

**CITY OF BELLE ISLE
REGULAR SESSION
NOVEMBER 1, 2005
5:30 P.M.**

The City Council of Belle Isle met in regular session on Tuesday, November 1, 2005, 5:30 p.m. in the Belle Isle City Hall Council Chambers, 1600 Nela Avenue, Belle Isle, Florida 32809.

The following members were present:

William G. Brooks	Mayor
Trudy Prince	District 2
Charles R. Scott	District 3
Larry I. Ady	District 4
William F. Ravenel	District 5
Sarah G. Goodwin	District 6

Absent were Commissioners Jacquot, District 1 and Commissioner Spaulding, District 7.

Mayor Brooks called the meeting to order at 5:30 p.m.

Commissioner Ady gave the Invocation and led the pledge to the flag.

CITY MANAGER'S REPORT

Mr. Williams presented a request from Harold Warren of Crossman & Company, requesting a time extension of 90 days from the deadline on the previous agreement to complete the masonry wall. Mr. Warren has advised that several issues have been brought up by Orange County which has caused delay in beginning the construction. The most pressing issue is determining whether or not the County will allow the wall to be constructed in an existing utility easement or if abandonment of the easement must be pursued.

Commissioner Ravenel stated the original agreement was granted to accommodate the opening of the Starbucks and we said Starbucks CO would be temporary contingent upon the wall being completed within the set amount of time.

City Manager Williams responded that Starbucks is caught in the middle and is an innocent bystander. The developer has made every effort to get the wall done within the original timeframe. A reasonable effort is being made to get the job done as quickly as possible.

Mayor Brooks stated they have made a good faith effort and were unaware of the 6' utility easement. He suggested granting an extension would not bifurcate the issue.

General discussion ensued regarding the utility easement and possible alternatives.

Commissioner Ady moved to accept the request to extend the developer's agreement for 90 days. Commissioner Prince seconded the motion which passed unanimously.

CITY MANAGER'S REPORT:

City Manager Williams reported the following:

- a. The wall required by Orange County at the Belle Isle Maintenance warehouse is for a 6' masonry wall along the north and east sides of the property, excluding the entry gate which will remain chain link, and 10 linear feet of 6' masonry wall around the corner at the southeast corner and north west corners of the property.

The city will have six months to complete the project.

Commissioner Goodwin suggested the city purchase property elsewhere to locate the maintenance facility.

CITY ATTORNEY'S REPORT:

- a. Distributed the Kissimmee shopping cart ordinance and advised it would be discussed next month.
- b. Regarding the use of Neighborhood Improvement Matching Grant funds on a private HOA lot: requires a signed waiver from the HOA granting public use of the facility.

CITY COUNCIL REPORTS:

Commissioner Ravenel: apologized to the City Manager for losing his cool regarding the temporary parking permits

Commissioner Ravenel expressed his dissatisfaction with the process residents must follow to get temporary parking exemptions for a social gathering. He stated the requirements are burdensome and unnecessary.

Mayor Brooks advised the issue was discussed by the City Council and the Council agreed to the process.

Commissioner Scott: no report.

Commissioner Goodwin: reported continued sidewalk repair complaints. She advised the Conway Community Council would meet at 7:00 p.m. at the library. She asked the Commissioners to attend and support Lake Conway East at the meeting.

She asked that item 4 (e) and 4 (h) be pulled from the consent agenda for discussion. Commissioner Goodwin stated the Lake Conway East residents don't know where the Mayor Stands on the issue of the traffic signal for Cove/Conway intersection.

Mayor Brooks responded that he has fully supported a traffic signal at Conway/Cove and has taken every step to try to expedite the installation of the signal. He advised he is putting his presence on the issue where it will do the most good. He stated the City is doing everything it can to push for installation of the traffic signal.

Commissioner Prince: asked that item g. be pulled from the consent agenda for discussion.

Commissioner Ady: advised there is a light rail meeting at Edgewater City Hall this evening and expressed concerns about noise. He stated the city should be pursuing noise buffer walls along the Beach Line.

He also reported attending a Finance and Taxation meeting regarding the portability of assessment to be moved to new properties.

Commissioner Ady asked about the status of the condo conversion on McCoy Road.

City Manager Williams responded that he does not know what the current status of the project may be.

CITIZENS' COMMENTS:

Theresia Hauger, 5435 Pasadena Drive, asked that additional "no parking" signs be installed in front of her property to prevent cars from blocking her exit from her driveway.

Commissioner Ady moved to authorize a "No Parking" zone along Mrs. Hauger's property. Commissioner Prince seconded the motion which passed unanimously.

CONSENT AGENDA:

Commissioner Ravenel moved to approve items a, b, c, d, e, f, & h of the consent agenda which included October 4 Regular Session minutes, September 28 Workshop Session minutes; award of Appraisal Services for the Regal Marine Economic Development Grant in the amount of \$3,900.00 to Rusaw, Inc.; award of Review Appraisal Services for the Regal Marine Economic Development Grant to George P. Kmetz Appraisal Service in the amount of \$750.00; Resolution 05-26 supporting UCF's proposal for a medical school; Resolution 05-27 requesting a Traffic Signal Warrant Study for McCoy Road/Gondola intersection; and Approval of Orange County recommendations for wall/fencing at the City's maintenance facility on Sunny Lane. The motion was seconded by Commissioner Ady and passed unanimously.

