meeting schedule as well as with the City Clerk to ensure that the website calendar is updated and a Special Meetings Notice is adequately posted.

The Special Events Committee Chair will designate a recording secretary. In the recording secretary's absence, the Chair will appoint a temporary replacement. The Committee Chair will prepare a meeting agenda which will be presented at the beginning of each meeting.

Committee members will submit agenda topics to the Chair at least 1 week in advance of the monthly meeting. The Committee Chair will be responsible for forwarding a copy of the Final Meeting Agenda to the City Clerk prior to the scheduled committee meeting.

The Committee Chair (with assistance from the recording secretary) will be responsible for forwarding a copy of the “approved” meeting minutes to the City Clerk along with an agenda copy for the same meeting. Public Comment Forms are public record and must be submitted along with the approved committee meeting minutes.

Meeting Structure:

1. Call to Order
2. Roll Call
3. Approval of the minutes of the previous meeting
4. Public Comments
5. Presentations, guest speakers
6. Agenda Topic Discussions by Committee Members
7. Other business that might come before the meeting
9. Adjourn

Project Request – The Committee will request approval of events by submitting a report with a letter recommending the event to the City Council. When a project scope has been completed, a report and corresponding recommendation letter will be presented to the City Council for approval. The Chair of the Special Events Committee will be responsible for generating the report and recommendation letter (within a Committee Meeting) and scheduling it with the City Clerk to appear on the Regular Council Meeting agendas. The report will contain the following minimum information:

1. Name of Project
2. Purpose of Project
3. Specific project information
4. Estimated timeline: Start Date and Completion Date
5. Preliminary sketch of project - before/after
6. Photos of project site
7. Cost estimates for materials and labor
8. Estimate of number of volunteers needed (detailed)
9. Source of funding for project
10. Estimate of continued maintenance costs (yearly or monthly) and funding sources

Committee Goal - It is the goal of the Special Events Committee, as implemented through related adopted policies and procedures, to recognize the substantial community benefits that result from special events. These events provide cultural enrichment, promote economic vitality, enhance community identity and pride, and provide opportunities for fundraising for the community’s nonprofit agencies.



**CITY OF BELLE ISLE, FLORIDA
CITY COUNCIL AGENDA ITEM COVER SHEET**

Meeting Date: July 18, 2017

To: Honorable Mayor and City Council Members

From: B. Francis, City Manager

Subject: Social Media Policy

Background: The Council directed that a Social Media Policy be developed to establish guidelines for the establishment and use by the City of Belle Isle ("City") of social media sites as a means of conveying information to members of the public.

The intended purpose of City social media sites is to disseminate information from the City about the City's mission, meetings, activities, and current issues to members of the public. This Policy is intended to clearly identify prohibited activities, expectations, and requirements regarding the use of social media sites.

The City has an overriding interest and expectation in protecting the integrity of the information posted on its social media sites and the content that is attributed to the City and its officials. This Policy ensures use of appropriate discretion so as not to discredit the City or violate policies and procedures related to standards of conduct, computer usage, ethics, or any other applicable City policies or procedures. All City employees must be aware of the negative impact that inappropriate postings can have upon the City and the City's relationship with the residents and others in the community.

It is also very important for elected officials to review this policy so they do not violate the Florida Sunshine Laws, be called into question on their postings on "restricted group" websites, or that the public perceives that the elected official is speaking in an official capacity for the City Council. Although elected officials want to embrace social media to better communicate with constituents, some posts may be "not the best" social media judgment.

Staff Recommendation: Review the policy and if no changes are necessary, adopt the policy

Suggested Motion: (For Adoption): I move we adopt the Social Media Policy

Alternatives: Do not adopt the policy but provide further direction to the staff.

Fiscal Impact: If followed, there should be no fiscal impact to the City.

Attachments: Social Media Policy Draft



CITY OF BELLE ISLE POLICY AND PROCEDURE

Effective: July 1, 2017

1. Purpose

This Social Media Policy (“Policy”) establishes guidelines for the establishment and use by the City of Belle Isle (“City”) of social media sites as a means of conveying information to members of the public.

The intended purpose of City social media sites is to disseminate information from the City about the City’s mission, meetings, activities, and current issues to members of the public. This Policy is intended to clearly identify prohibited activities, expectations, and requirements regarding the use of social media sites.

