



CITY OF BELLE ISLE, FL
CITY COUNCIL MEETING

Held in City Hall Chambers 1600 Nela Avenue Belle Isle FL
Held the 1st and 3rd Tuesday of Every Month
Tuesday, October 01, 2024 * 6:30 PM

AGENDA

City Council

Nicholas Fouraker, Mayor

Vice-Mayor – Jason Carson, District 4

District 1 Commissioner – Frank Vertolli | District 2 Commissioner – Holly Bobrowski |
District 3 Commissioner – Danny Otterbacher | District 5 Commissioner – Beth Lowell |
District 6 Commissioner – Stan Smith | District 7 Commissioner – Jim Partin

Welcome to the City of Belle Isle City Council meeting. Please silence all technology during the session. Thank you for participating in your City Government.

1. **Call to Order and Confirmation of Quorum**
2. **Invocation and Pledge to Flag - Comm Holly Bobrowski, District 2**
3. **Public Comments & Announcements** - Persons desiring to address the Council must complete and provide the City Clerk a yellow "Request to Speak" form, limited to three (3) minutes, with no discussion. When the Mayor recognizes you, state your name and address and direct all remarks to the Council as a body.
4. **Consent Items** - These items are considered routine, and one motion will adopt them unless a Council member requests before the vote on the motion that an item be removed from the consent agenda and considered separately.
 - a. Approval of City Council Meeting Minutes - September 3, 2024
 - b. Approval of City Council Meeting Minutes - September 17, 2024
 - c. **Approval of Resolution No. 24-20** - A RESOLUTION OF THE CITY OF BELLE ISLE, FLORIDA, AUTHORIZING AN AMENDMENT TO THE CREDIT AGREEMENT WITH SOUTHSTATE BANK TO EXTEND THE \$750,000 REVOLVING LINE OF CREDIT; AND PROVIDING FOR AN EFFECTIVE DATE.
 - d. Proclamation Celebrating Menchie's Grand Opening
5. **Unfinished Business**
6. **New Business**
 - a. **ORDINANCE NO. 24-04 - FIRST READING AND CONSIDERATION:** AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA, AMENDING THE CITY'S LAND DEVELOPMENT CODE SECTION 50-102 ACCESSORY STRUCTURES TO ALLOW THE INSTALLATION OF FENCES AND WALLS IN FRONT YARDS WITHIN CERTAIN DEFINED OVERLAY AREAS AND CREATING RESTRICTIONS FOR SUCH FENCES AND WALLS: PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.
7. **Attorney's Report**
8. **City Manager's Report**
 - a. City Manager's Task List
 - b. Chief's Report
 - c. Public Work's Report
9. **Mayor's Report**
10. **Items from Council**
11. **Adjournment**



**CITY OF BELLE ISLE, FL
CITY COUNCIL MEETING & FIRST BUDGET HEARING**

Tuesday, September 3, 2024 * 6:30 PM
MINUTES

Present was:

- Mayor - Nicholas Fouraker
- District 4 Vice Mayor – Jason Carson
- District 1 Commissioner – Frank Vertolli
- District 2 Commissioner – Holly Bobrowski
- District 3 Commissioner – Danny Otterbacher
- District 6 Commissioner – Stan Smith
- District 7 Commissioner – Jim Partin

Absent was:

- District 5 Commissioner – Beth Lowell

1. Call to Order and Confirmation of Quorum

Mayor Fouraker called the meeting to order at 6:30 pm, and the Clerk confirmed quorum. City Manager Rick Rudometkin, Attorney Pownall, Deputy Chief Millis, Public Works Director Phil Price, Finance Director Tracey Richardson, and Clerk Heidi Peacock were also present.

2. Invocation and Pledge to Flag

Comm Partin gave the invocation and led the Pledge to the Flag.

Mayor Fouraker called for a motion to excuse Comm Lowell from tonight’s hearing.

Comm Smith moved to excuse Comm Beth Lowell.

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

3. First Budget Hearing - FY 2024/2025 Budget

Mayor Fouraker opened the Budget Hearing.

a. Budget Presentation - City Manager Rick Rudometkin

City Manager Rudometkin presented the FY24/25 Budget with a rollback rate 4.1428. The millage rate remains at 4.4018 for the 15th year, with an increase of 6.25% over the rollback rate. He further presented the following,

- Maintains current level of service, inflation, and increased cost and offset the Orange County Fire Services
- No new positions
 - Deputy City Manager position was removed from the proposed budget
- Employer contribution increase for employee insurance
 - 50% to 100% for employee dental & vision
 - 50% to 60% for dependent health, dental, & vision
- Pay increases
 - Uniform employees per Police Pay Plan
 - 3% increase for Police Chief and Deputy Police Chief
 - 5% increase non-uniform employees
- Stormwater Fund continues to have a negative fund balance

b. Council Discussion

Mayor Fouraker opened for Council discussion. There being none, he closed Council discussion.

c. Citizen Comments

Mayor Fouraker opened for Citizen comments. There being none, he closed citizen comments.

d. Resolution 24-13 FY24-25 Adopting the tentative Millage Rate

Clerk read Resolution 24-13 by title.