Item (g) was pulled from the consent agenda and added as an agenda item for discussion.

Mayor Brooks left the meeting at 6:32 p.m.

Vice Mayor Ady conducted the remainder of the meeting.

AUTHORIZED USE OF VENETIAN PARK AS SPOIL SITE FOR CANAL DREDGE PROJECT:

Commissioner Prince stated she had concerns with Venetian Park being used as a spoil site since it is such close proximity to homes. She said there must be an alternative to the proposed plan and she could not support using the park as a spoil site.

David Hamstra, PEC answered questions raised by the Commissioners regarding the length of time the project will take, restoration of the site and area streets and other concerns.

Dr. Keshav Setaram, Orange County EPD, advised that many of these dredging projects have been done. He stated the spoil material will only lay on the site long enough for some of the water to drain out of it (about one week) and that he has never had any complaints about odor from the spoil material.

General discussion continued regarding the depth of the muck in the canal and other issues related to the staging and execution of the project.

Out of 41 residents who live on the canal; 33 signed the petition in support of the project, one opposed the project and 7 were unavailable.

Dr. Setaram advised that the Venetian Canal project is a minor project compared to the others done within the past.

City Manager Williams stated the City has worked with Dr. Setaram on the Conway East/Conway Isles project and the Lakes and Landings project without any problems.

Commissioner Scott asked that part of the RFP be a projected timeline for completion of the project.

David Hamstra responded their contractor is given a deadline by which substantial completion of the project must be accomplished.

Commissioner Scott asked that a time limit of 3 or 4 weeks be inserted into the specs and he inquired as to how much muck is expected to be removed.

Dr. Setaram responded the depth of muck in the canal is between 18" and 24" and the plan is to remove all the muck to the bottom of the canal.

Commissioner Prince stated that she still is not supportive of the project and thinks the park is not the right place to dump the spoil.

More discussion ensued regarding the slope of the canal sides, the depth of the muck and how long it will be until the muck depth is back to the current levels.

Commissioner Goodwin spoke in support of the project and moved to accept the County's proposal to use Venetian Park as a staging area/spoil site with the amendment that the contract include the start to finish time for the project and the maximum number of days the muck will lay in the park; and that the project be completed within 30 days of the start of the project. Commissioner Ravenel seconded the motion which passed with three ayes and one nay vote; the nay vote being recorded from Commissioner Prince.

**ORDINANCE 05-26 ADOPTING COMP PLAN AMENDMENT PASSED
FIRST READING:**

Ordinance 05-26 was read by title only as follows:

**AN ORDINANCE OF THE CITY OF BELLE ISLE,
FLORIDA, ADOPTING AMENDMENTS TO THE**

FUTURE LAND USE ELEMENT AND THE FUTURE LAND USE MAP OF THE CITY OF BELLE ISLE COMPREHENSIVE PLAN INCORPORATING THE AREA ANNEXED PURSUANT TO BELLE ISLE ORDINANCE 05-05; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

Commissioner Prince moved to advance the ordinance to second reading. Commissioner Ravenel seconded the motion which passed unanimously.

ORDINANCE 05-27 AMENDING PARKING CODES REGARDING PARK OF RECREATIONAL VEHICLES PASSED FIRST READING:

The Ordinance was read by title only as follows:

AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA, AMENDING SECTIONS 30-132 AND SECTION 30-133 OF THE BELLE ISLE CODE OF ORDINANCES REGULATING THE PARKING, STORAGE, AND KEEPING OF RECREATIONAL VEHICLES IN RESIDENTIAL DISTRICTS; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Commissioner Ravenel moved to advance the ordinance to second reading. Commissioner Prince seconded the motion which passed unanimously.

ORDINANCE 05-29 PROHIBITING POLE SIGNS IN THE CONWAY OVERLAY DISTRICT FAILED ON FIRST READING:

Ordinance 05-29 was read by title only as follows:

AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA, AMENDING CHAPTER 6, OF THE LAND DEVELOPMENT CODE OF THE BELLE ISLE CODE OF ORDINANCES TO PROHIBIT POLE SIGNS WITHIN AREA KNOWN AS THE CONWAY ROAD CORRIDOR OVERLAY DISTRICT; PROVIDING SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

Commissioner Scott moved to advance the ordinance to second reading. Commissioner Ravenel seconded the motion.

Commissioner Goodwin spoke in opposition to the ordinance.

The motion failed with no aye votes and four nay votes; the nays being recorded from Commissioners Goodwin, Prince, Scott & Ravenel.

There being no further business to discuss, the meeting was adjourned.

Belinda L. Bateman, MMC
City Clerk