The City has an overriding interest and expectation in protecting the integrity of the information posted on its social media sites and the content that is attributed to the City and its officials. This Policy ensures use of appropriate discretion so as not to discredit the City or violate policies and procedures related to standards of conduct, computer usage, ethics, or any other applicable City policies or procedures. All City employees must be aware of the negative impact that inappropriate postings can have upon the City and the City’s relationship with the residents and others in the community.

2. Definitions

“Authorized City of Belle Isle Officials” means employees, public officers (whether elected or appointed) and volunteers of the City of Belle Isle, Florida.

“Social media sites” means content created by individuals, using accessible, expandable, and upgradable publishing technologies, through and on the internet. Examples of social media applications include but are not limited to Facebook, MySpace, Google and Yahoo Groups, Wikipedia, YouTube, Flickr, Twitter, LinkedIn, and news media comment-sharing/blogging.

“City social media sites” means social media sites which the City establishes and maintains, and over which it has control over all postings, except for advertisements or hyperlinks by the social media site’s owners, vendors, or partners. City social media sites shall supplement, and not replace, the City’s required notices and standard methods of communication.

“Posts” or “postings” mean information, articles, pictures, videos or any other form of communication posted on a City social media site.

3. General Policy

3.1. The City's official website at www.cityofbelleislefl.org (or any domain owned by the City) will remain the City's primary means of internet communication.

3.2. The establishment of City social media sites is subject to approval by the City Manager or his/her designee. Upon approval, City social media sites shall bear the name and/or official logo of the City.

3.3. All content on City social media sites shall be reviewed, approved, and administered by the City Manager or his/her designee.

3.4. City social media sites shall clearly state that such sites are maintained by the City and that the sites comply with the City's Social Media Policy.

3.5. City social media sites shall link back to the City's official website for forms, documents, online services and other information necessary to conduct business with the City.

3.6. The City Manager or his/her designee shall monitor content on City social media sites to ensure adherence to both the City's Social Media Policy and the interest and goals of the City. The City Manager or his/her designee shall be responsible for authorizing, establishing, and maintaining content posted on behalf of the City and shall develop and implement measures to prevent inappropriate, confidential, offensive, or damaging information from being shared or disseminated.

3.7. City social media sites shall be managed consistent with the Open Meetings Act. Members of the City Council, Commissions and/or Boards shall not comment on any published postings, or use the City owned site to respond to, blog or engage in serial meetings, or otherwise discuss, deliberate, or express opinions on any issue within the subject matter jurisdiction of the body. Additionally, elected officials should be aware that posting to a private social media site when discussing any City business or topic regarding the City is a public record according to the Public Records Act and could also violate the Florida Sunshine Laws (See Section 5.1 of this policy)

3.8. The City reserves the right to terminate any City social media site at any time without notice.

3.9. City social media sites shall comply with usage rules and regulations required by the site provider, including privacy policies.

3.10. The City's Social Media Policy shall be displayed to users or made available by hyperlink.

3.11. All City social media sites shall adhere to applicable federal, state and local laws, regulations and policies.

3.12. City social media sites are subject to the Florida Public Records Act. Any content maintained on a City social media site that is related to City business, including a list of subscribers, posted communication, and communication submitted for posting, may be considered a public record and subject to public disclosure. All postings on City social media sites shall be sent to an official City email account and maintained consistent with the Public Records Act.

3.13. Employees representing the City on City social media sites shall conduct themselves at all times as a professional representative of the City and in accordance with all City policies.

3.14. All City social media sites shall utilize authorized City contact information for account set-up, monitoring and access. The use of personal email accounts or phone numbers by any City employee is not allowed for the purpose of setting-up, monitoring, or accessing a City social media site.

3.15. City social media sites may contain content, including but not limited to, advertisements or hyperlinks over which the City has no control. The City does not endorse any hyperlink or advertisement placed on City social media sites by the social media site's owners, vendors, or partners.

3.16. The City Manager or his/her designee shall regularly monitor City social media sites used by the City and take corrective action if an issue arises that places, or has the potential to place, the City at risk.

3.17. The City reserves the right to change, modify, or amend all or part of this policy at any time.

4. Content Guidelines

4.1. The content of City social media sites shall only pertain to City-sponsored or City-endorsed programs, services, and events. Content includes, but is not limited to, information, photographs, videos, and hyperlinks.