Comm Smith moved to approve Resolution 24-13 as presented.

Comm Bobrowski seconded the motion, which passed upon roll call 6:0,

e. Resolution 24-14 FY24-25 Adopting Tentative Budget

Clerk read Resolution 24-14 by title.

Comm Smith moved to approve Resolution 24-18 as presented.

Comm Partin seconded the motion, which passed 6:0,

There being no further business, Mayor Fouraker called for a motion to close the Budget Hearing.

Comm Smith moved to close the Second Budget Hearing.

Comm Partin seconded the motion, which passed 7:0.

4. Call the Regular City Council Meeting to Order

Mayor Fouraker called for a motion to open the regular City Council meeting, which was unanimously approved.

5. Citizen Comments & Announcements

Mayor Fouraker called for citizen comments; without public comment, he closed the citizen comments section.

6. Consent Items

a. Approval of City Council meeting minutes - July 16, 2024

b. RESOLUTION 24-15 - A RESOLUTION OF THE CITY OF BELLE ISLE, FLORIDA, AUTHORIZING COUNCIL MEMBERS AND THE MAYOR AS SIGNATORIES ON THE CITY CHECKING ACCOUNTS, PROVIDING FOR SEVERABILITY, PROVIDING FOR AN EFFECTIVE DATE.

c. RESOLUTION 24-16 - A RESOLUTION OF THE CITY OF BELLE ISLE OF ORANGE COUNTY, FLORIDA, ADOPTING A VISION ZERO ACTION PLAN FOR THE CITY OF BELLE ISLE TO ELIMINATE ALL TRAFFIC-RELATED FATALITIES AND SERIOUS INJURIES BY 2040.

d. Approval of surplus items: Ethernet Switch, Desktop, and Battery

Comm Bobrowski moved to approve the consent items as presented.

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

7. Unfinished Business - na

8. New Business - na

9. Attorney's Report - na

10. City Manager's Report

City Manager Rudometkin gave a brief overview and provided a copy of his task list for review.

He briefly spoke on

- Environmental study is moving forward and should be wrapped up by next week.
- Announced the Tree Dedication Event on September 7, 2024.
- Announced the Centennial Event on October 19, 2024. More information to follow.

a. Chief's Report

Deputy Chief Millis reported welcomed Comm Otterbacher.

DC Millis briefed on the last holiday events and happily reported that there were no issues on the Lake.

b. Public Works Report

Phil Price reported,

- The City Hall clock has been repaired.
- Both City Hall and PD Buildings have been painted.
- PW is maintaining the city landscaping with no new concerns.

10. Mayor’s Report

Mayor Fouraker discussed the concerns about the high lake levels and the release of the weir by Orange County or St. Johns Water Management. After a brief discussion, the Council consensus was to hold a workshop on October 1st at 5:30 pm to discuss.

Comm Smith moved to hold the workshop on October 1, 2024, at 5:30 pm.

Comm Vertolli seconded the motion, which passed 6:0.

11. Commissioners Report

- Council shared their concern with the meeting PA system.
- Continue to look for P&Z member candidates.
- Welcomed and thanked the Metroplan staff for their attendance.

12. Adjournment

With no further business, Mayor Fouraker called for a motion to adjourn the meeting, which was unanimously approved at 7:43 pm.



**CITY OF BELLE ISLE, FL
CITY COUNCIL MEETING & SECOND BUDGET HEARING AND ADOPTION**

Tuesday, September 17, 2024 * 6:30 PM

MINUTES

Present was:

- District 1 – Commissioner – Frank Vertolli
- District 2 – Commissioner – Holly Bobrowski
- District 3 – Commissioner – Danny Otterbacher
- District 4 Vice Mayor – Jason Carson
- District 5 Commissioner – Beth Lowell
- District 6 Commissioner – Stan Smith
- District 7 Commissioner – Jim Partin

Absent was:

Mayor - Nicholas Fouraker

1. Call to Order and Confirmation of Quorum

Vice Mayor Carson called the meeting to order at 6:30 pm, and the Clerk confirmed quorum. City Manager Rick Rudometkin, Attorney Dan Langley, Chief Grimm, Public Works Director Phil Price, and Clerk Heidi Peacock were also present.

2. Invocation and Pledge to Flag

Comm Vertolli gave the invocation and led the Pledge to the Flag.

Vice Mayor Carson announced that Mayor Fouraker could not attend and asked for a motion for an excused absence.