4.2. Content posted to the City's social media sites must contain hyperlinks directing users back to the City's official website for in-depth information, forms, documents or online services necessary to conduct business with the City of Belle Isle, whenever possible.

4.3. The City shall have full permission or rights to any content posted by the City, including photographs and videos.

4.4. Postings shall be made during normal business hours. After-hours or weekend postings shall only be made with approval of the City Manager or his/her designee.

4.5. Any employee authorized to post items on any of the City's social media sites shall review, be familiar with, and comply with this policy and the social media site's use policies and terms and conditions.

4.6. Any employee authorized to post items on any of the City's social media sites shall not express his or her own personal views or concerns through such postings. Instead, postings on any of the City's social media sites by an authorized City employee shall only reflect the views of the City.

4.7. Postings must contain information that is freely available to the public and not be confidential as defined by any City policy or state or federal law.

4.8. Postings may NOT contain any personal information, except for the names of employees whose job duties include being available for contact by the public.

4.9. Postings to City social media sites shall NOT contain any of the following:

4.9.1. Comments that are not topically related to the particular posting being commented upon;

4.9.2. Comments in support of, or opposition to, political campaigns, candidates or ballot measures;

4.9.3. Profane language or content;

4.9.4. Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, or status with regard to public assistance, national origin, physical or mental disability or sexual orientation, as well as any other category protected by federal, state, or local laws;

4.9.5. Sexual content or links to sexual content;

4.9.6. Solicitations of commerce;

4.9.7. Conduct or encouragement of illegal activity;

4.9.8. Information that may tend to compromise the safety or security of the public or public systems; or

4.9.9. Content that violates a legal ownership interest of any other party.

4.10. These guidelines shall be displayed to users or made available by hyperlink on all City social media sites. Any content removed based on these guidelines must be retained, including the time, date and identity of the poster, when available.

4.11. The City reserves the right to implement or remove any functionality of its social media site, when deemed appropriate by the City Manager or his/her designee. This includes, but is not limited to, information, articles, pictures, videos or any other form of communication that is posted on a City social media site.

4.12. Except as expressly provided in this Policy, accessing any social media site shall comply with all applicable City policies pertaining to communications and the use of the internet by employees, including email content.

4.13. All of the content on City social media sites must be provided to the City Manager or his/her designee for review, approval and subsequent posting to the social media site.

4.14. Employees found in violation of this policy may be subject to disciplinary action, up to and including termination of employment in compliance with the City's personnel policy.

5. Elected or Appointed Officials

5.1. Elected or appointed officials who are members of City Council, boards or committees that individually wish to utilize City social media sites or to create or utilize their own or others website or social networking internet website, which pertains to or allows for communications relating to City matters, should be aware of the risks and requirements as set forth in Florida law, including but not limited to Florida Attorney General Opinions, the Sunshine Law, and the Public Records Law, prior to the establishment of such a site or activities thereon. Extreme caution and care should be exercised by such officials and anyone acting on their behalf in posting or uploading any content to a website or social networking internet website, to avoid the appearance of impropriety, violations of the Sunshine Law or the Public Records law, violations of Florida's ethics rules, or violations of Florida's Election Code.

5.2. Elected officials found in violation of this policy may be subject to private or public admonishment and/or may be asked to resign their office.

Addendum A: Acknowledgement of Official Use by Authorized City of Belle Isle Officials

I, _____, acknowledge that:
(Print Name)

A. I received a copy of the City of Belle Isle’s social media policy on _____;
(Date)

B. I have been given an opportunity to ask questions about said policy and I have been provided with information in response to my questions;

C. I understand the language used in this policy;

D. I acknowledge that the City of Belle Isle reserves the right to add, amend or discontinue any of the provisions of this policy for any reason or none at all, in whole or in part, at any time, with or without notice;

F. I acknowledge that I understand this policy and I agree that I will comply with all of its provisions.

City Official’s Signature *Date*



**CITY OF BELLE ISLE, FLORIDA
CITY COUNCIL AGENDA ITEM COVER SHEET**

Meeting Date: July 18, 2017

To: Honorable Mayor and City Council Members

From: B. Francis, City Manager

Subject: Proposed Ordinance on Nuisance Newspapers

Background: The City Council directed the City staff to draft an ordinance similar to the Orlando ordinance that prohibits the delivery of unsolicited newspapers to private residences. The City obtained the Orlando ordinance and drafted an ordinance for Belle Isle. This code change would be under Chapter 10 Environment. Prior to the second reading, if being adopted, the correct reference will be added to the ordinance.