**Comm Otterbacher moved to excuse Mayor Fouraker.
Comm Lowell seconded the motion, which passed unanimously 6:0.**

3. Second Budget Hearing - FY 2024/2025 Budget

Vice Mayor Carson called for a motion to open the Budget Hearing and Adoption.

**Comm Lowell moved to open the Budget Hering.
Comm Bobrowski seconded the motion, which passed unanimously 6:0.**

- a. Budget Presentation - City Manager Rick Rudometkin
City Manager Rudometkin stated that the Council will approve the final Budget, millage rate, and 5-year CIP. He announced the rollback rate at 4.1428, generating the same property revenue as the prior year. The proposed millage rate is 4.4018, an increase of 6.25% over the rollback rate. The increase is to maintain the current level of service, inflation, and increased cost of Orange County Fire Services.
- b. Council Discussion
Vice Mayor Carson opened for Council discussion. There being none, he closed the Council discussion.
- c. Citizen Comments
Vice Mayor Carson opened for Citizen comments. There being none, he closed citizen comments.
- d. Resolution 24-17 FY24-25 Adopting Final Millage Rate
Attorney Langley read Resolution 24-17 by title.
**Comm Vertolli moved to adopt Resolution 24-17 as presented.
Comm Lowell seconded the motion, which passed upon roll call 6:0,**
Lowell – aye Smith – aye Carson – aye
Otterbacher – aye Vertolli – aye Bobrowski – aye

e. Resolution 24-18 FY24-25 Adopting Final Budget

Attorney Langley read Resolution 24-18 by title.

Comm Bobrowski moved to adopt Resolution 24-18 as presented.

Comm Vertolli seconded the motion, which passed 6:0,

Comm Partin joined the meeting at 6:37 pm.

f. Resolution 24-19 FY24-25 Adopting Five-Year CIP

Attorney Langley read Resolution 24-19 by title.

Comm Bobrowski moved to adopt Resolution 24-19 as presented.

Comm Lowell seconded the motion, which passed 7:0,

There being no further business, Comm Vertolli moved to close the Second Budget Hearing. Comm Lowell seconded the motion, which passed 7:0.

4. Call the Regular City Council Meeting to Order

Vice Mayor Carson called for a motion to open the regular City Council meeting, which was unanimously approved.

5. Citizen Comments & Announcements

Vice Mayor Carson called for citizen comments; without public comment, he closed the citizen comments section.

3. Presentations

Comprehensive Plan First Reading & Consideration - Stephen Noto, RVi Planning

ORDINANCE NO. 24-03: AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA, AMENDING THE TEXT OF THE CITY OF BELLE ISLE COMPREHENSIVE PLAN TO AMEND THE FUTURE LAND USE ELEMENT, CAPITAL IMPROVEMENT ELEMENT, CONSERVATION ELEMENT, HOUSING ELEMENT, INTERGOVERNMENTAL COORDINATION ELEMENT, INFRASTRUCTURE ELEMENT, PUBLIC SCHOOLS FACILITIES ELEMENT, RECREATION AND OPEN SPACE ELEMENT, PRIVATE PROPERTY RIGHTS ELEMENT, AND TRANSPORTATION ELEMENT; AMENDING THE FUTURE LAND USE MAP OF THE CITY OF BELLE ISLE COMPREHENSIVE PLAN AND A SERIES OF MAPS WITHIN THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

Attorney Langley read Ordinance 24-03 by title.

Stephen Noto, RVi Planning Consultant, gave a brief overview of the Comprehensive Plan. He noted that the introductory hearing to the City Council was held on August 6, 2024, and that tonight's vote is for the Transmittal of the proposed amendments to Florida Commerce. Mr. Noto respectfully requested approval to transmit the draft amendments to the City of Belle Isle Comprehensive Plan. He stated that they will have ten (10) business days to transmit the documents, which will be coordinated with staff with a potential adoption hearing shortly after January 1, 2025.

Comm Vertolli asked if the Council approves the plan as presented, if it is binding, or if the Council makes changes if needed after it is approved. Attorney Langley said it is binding but can be amended following the proper process for public notice. Comm Vertolli said he has concerns about the creation of Historic Housing Boards and does not feel it is necessary to go into that much depth. Mr. Noto said it is a recommended policy based on best practices. The Council can remove them if they feel they do not fit for the City.

Comm Vertolli moved to remove the language on page 37 related to creating a Historic Housing Board if the State does not require it.

Attorney Langley stated the motion to approve the Ordinance on First Reading and transmittal subject to the change indicated by Comm Vertolli to strike the language as requested.

Comm Lowell seconded the motion, which passed 4:3 with Comm Smith, Vice Mayor Carson, and Comm Partin voting no. Attorney Langley noted that an amendment can be made at the second reading.

7. Consent Items - na

8. Unfinished Business - na

9. New Business

Chief Grimm presented three items for Council consideration. He stated that the staff has created a new process before presenting items for Council approval, which includes a memo with the City Manager and Finance approval/comment.

a. Approval of PD K-9 Program

Chief Grimm noted that the handler and dog must undergo officer training. The motion will include the program's startup for one tracking bloodhound. For the first year, the handler will not receive additional pay for 24/25 and will allow for a \$25 pay period thereafter to be approved during the next budget cycle. There will be no compensation to other jurisdictions if the services of the bloodhounds are requested; it will be honored if available. Council discussed a multipurpose canine officer vs a tracking canine officer.

**Comm Otterbacher moved to approve the K-9 Officer program.
Comm Lowell seconded the motion, which passed unanimously 7:0.**

b. Approval of PD AXOM Fleet 3-Camera System

Chief Grimm presented the sole source Axon 10-year Contract, which provides critical real-time awareness, mobile automatic license plate recognition, dual view cameras, live streaming, and other advanced capabilities to enhance public safety and officer effectiveness.

The Council asked the following,

- If the city was bound to the service during the 10-year contract. Chief Grimm said no, that the agreement guarantees the yearly fiscal amount, and that the City is not bound to the ten years of service.
- How many cameras would the city be using? Chief Grimm said the Agency would start with two at \$6,477.72 (dash cam, license plate readers, live stream, and storage); should the Agency need additional cameras, it will be the annual amount times the number of cameras used every year; approximately 14-16 vehicles for the department.
- The data is captured and stored in compliance with policy.
- The cameras are not owned and will be used contractually.

**Comm Lowell moved to approve the PD Axon Fleet 3 Camera system.
Comm Partin seconded the motion, which passed unanimously 7:0.**

c. Annual Red Light Camera Report Requirements FSS 316.0083(4)(a)

Chief Grimm announced that new legislative requirements, effective July 1, 2024, outlined in Section 316.0083(4)(a), require the City to present an annual RLC report for Council approval to continue using the Red Light Camera.

Comm Vertolli moved to approve the continued use and renewal of red-light cameras within the jurisdiction, as outlined in the annual Red-Light Camera report, pursuant to Section 316.0083(4)(a) of the Florida Statutes.

Comm Lowell seconded the motion, which passed unanimously 7:0.

8. Attorney's Report - na

9. City Manager's Report

City Manager Rudometkin gave a brief overview and provided a copy of his task list for review.

He briefly spoke on

- Reminded Council of the Oct 15th Council meeting to discuss the condemnation order for the Arajo property.
- CM Rudometkin stated that the GOAA meeting scheduled for tonight was canceled without notice and will provide the Council with an update once he has more information.
- Awaiting a response from Publix regarding annexation.
- Currently reviewing two parts of the environmental study for the property on Judge.
- Connecting with Congressman Soto's office on the Daetwyler Grant funds
- Awaiting for CCA carve out of the Lancaster House approval at their next Board meeting.

a. Chief's Report

Chief Grimm reported,

- Boat ramps were closed due to high water. Residents can call the Agency to get boats in/out of the Lake for service.
- Officer Mattews is on the way to recovery; he continues to work on light duty until clearance.

b. Public Works Report

Phil Price reported,

- Trimble Park's aeration system has been replaced.
- Continuing sidewalk repair schedule

10. Mayor's Report - na

11. Commissioners Report

- Comm Smith asked if the home on Arajo is in default on its mortgage. Attorney Langley stated there is no way of knowing that now. He further noted that one of the mortgage companies is no longer in existence.
- City Manager Rudometkin summarized the NAV meeting and spoke briefly on the lake levels and managing the weir. After discussion, the Council consensus was to have a workshop on October 1st from 5:30 pm-6:30 pm to discuss the weir.

12. Adjournment

With no further business, Vice Mayor Carson called for a motion to adjourn the meeting, which was unanimously approved at 7:43 pm.

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RESOLUTION NO. 24-20

A RESOLUTION OF THE CITY OF BELLE ISLE, FLORIDA, AUTHORIZING AN AMENDMENT TO THE CREDIT AGREEMENT WITH SOUTHSTATE BANK TO EXTEND THE \$750,000 REVOLVING LINE OF CREDIT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on January 3, 2012, the City Council of the City of Belle Isle adopted Ordinance 11-12 providing authorizing the City to borrow in anticipation of the receipt of revenues for a line of credit up to \$750,000 to fund capital projects, emergencies or other expenses of the City; and

WHEREAS, the City entered into a Revolving Line of Credit Agreement with First Southern Bank (now known as Southstate Bank) on January 15, 2012; and

WHEREAS, the Revolving Line of Credit was renewed with a Credit Agreement on January 15, 2019 with an expiration date of October 19, 2023; and

WHEREAS, the Revolving Line of Credit was renewed with a First Amendment to Credit Agreement on October 19, 2023 with an expiration date of October 19, 2024; and

WHEREAS, the Council hereby finds, determines, and declares that the continued preservation of the health, welfare, convenience, and safety of the City and its citizens must provide for a line of credit of up to \$750,000.00 to be drawn upon to fund capital projects, emergencies or other expenses of the City.