Staff Recommendation: Council to review the proposed ordinance draft and discuss changes, make recommendations, or provide further direction to staff on this issue.

Suggested Motion: No motion is necessary. A consensus of Council to move forward with the ordinance for a first reading is sufficient.

Alternatives: Do not adopt

Fiscal Impact: TBD

Attachments: Proposed ordinance

AN ORDINANCE AMENDING CHAPTER 10, "ENVIRONMENT", OF THE CODE OF THE CITY OF BELLE ISLE BY THE ADDITIONS OF SECTIONS 10-____, "PROHIBITION": 10-____, EXEMPTIONS"; 10-____, "DELIVERY TO PRIVATE RESIDENCES AFTER NOTICE OF OBJECTION"; AND 10-____, "VARIANCES", ALL REGARDING THE PLACING OF PAPER, MERCHANDISE OR DISCARDED MATERIAL ON RESIDENTIAL LAWNS AND DRIVEWAYS, MOTOR VEHICLES OR ON PUBLIC STREETS AND SIDEWALKS.

WHEREAS, the Council of the City of Belle Isle does find, determine and declare that the practice of casting, throwing and otherwise placing papers, unsolicited merchandise and discarded material on private residential lawns or driveways without the consent of the owner or occupant of said property or on public streets or sidewalks, or on motor vehicles located on public property, creates a threat to the public health, safety and welfare as such material is blown about and accumulates as trash and creates fire and environmental hazards and an unsightly condition and requires extra expense to remove, and

WHEREAS, the accumulation of such material on private property inadvertently advertises absence of the owner to the persons of dissolute or criminal propensities and increases the probability of criminal activities on such property, and

WHEREAS, the City Council desires to enact provisions to alleviate such conditions which pose a threat to the public health, safety and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BELLE ISLE, FLORIDA:

SECTION ONE: Chapter 43, "Miscellaneous Offenses", of the Code of the City of Belle Isle be, and the same is hereby amended by the addition of Sections 43.66 through 43.69 to read as follows:

Sec. 10-____. Prohibitions.

- (1) It shall be unlawful for any person to cast, throw or otherwise place any paper, unsolicited merchandise or discarded materials on any private residential lawn or driveway without the express consent of the owner, or of an adult occupant thereof, or of a person authorized by such owner or occupant to give such consent.
- (2) It is unlawful for any person to cast, place or scatter any paper, unsolicited merchandise, or discarded material on any vehicle on any public property or on any parking lot open to the use of the public, in any manner other than by the delivery thereof to a person who then and there accepts the same or has given his express consent to the receipt thereof.

Sec. 10-____. Exemptions.

The provisions of this Chapter shall not apply to the regular delivery of newspapers or magazines which have been subscribed to by the persons receiving them or by occupants of the

residence to which they are delivered or by the distribution of mail by the United States Government or by the service of any lien foreclosure, governmental notices of process.

Section 10-____. Delivery to private residence after notice of objection.

It is unlawful for any person to continue to distribute, cast, throw, or otherwise place circulars, handbills, newspapers, magazines, paper, merchandise or discard material on private residential property, after receiving notification by the owner or occupant of a private residence that said owner or occupant does not wish to receive the item being distributed to said residence.

Section 10-____. Variances.

The Council may, by written resolution, grant variances from the provisions of this Chapter to permit the distribution of papers or merchandise as otherwise prohibited, upon such terms and conditions as City Council may impose, after due consideration of the following:

- (1) The nature, scope, purpose, method, and time of distribution.
- (2) The extent of the distribution, both as to time required therefor and area to be covered.
- (3) The identity of the person or persons who will be responsible for the conduct of the distribution.
- (4) The date or dates on or between which the distribution is to be accomplished.
- (5) The approximate number of individuals who will be engaged in the distribution.
- (6) The provision for removal, by the individual or organization proposing the distribution, of items not removed by the property owner within a reasonable period of time following the distribution.
- (7) The likelihood, or lack thereof, of the distribution constituting a real and present danger to the public health, welfare and safety.

SECTION TWO: If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion hereto.

SECTION THREE: This Ordinance shall take effect upon its passage and as provided by law.