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NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF BELLE ISLE, FLORIDA

SECTION 1. This Resolution is adopted pursuant to the provisions of Chapter 166, Part II, Florida Statutes, the City of Belle Isle Charter, and other applicable provisions of law (the "Act").

SECTION 2. The City hereby approves the Second Amendment to Credit Agreement with Southstate Bank to extend the \$750,000 revolving Line of Credit. The City Manager is hereby authorized and directed to accept the terms of the Second Amendment to Credit Agreement by execution thereof and delivery to Southstate Bank.

SECTION 3. This Resolution shall take effect immediately upon its passage.

Nicholas Fouraker, Mayor

ATTEST: _____
YOLANDA QUICENO, CITY CLERK

APPROVED AS TO FORM AND LEGALITY
CITY ATTORNEY

1 STATE OF FLORIDA

2 COUNTY OF ORANGE

3 I, YOLANDA QUICENO, CITY CLERK OF BELLE ISLE, FLORIDA, do hereby certify that
4 the above and foregoing Resolution 24-20 was duly and legally passed and adopted
5 by the Belle Isle City Council in session assembled. At this session, a quorum
6 of its members was present on the _____ day of October 2024.

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8 _____

9 Yolanda Quiceno, City Clerk

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SECOND AMENDMENT TO CREDIT AGREEMENT

This SECOND AMENDMENT TO CREDIT AGREEMENT (the “Second Amendment”) made and entered as of October ___, 2024, by and between CITY OF BELLE ISLE, FLORIDA (“Borrower”) and SOUTHSTATE BANK, N.A. (“Bank”), amends the Credit Agreement entered as of January 15, 2019, between the Borrower and the Bank, as successor to CenterState Bank, N.A. (as amended, the “Credit Agreement”).

RECITALS

WHEREAS, Borrower and Bank have previously amended the Credit Agreement pursuant to that certain First Amendment to Credit Agreement dated as of December 19, 2023, in order to extend the Expiration Date to October 19, 2024; and

WHEREAS, Borrower has requested that Bank extend the revolving Line of Credit and further amend the Credit Agreement, and Bank has agreed to an extension of one year on the terms and conditions set forth herein.

NOW, THEREFORE, in consideration of the premises and the mutual covenants herein set forth and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties do hereby agree as follows:

I. AMENDMENT TO CREDIT AGREEMENT

1.01 Section 1.03 of the Credit Agreement is hereby amended to read as follows:

1.03 The Bank’s obligation to advance under the Note shall expire on October 19, 2025, unless renewed or extended by Bank in writing and in its sole discretion upon terms then satisfactory to Bank (as stated or so extended, but not later than October 19, 2028, “Expiration Date”). The Bank’s obligation to advance under the Note shall be suspended for such time as the Borrower is in Default (without regard to any applicable notice requirement or grace period) under the Note or this agreement.

II. ADDITIONAL PROVISIONS

2.01 All notices, certificates or other communications hereunder shall be sufficiently given and shall be deemed given when hand delivered or mailed by registered or certified mail, postage prepaid, to the parties at the following addresses:

Borrower: City of Belle Isle, Florida
1600 Nela Avenue
Belle Isle, Florida 32809-6199
Attention: City Manager

Bank: SouthState Bank, N.A.
1500 Lee Rd.
Winter Park, FL 32789
Attention: John C. Wayne

Either of the above parties may, by notice in writing given to the others, designate any further or different addresses to which subsequent notices, certificates or other communications shall be sent.

2.02 The amendments to the Credit Agreement set forth herein shall be effective as of October 19, 2024.

2.03 Except as expressly modified herein, the parties acknowledge that all other terms and provisions of the Credit Agreement remain unmodified, and the Credit Agreement is hereby ratified and affirmed and remains in full force and effect.

2.04 This agreement may only be amended by a written instrument executed by Borrower and Bank.

2.05 This agreement shall be binding upon Borrower and Bank and shall inure to the benefit of Borrower and Bank and their respective successors and assigns.

2.06 This agreement and the Note represent the final agreement between the parties and may not be contradicted by evidence of prior, contemporaneous or subsequent agreements of the parties. There are no unwritten agreements between the parties.

2.07 This agreement may be simultaneously executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument. This Second Amendment may be delivered by the exchange of signed signature pages by facsimile transmission or by e-mail with a pdf copy or other replicating image attached, and any printed or copied version of any signature page so delivered shall have the same force and effect as an originally signed version of such signature page.