**CITY OF BELLE ISLE, FLORIDA
CITY COUNCIL AGENDA ITEM COVER SHEET**

Meeting Date: July 18, 2017

To: Honorable Mayor and City Council Members

From: B. Francis, City Manager

Subject: Resolution 17-14, Account for Special Events Revenue

Background: The City received revenue for special events and for the City to use this revenue; the City needs to adopt a budget amendment.

Staff Recommendation: Adopt Resolution 17-14

Suggested Motion: I move that we adopt Resolution 17-14

Alternatives: Do not adopt

Fiscal Impact: \$400 revenue received from special events

Attachments: Resolution 17-14

1 Adopted by the City Council on this 18th day of July, 2017.

2
3 _____
4 LYDIA PISANO, MAYOR

5 Attest: _____

6 Yolanda Quiceno, City Clerk

7
8 _____
9 Approved as to form and legality

10 City Attorney

11
12 STATE OF FLORIDA

13 COUNTY OF ORANGE

14 I, YOLANDA QUICENO, CITY CLERK OF THE CITY OF BELLE ISLE, FLORIDA, do
15 hereby certify that the above and foregoing Resolution No. 17-10 was duly and
16 legally passed and adopted by the Belle Isle City Council in session
17 assembled, at which session a quorum of its members were present on the
18 _____ day of July, 2017.

19
20 _____
21 Yolanda Quiceno, City Clerk



**CITY OF BELLE ISLE, FLORIDA
CITY COUNCIL AGENDA ITEM COVER SHEET**

Meeting Date: July 18, 2017

To: Honorable Mayor and City Council Members

From: B. Francis, City Manager

Subject: Resolution 17-15, Trentwood Blvd Traffic Study

Background: The City Council approved conducting a traffic study at the intersection of Trentwood Blvd and Daetwyler Dr. The Council allocated \$20,000 for this study. The City Manager hired Kittleson Engineering, a traffic consultant, to conduct the traffic study. The study will start approximately August 15, 2017 and will be conducted in 2 phases. Phase 1 of the project will cost \$13,000 and depending on the results of Phase 1, Phase 2 may cost up to \$11,000 bringing the total to \$24,000. The Engineer states it's unlikely the cost of Phase 2 will be that much, but it's a contingency plan.

I am requesting the funds come from the Traffic Impact Fees due to the development of the Mattamy Homes Townhouses that will have an impact on the traffic level and traffic patterns in this area.

Staff Recommendation: Adopt Resolution 17-15

Suggested Motion: I move that we adopt Resolution 17-15

Alternatives: Do not adopt

Fiscal Impact: \$24,000

Attachments: Resolution 17-15 & Engineer Proposal

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Section 2. This Resolution shall take effect upon its adoption.

Adopted by the City Council on this 18th day of July, 2017.

LYDIA PISANO, MAYOR

Attest: _____
Yolanda Quiceno, City Clerk

Approved as to form and legality
City Attorney

STATE OF FLORIDA
COUNTY OF ORANGE

I, YOLANDA QUICENO, CITY CLERK OF THE CITY OF BELLE ISLE, FLORIDA, do hereby certify that the above and foregoing Resolution No. 17-15 was duly and legally passed and adopted by the Belle Isle City Council in session assembled, at which session a quorum of its members were present on the _____ day of July, 2017.

Yolanda Quiceno, City Clerk



CITY OF BELLE ISLE
NEIGHBORHOOD PRIDE GRANTS

Grant Application

Submit the original application along with any attachments to The City of Belle Isle, 1600 Nela Avenue, Belle Isle FL 32809. Grants will be awarded on a first come, first served basis by district.

PLEASE PRINT

District 5

Applicant Contact Information

Applicant Organization Name: ART Reloso

Project Contact Name: - REGAL LANDING WALL REPAIR

Mailing Address: - 1437 HORIZON CT
 - Belle Isle FL 32809
City, State Zip

Daytime Phone: - 407 888-8900 - MOBILE Evening Phone: 407 7972 002

Email: - art_p@earthlink.net

ALTERNATIVE CONTACT INFORMATION

★ Alternate Contact Name: _____

Daytime Phone: _____ Evening Phone: _____

Email: _____

GRANT INFORMATION

Type of Project — please select all that apply:

- Landscaping
 - Reader Board Sign
 - Ground Lighting
 - Wall/Fence pressure washing and or painting
 - Irrigation "Repairs"
 - Fountains
 - Other (please explain)
 - Project Street Address or Nearest Intersection: _____
- Total amount of project: 700.00
 Grant amount requested: 700.00
 Neighborhood participation amount (remainder of invoice) 0
- Wall Repair

PROJECT INFORMATION

Please provide the answers to the following questions.