2.08 This agreement shall be governed by and construed in accordance with the laws of the State.

2.09 Waiver of Jury Trial. To the extent permitted by applicable law, each of Borrower and Bank knowingly, voluntarily and intentionally waives any right each may have to a trial by jury in respect of any litigation based on, or arising out of, under or in connection with this agreement, the Note or any agreement contemplated to be executed in connection with this agreement, or any course of conduct, course of dealing, statements (whether verbal or written) or actions of any party with respect hereto. This provision is a material inducement to Bank to enter into this agreement.

[SIGNATURE PAGE FOLLOWS]

[SIGNATURE PAGE TO SECOND AMENDMENT TO CREDIT AGREEMENT]

IN WITNESS WHEREOF, the parties hereto have duly executed this agreement as of the date first above written.

CITY OF BELLE ISLE, FLORIDA

(SEAL)

By: _____
Rick J. Rudometkin, CPM, ICMA-CM,
City Manager

ATTEST:

By: _____
Yolanda Quiceno, CMC, City Clerk

SOUTHSTATE BANK, N.A.

By: _____
John C. Wayne, Senior Vice President

CITY OF BELLE ISLE



Celebrating the Grand Opening of Menchie’s – October 5, 2024

WHEREAS, Menchie's Frozen Yogurt currently serves smiles in more than 540 locations around the world, with stores in development throughout the U.S.A., Canada, Puerto Rico, England, South Africa, Kuwait, Bahrain, The Bahamas, Bangladesh, Guatemala, United Arab Emirates, Qatar, India, China, and Japan; and

WHEREAS, Menchie's Frozen Yogurt is a magical place within every community; and

WHEREAS, It's a place for family and friends to come together and create lasting memories; and

WHEREAS, Menchie's started as a single frozen yogurt shop in Southern California and has evolved into a global presence that is synonymous with good times.; and

WHEREAS, the City of Belle is honored to welcome Menchie's to the neighborhood, and its investment in our community, which provides new jobs and revenue growth.

NOW, THEREFORE, on behalf of the Belle Isle City Council, I, Nicholas Fouraker, Mayor of the City of Belle Isle, do hereby proclaim October 5, 2024, as "Menchie's Frozen Yogurt Day" in the City of Belle Isle, and do hereby offer sincere best wishes for many years of success.

PROCLAIMED this 1st day of October 2024.



menchie's
frozen yogurt

Attest _____

Yolanda Quiceno, City Clerk

Mayor Nicholas Fouraker

ORDINANCE NO. 24-04

AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA, AMENDING THE CITY'S LAND DEVELOPMENT CODE SECTION 50-102 ACCESSORY STRUCTURES TO ALLOW THE INSTALLATION OF FENCES AND WALLS IN FRONT YARDS WITHIN CERTAIN DEFINED OVERLAY AREAS AND CREATING RESTRICTIONS FOR SUCH FENCES AND WALLS: PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the City of Belle Isle Land Development Code currently restricts fences in front yards; and

WHEREAS, the City wishes to allow fences and walls in front yards, set height restrictions for such fences and walls, and create rules for the installation of such fences and walls that will enhance the safety of drivers, pedestrians, and property owners; and

WHEREAS, the City further wishes to add additional fence and wall requirements specific to the Hoffner Avenue overlay district, Lake Conway Estates sub-overlay district, and the Daetwyler Drive overlay district due to those districts' unique nature; and

WHEREAS, the City finds that this Ordinance advances the interests of public health, safety, and welfare.

NOW THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF BELLE ISLE, FLORIDA AS FOLLOWS:

1 Section 1. Recitals. The foregoing recitals are hereby ratified and
2 confirmed as being true and correct and are hereby made a part of this Ordinance
3 as legislative findings.

4 Section 2. City Code Amendment. Section 50-102 in Chapter 50, Article IV
5 of the City Code of Ordinances is hereby amended, all as follows (words that are
6 stricken out are deletions; words that are underlined are additions; stars * * * *
7 * indicate breaks between sections, subsections, or paragraphs and do not indicate
8 changes to the City Code; provisions not included are not being amended):

9 Sec. 50-102. - Accessory structures.

10 * * * * *

11 (b) *Fences and walls.*

12 * * * * *

13 (5) *Maximum height and permitted locations of fences, walls, and privacy*
14 *screens.*

15 a. Except as provided in subsection (b) (5)b of this section, fences and walls
16 shall be limited to a maximum height of six feet above the natural grade in the
17 rear and side yards. ~~No fences or walls shall be permitted in front yards. The~~
18 maximum height for a front yard fence or wall shall be four feet above the natural
19 grade. In the front yard, chain link fences shall be prohibited.

20 1. All gates shall maintain a minimum setback of 20 feet from the edge of the
21 roadway. Roadway shall indicate the improved or paved portion, but does not
22 include the entirety, of the right-of-way.

23 b. A maximum fence height of eight feet shall be permitted in the following
24 situations:

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1 1. The property line along which the fence will be installed abuts a boat ramp
2 facility, public park, or commercially zoned property.

3 2. The property owner constructing the fence has obtained the written consent
4 of all owners of property that either share a property line and property corner
5 along which the fence or wall will be installed and of any owner of the property
6 with a property line within 50 feet of the fence or wall to be installed.

7 c. Residential property owners shall not construct an additional fence or wall
8 that abuts any subdivision or commercial screening wall and can be viewed from the
9 abutting public right-of-way, street, sidewalk, or abutting other public access
10 areas.

11 * * * * *

12 (7) *Construction of fences or walls near Lake Conway.* No fence or wall located
13 within 35 feet of ~~the 86.9 contour line of Lake Conway's~~ normal high water line
14 shall exceed four feet in height.

15 (8) *Location along lot lines.* A structural fence or wall shall be erected so
16 that the entire fence and all supporting structures are entirely on the owner's
17 property. Fence posts and all other supporting structures, as well as the rough
18 side of the fence, if any, shall face the owner's property, except when said fence
19 separates a residential lot from a business or industrial lot. No inspection or
20 ~~any~~ permit issued by the city shall be any evidence or guarantee that the fence
21 has been so correctly located on the subject property.

22 * * * * *

23 (13) *Obstruction of visibility.* No fence or wall shall be constructed, nor shall
24 anything be placed, planted or allowed to grow in such a manner as to obstruct or
25

1 impair visibility of oncoming vehicular or pedestrian traffic from any intersecting
2 street, driveway or alley way.

3 a. An area clear of sight obstructions shall be provided between the height of 2.5
4 and 8 feet.

5 b. A clear view triangle for a driveway is formed on each side of the driveway by
6 measuring the distance of 70 feet along the right-of-way and 10 feet along the edge
7 of the driveway.

8 (14) *Existing fences.* Any fence or wall which is erected and in violation of this
9 chapter at the time of its passage shall be exempt from the requirements of this
10 chapter, excluding those requirements of 50-102(b) (11), unless such fence or wall
11 is deemed a traffic or safety hazard.

12 (15) *Nonconforming fences.* All fences, walls, or privacy screens in violation of
13 this chapter at the time of its passage shall be governed by the following
14 conditions: Any fence, wall, or privacy screen that is in violation of the section
15 and is determined to be a traffic or safety hazard shall be made to conform to
16 this chapter three months from such determination. No portion of a nonconforming
17 fence, wall, or privacy screen shall be enlarged, extended, or structurally
18 altered except to make it conform to this chapter.

19 * * * * *

20 (17) Overlay Districts.

21 a. Hoffner Avenue

22 1. Fences and walls abutting Hoffner Avenue shall be limited to a maximum
23 height of six feet above the natural grade in the front yard.

24

25

1 2. All gates shall maintain a minimum setback of 20 feet from the right-of-way
2 line abutting the private property line.

3 3. Lake Conway Estates Sub-overlay

4 i. Masonry walls within Lake Conway Estates adjoining Hoffner Avenue shall be
5 limited to a maximum height of eight feet above the natural grade within the
6 right-of-way, provided the wall conforms to the Belle Isle approved wall materials
7 and design requirements.

8 ii. A masonry wall may encroach within the northerly five feet and southerly
9 five feet of the Hoffner Avenue right-of-way in Lake Conway Estates, or a maximum
10 encroachment of ten feet with the City Council approval, providing that the wall
11 accommodates existing trees and utilities in the surrounding area and aligns with
12 the existing subdivision wall.

13 iii. All privately owned fences and walls shall be located on such private
14 property, shall not encroach into the Hoffner Avenue right-of-way, and must meet
15 all other requirements of this section.

16 b. Daetwyler Drive

17 1. Property owners may build an opaque fence or wall in the front yard at a
18 maximum height of six feet from the grade as it abuts the Daetwyler Drive right-
19 of-way.

20 2. All gates shall maintain a minimum setback of 20 feet from the right-of-way
21 line abutting the private property line.

22 Section 3. Codification. Section 2 of this Ordinance will be incorporated into
23 the Belle Isle City Code. Any section, paragraph number, letter and/or any
24 heading may be changed or modified as necessary to effectuate the foregoing.

25

1 Grammatical, typographical, and similar or like errors may be corrected, and
2 additions, alterations, and omissions not affecting the construction or meaning
3 of this Ordinance and the City Code may be freely made.

4
5 Section 4. Severability. If any section, subsection, sentence, clause, phrase,
6 word, or provision of this Ordinance is for any reason held invalid or
7 unconstitutional by any court of competent jurisdiction, whether for substantive,
8 procedural, or any other reason, such portion shall be deemed a separate,
9 distinct, and independent provision, and such holding shall not affect the
10 validity of the remaining portions of this Ordinance.