1. Description of the Project. - This summary should provide an overview of the entire project; include what improvements will be constructed, installed, or applied. Remember to demonstrate the need for the project.

REPAIR DAMAGE TO WALL

2. State the location and land ownership of the proposed project - Is the project on public property? (Right-of-way use agreement/permit will be required.) Please state the exact location of the project, including an address or cross streets.

REGAL LANDING HOMEOWNERS

3. Attach 2-5 photos, and include a brief description of each photo. Please also provide the original color photos.

4. Project Maintenance: Describe how the property has been maintained in the past, and how the project will be maintained and by whom after it is completed.


GROUP EFFORT BY MEMBERS OF SUBDIVISION + SUB-LABOR WHEN NECESSARY

5. Describe why this project is important to the community. Provide a brief summary of how the project will enhance the quality of life in the community. How will this project empower your organization to work together to accomplish common goals and objectives? (i.e., to improve neighborhood communication and participation).

WALL DAMAGE IS UNSIGHTLY TO PUBLIC BECAUSE DAMAGED AREA IS ON THE OUTSIDE AND VIEWED BY "PASSERS BY"

BING TEAM ROSTER

Each organization is required to have at least a 3 to 5 member team who will help plan and implement your community project. Team members will be required to sign the team member roster as a part of the grant application. Each team member must indicate his or her role/responsibility on the team.

PRINT NAME & SIGNATURE		ADDRESS/PHONE/EMAIL	ROLE/RESPONSIBILITY
Print	ART PELOSO	1437 HORIZON CT	PROJECT MGR.
Signature		Belle Isle, FL 32809	
Print			
Signature			
Print			
Signature			
Print			
Signature			
Print			
Signature			

SUGGESTED TEAM ROLES: PROJECT MANAGER - Team Captain. Responsible for leading project, getting a group consensus on which project the group wants to pursue. ASST PROJECT MANAGER - Co-Captain. Will work in concert with the project manager and assist obtaining quote(s) once the project idea has been decided upon. This position can also serve as the "Fund Watcher" monitoring project expenses. APPLICATION WRITER - will work with project manager in organizing and developing BING application and submitting final report and pictures upon completion of project.

BELLE ISLE NEIGHBORHOOD GRANTS (BING)

BUDGET AND GRANT REQUEST		
NAME OF BUSINESS	TOTAL COST	DESCRIPTION OF SERVICES
Agostio Builders Corp. 3102 Montiel Ave Orlando, FL 32812	700.00	Remove and Replace, damage stucco on wall. Repair Cap & TRIM.
TOTAL AMOUNT OF PROJECT	700.00	
GRANT AMOUNT REQUESTED	700.00	
NEIGHBORHOOD PARTICIPATION AMOUNT (REMAINDER OF INVOICE)	0	





RUSSELL WAYNE CHEEZUM

4260 CRANMORE CT. ORLANDO, FL 32812. PHONE (321) 460-0590

E-MAIL: rcheetzum@cfl.rr.com

OBJECTIVE

Highly motivated and responsible appraiser looking to further my knowledge and understanding of any and all aspects of the appraisal process.

SKILL SUMMARY

Strong work ethics, excellent communicator, advanced computer skills, integrity, able to adapt to any special requirements and excellent time management skills.

PERSONAL PROFILE

Responsible individual conducting professional quality appraisal reports that at the very least meet or exceed the specified clients expectations and comply with USPAP.

EXPERIENCE

June 2005-December 2005: Appraisal Technology & Valuations

Registered Trainee Appraiser RI15684

- Conducting residential appraisals in Lake, Orange, Osceola, Polk, Seminole and Volusia counties.
- Maintain and developed business-client relationships.
- Managed and trained new employees.
- Maintained and managed all 3rd party vendors involved in the appraisal process.

January 2006-December 2009: Ron Brown & Associates, LLC

Registered Trainee Appraiser RI15684

- Logged 4,000+ hours of appraisal experience.
- Completed 250+ hours of continuing, pre-licensing and post-licensing education.
- Attend FREAB meetings.
- Conducting residential appraisals in Lake, Orange, Osceola, Polk, Seminole and Volusia counties.
- Maintain and developed business-client relationships.
- Managed and trained new employees.
- Maintained and managed all 3rd party vendors involved in the appraisal process.

January 2010-Present

Certified Residential Real Estate Appraiser

- Currently working as a independent appraiser.
- Logged over 3,500+ appraisals
- Conducting residential appraisals in Lake, Orange, Osceola, Polk, Seminole and Volusia counties.

Belle Isle Issues Log (7/3/2017)

<u>Issue</u>	<u>Description</u>	<u>Start Date</u>	<u>POC</u>	<u>Expected Completion Date</u>	<u>Next Proposed Action</u>	<u>Notes</u>
NPDES Reporting	Prepare NPDES TMDL Plan and MS4 Reporting to State	10/1/2016	CM	31-Mar-16	Contact State for Extension for 90 days	State allowed for extension to 9/15/2017. Harris Engineers top priority.
Cornerstone Charter Academy Stormwater Discharge issue	In November, Orange County made City aware of turbidity issue with storm water discharge from CCA Property to OC Storm pipe. OC may fine City is not corrected.	1/11/2016	CM/CE	9/30/2017	Test Outflow to determine particulate. Review Plans for drainage system with Engineer. Look at diverting the drainage to Wallace field to keep it out of the lake.	OCEPD wants the city to take care of this problem. Possibility of being fined if it continues.
Gene Polk Park (Delia Beach)	Drainage issue at Gene Polk Park caused erosion problems and makes the park unattractive. At least 3 plans have been developed for the drainage and Council allocated \$180,000 to correct the problem.	4/3/2017	CM/CE	11/30/2017	Harris Engineering is reviewing plans for best option and	
Street Paving	Council approved project for paving several streets in the City. Middlesex Paving is the contractor	8/12/2017	PW/CM	9/30/2017	Notify residents of project when it is in their neighborhood. Use of door hangers and meetings	
Storm Drainage	Several individual projects are being looked at to complete. St. Partens, McCawley Ct., Swann Beach, 3101 Trentwood.	4/3/2017	PW/ENG	9/30/2017	Design plans for McCawley Ct. and Site visit to St. Partens with Engineer	3101 Trentwood Completed. Looking to recoup money from prior contractor on this job. Swann Beach out for quotes.
Nela/Hoffner Bridges	Work on Nela/Hoffner Bridges include new lights and painting. Work under Nela Bridge	5/1/2017	PW/CM	7/31/2017	Nela Bridge touch-up. Paint Hoffner Bridge. Work with Duke energy for LED lighting on Hoffner Bridge.	
Traffic Studies	Council allocated funds for traffic study at Trentwood/Daetwyler Rd. Council directed city-wide traffic study to improve traffic flow.	4/3/2017	CM/Eng.	12/31/2017	Traffic Engineer Scope of Work for Trentwood revised to include counts when school is in session. Discuss parameters for city-wide study.	Trentwood Study to begin on or about August 14th to include school traffic. Phase 1 of study NTE \$13,000. Phase 2 cost TBD but NTE \$11,000 (depends on data collected in Phase 1).

Fountain at Nela/Overlook	Council approved funding to convert the planter at Nela/Overlook to a fountain.	4/3/2017	CM	9/30/2017	Contacting fountain installers for quotes. Decision on theme for art work in fountain.	Use BING funding from Districts 3 and 5.
Standardize Park Signage	Council held a workshop on June 14 to discuss park issues. Standardize signage was one of the issues. Council reviewed proposed signs and directed to move forward.	6/14/2017	CM	9/30/2017	New signs will be made and replace the current signs for parks.	Wallace/Matchett area is separate issue
Standardize Boat Ramp Signs	Council held a workshop on June 14 to discuss boat ramp issues. Standardize signage was one of the issues. Council reviewed proposed signs and directed to move forward.	6/14/2017	CM	9/30/17	New signs will be made and replace the current signs for ramps. Perkins and Venetian ramps will have same rules	Perkins Ramp upgrade is separate issue
Wallace/Matchett Area	City purchased large area at Wallace/Matchett for open space. Issues with Wallace Street Plat in this area with people trespassing on private property. District 2 Comm. And CM met with residents to discuss solutions. Council met on June 14 and issues was discussed. Council directed that a fence would be erected around property. Dist. 2 Comm. and CM to meet with residents to discuss options for Wallace Street plat. Area is still zoned R-2.	6/14/2017	Dist.2 Comm and CM	12/31/2017	CM to get quotes for fencing around property. Dist. 2 Comm. To setup meeting with neighborhood residents to discuss Wallace St. plat.	Dist. 2 Comm. to report meeting results to Council.
Perkins Boat Ramps	Council discussed issues at June 14 meeting for Perkins ramp . Rules need to be put in place according to Ordinance 18-20. Perkins also needs to be upgrade with new fencing, ramp construction and road and dock construction. New drainage also needs to be installed. Council allocated \$38,000 to drainage.	4/3/2017	CM	12/31/2017	Order new signage. Quotes for road and ramp replacement as part of drainage. Quotes for fencing for next budget year. Surveyor to install gauge to access lake level for ramp closures.	Attorney for neighbor (Jack Liberty) reviewing signage to insure it is in accordance with permit. Looking at correct lake level to close ramp