11
12 Section 5. Conflicts. In the event of a conflict or conflicts between this
13 Ordinance and any other Ordinance or provision of law, this Ordinance governs and
14 controls to the extent of any such conflict.

15
16 Section 6. Effective Dates. This Ordinance shall become effective immediately
17 upon adoption by the City Commission of the City of Belle Isle, Florida (the
18 "Effective Date") and shall apply to all applications for permits received on or
19 after the Effective Date.

20
21 First Reading held on October 1, 2024.
22 Second Reading held on October 17, 2024.

23
24
25

1 ADOPTED at a regular meeting of the City Commission of the City of Belle Isle,
2 Florida, held in City Hall, Belle Isle, on this _____ day of _____,
3 2023.

	YES	NO	ABSENT
4 Frank Vertolli	_____	_____	_____
5 Holly Bobrowski	_____	_____	_____
6 Danny Otterbacher	_____	_____	_____
7 Jason Carson	_____	_____	_____
8 Beth Lowell	_____	_____	_____
9 Stanley Smith	_____	_____	_____
10 Jim Partin	_____	_____	_____

11 ATTEST: _____

CITY OF BELLE ISLE

12
13 Yolanda Quiceno, CMC-City Clerk

14
15 Nicholas Fouraker, Mayor

16 _____

17 Approved as to form and legality

18 For use and reliance by

19 Dan Langley, City Attorney

20

21

22

23

24

25

1 STATE OF FLORIDA

2 COUNTY OF ORANGE

3 I, Yolanda Quiceno, City Clerk of the City of Belle Isle, do hereby certify that
4 the above and foregoing document ORDINANCE 24-04 was duly and legally passed by
5 the Belle Isle City Council, in session assembled on the _____ day of
6 _____ 2024. At this session, a quorum of its members was present.

7

8 _____

9 Yolanda Quiceno, CMC-City Clerk

10

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City Manager work plan list:

- 3904 Arajo condemnation:

Our attorney is working on this process for the property stated above. We are moving forward with this, **on the October 15th** City Council agenda, there will be a proposed Order of Condemnation and Removal of Hazardous Condition. Code enforcement should be at the public hearing and give testimony, pictures and, report on the condition of the structure and why it violates the code and needs to be condemned.

- Annexation of the Publix Commercial area:

Brixmor is still considering the draft proposal that includes, certain things to be guaranteed to them in making this move. They are moving this up the chain and if they want to discuss this, then this will be brought to the council for a workshop discussion.

- City Hall renovation:

We still need inside painting, lighting, updates, new sidewalk/curb, and new landscaping.

- Property Acquisition/Municipal Complex

The environmental study for the 20.5-acre property on Conway and Judge is almost complete by Bio-Tech. The council also wants to look at a concept plan/rendering and cost for building a new Muni complex on the current city hall site.

- Comp Plan Update:

RVi is moving the Comp Plan forward with the historical building language removed. the document will be transmitted to the state.

- Centennial Celebration:

Our end-of-year Centennial Celebration will be on October 19th, 2024, from 4 pm to 10 pm. We will have a “street fair” type of gathering over at CCA on the streets and parking area. More information to follow.

- Stormwater Grant:

We are hoping and waiting for a \$4M federal flood mitigation grant through Congressman Soto's office in the future. Waiting for more information.

- Purchasing Policy

Continuing to work on updating our Purchasing Policy. We need to update it to keep current and to add or subtract any language as necessary. In progress.

- Disaster Debris Management Sites:

We have submitted our pre-authorization requests for the disaster debris management site(s) DDMS for the upcoming 2024 hurricane season. On hurricane watch.

- Resilient Florida Grant - 23PLN26, Belle Isle Vulnerability Assessment.

We have submitted the FFATA form, SLFRF form, agreement contact form, and the grant work plan. This grant is funded at \$80k for the City of Belle Isle including a \$35k match.

- Judge/Daetwyler Dr. Transportation Grant:

Congressman Soto's office presented us with a check for \$745k for street improvements to improve and create a multi-use path(s) for golf carts, pedestrians and bicyclists. We will start the project in FY 24/25.

- Updating and closing previous grants and reimbursements from FEMA, Florida PA, and Florida DEP:

We have one going on since 2021 that we are trying to close out. There is another for SOL Ave. There are 2 small drainage project grants as well. I am working to provide information and update quarterly reports that have not been updated.

- Lancaster House Update:

Waiting on CCA approval by their board for the carveout document. It will come back to the city for final approval.

- Hoffner Ave Traffic Improvements Grant:

The city has the fully executed State Funded Grant Agreement, (SFGA agreement) between the city and the Florida Department of Transportation (FDOT) for **453225-1-54-01 (FY24) SFGA, Hoffner Ave Traffic Improvements, \$1.5M.** We will work with Orange County to give us access to make these improvements on Hoffner.