Charter School (CCA)	There has been infrastructure issues at Cornerstone for some time. The City owns the property and leases it to CCA. The City is responsible for replacing major systems at CCA according to the lease.	4/3/2017	CM	Ongoing	A Capital Improvement Plan needs to be developed for the future replacement of major systems. The CM has contacted a facilities engineering firm to conduct and inspection of the major system to determine the life of the system and obtain a baseline report of the facility and grounds.	This plan does not include the drainage issue at CCA. The facility report should be completed within the next 90 days.
Strategic Plan	The City currently has no Strategic Plan. Strategic planning is the process to develop a vision of what the City would like in 10, 15, or 20 years, based on forecasted needs and conditions. It defines goals and objectives to achieve those goals. It is not the same as the Comp Plan.	4/3/2017	Council/CM	Ongoing	Council to decide if it wants a Strategic Plan and then to set up a process for developing the plan. If Council moves forward, an outside consultant should be hired to contact the meetings, gather the information, conduct the surveys and develop the draft plan.	CM will present a SWOT memorandum based on his first 90-days as CM. SWOT stands for Strengths, Weaknesses, Opportunities, Threats. A SWOT Analysis is one of the first processes in the Strategic Plan development.
Bird Sanctuary Designation	The City has an ordinance designating Belle Isle as a Bird Sanctuary; however it is not recognized by the state (FWC). In speaking with the FWC Regional Director, the city has not applied for the designation IAW Florida Statutes. The Council would like to have BI recognized as a bird sanctuary hoping that it will protect many of the birds that call Lake Conway home.	4/3/2017	CM	12/31/2017	Council directed the CM to apply for the designation IAW Florida Statutes.	
Social Media Policy	City Council expressed concerns that there were postings to social media sites that were not representative of the City government views. The Council requested a social media policy be developed.	4/3/2017	CM	8/22/2017	Policy drafted. Council review on 7/18/17	
Municipal Code Update	The City Council contracted with a planner to update the municipal code. This process was not completed and needs to be completed. There have been significant code changes in the past few years that need to be in the code.	4/3/2017	CM/CC	12/31/2017	Meet with consultant to determine what was done and what is left to do.	

Charter Review	The City Council started the process of reviewing the charter for changes. The Council held two workshops and needs to finish the changes in time to be placed on the next ballot.	12/1/2016	Council/C M	8/22/2017	Set another workshop to review changes made and to finish the Charter review.	
Comp Plan Updates	The comp plan is reviewed every 7 years to see if it needs to be updated. The City Council contracted with a planner to update the comprehensive plan. In March, the consultant told the Council that the plan is up to date and no changes are necessary. CM believes that changes are needed. They could be made anytime.	3/1/2017	Council Planner CM	12/31/2017	Meet with consultant to determine what was done and what is left to do.	Any changes should go to P&Z Board for recommendation to Council
Annexation	Council discussed the desire to annex contiguous property in order to build the tax base and possibly provide more commercial development in Belle Isle.	4/3/2017	Council CM	12/31/2017	Council to determine the priority to annex especially with the establishment of the Pine Castle Urban Center on S. Orange Ave.	After Priority is established, start evaluation process.
Sustainability	Council discussed sustainability and energy initiatives.	4/3/2017	CM	12/31/2107	Look at LED lighting and Solar power for city facilities. Look at Community Garden (possibly at Wallace/Matchett)	