

**CITY OF BELLE ISLE
REGULAR SESSION
FEBRUARY 7, 2006**

The Belle Isle City Council met in regular session on Tuesday, February 7, 2006, Belle Isle City Hall Council Chambers, 1600 Nela Avenue, Belle Isle, Florida 32809.

Commissioner Prince gave the Invocation and led the Pledge to the Flag.

Mayor Brooks asked the Clerk to call the roll.

The following members were present:

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

Vice-Mayor Ady was absent due to his attendance at the National League of Cities Conference.

District 7 Commissioner Eric Spaulding was absent due to a scheduling conflict with work.

EXCUSED ABSENT COMMISSIONERS

Commissioner Goodwin moved to excuse the absent Commissioners. Commissioner Prince seconded the motion which passed unanimously.

APPROVED DELAY OF APPOINTMENT TO DISTRICT 1 VACANCY

Commissioner Goodwin moved to delay appointment to fill the District 1 vacancy to the March meeting so all Commissioners could be in attendance. The motion was seconded by Commissioner Scott and passed unanimously.

CITIZENS COMMENTS

There were no public comments.

APPROVED CONSENT AGENDA

Commissioner Prince moved to approve the consent agenda which included minutes of the December 28, 2005 workshop session and January 3, 2006 regular session; monthly financial reports for October, November and December 2005; Award of Contract for Community Development Economic Recovery Block Grant for Regal Marine Industries to White's Site Development; and authorization of an Interlocal Agreement with Orange County Tax Collector for the collection of non-ad valorem assessment for Stormwater Utility.

Commissioner Goodwin seconded the motion which passed unanimously.

AUTHORIZED EMERGENCY STORMWATER REPAIR FOR WIND HARBOR ROAD

City Manager Williams advised Council of an emergency repair needed in Wind Harbor to repair a cave-in due to a stormwater pipe failure. He advised that the low bidder of three bids received was Barracuda Construction at \$44,382.08 with Cloud 9 at \$49,800 and CEM at \$61,700. He also advised that should well points not be necessary the work could be substantially less. Barracuda Construction indicated they could do the repair for \$23,000 if they are no required to dewater.

City Manager Williams stated the funding for the repair will come from the City Manager's contingency line item in the budget.

Commissioner Prince moved to add this item to the agenda. Commissioner Goodwin seconded the motion which passed unanimously.

Commissioner Prince moved to accept the bid by Barracuda Construction and award them the bid for \$23,000 and not to exceed \$44,382 should dewatering be necessary. Commissioner Ravenel seconded the motion which passed unanimously.

APPEAL HEARING ON PARKING CITATION #4342

Ellie Pezzuti, 1740 Stafford Drive, advised the citation was issued to a guest at her home whose vehicle was blocking less than ¼ of the sidewalk. She advised the guest was at her home because she was ill and she had not remembered to tell them not to block the sidewalk.

Officer Steve Doty advised that he issued the ticket to a vehicle which had tires parked on the sidewalk and was blocking at least 3' of the sidewalk. He stated he has written parking tickets previously at this same address.

City Manager Williams stated blocking sidewalks is in violation of state statute and he is not in favor of overturning citations. He further stated the officer was patrolling neighborhood streets when the ticket was issued.

Mrs. Pezzuti responded that the van tires were not on any portion of the sidewalk.

Commissioner Prince asked how Mrs. Pezzuti knew the vehicle had not been moved after the citation was issued.

It was also questioned as to whether Mrs. Pezzuti could contest the citation since she was not the owner of the vehicle.

Commissioner Goodwin moved to table the hearing to the next meeting. The motion died for lack of a second.

Commissioner Scott moved to grant the appeal. The motion died for lack of a second.

Commissioner Prince moved to return the appeal fee and uphold the ticket. Commissioner Ravenel seconded the motion which passed with three ayes and one nay vote cast by Commissioner Scott.

Mrs. Pezzuti asked if the appeal fee could be applied to pay the ticket.

The response was that it could be and City Manager Williams advised a receipt would be issued to Mrs. Pezzuti for the \$35.00 paid against the citation.

APPROVED TWO NEIGHBORHOOD IMPROVEMENT MATCHING GRANTS

Commissioner Goodwin stated the entry wall at Daetwyler Shores on Via Flora is beautiful and that she had no problem approving the grant. She stated that the rules for the NIMGs previously submitted and approved by the Council were not followed and that while she has no problem with the project or approval of the two grants she did believe they should file new applications and follow the requirements of the program.

Mayor Brooks stated approval of the grants doesn't automatically pay out the \$5,000 for each grant. He stated invoices would have to be submitted.

City Manager Williams stated he had advised the HOA to resubmit the same grant applications since the projects have not changed.

Commissioner Goodwin responded that the project has already been built so the grants should be applied for as an after-the-fact project.

Commissioner Scott asked if there is a problem with the re-submittal of the original applications.

Mayor Brooks stated there is no problem since it is the same project as originally submitted. He advised not funds would be dispersed without receipts being submitted.

Commissioner Goodwin stated the NIMG program has a rule that states the project must be completed with 12 months of award of the grant. These were approved a couple of years ago and there was no activity until now.

Mayor Brooks stated the staff recommends approval.

Commissioner Ravenel moved to approve the two grant requests. Commissioner Scott seconded the motion which passed with three ayes and one nay being cast by Commissioner Goodwin.

COMMENTS FROM HOA PRESIDENT READ INTO THE RECORD

City Manager Williams read a letter from Lake Conway Estates Residents' Association President John Evertsen into the record which was read as follows:

"To Whom It May Concern:

At no time have I or any person of the Executive Council of Lake Conway Estates Residents Association endorsed Tom Petruzzi to fill the vacant slot on Belle Isle's Council. Our inability to support Mr. Petruzzi is not a political statement by our Association, rather my interpretation of the by-laws of our association. I will say Tom is a member in good standing of our association and has been very pro active in our community for many years. On a personal note I have never not supported Tom to fill this vacancy. I understand that Tom has offered his time and many years of past experience to help fill a void on our Council and I commend him for this. I personally believe that the Council could find no other candidate that is a well qualified as Tom is to fill the vacant council seat."

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

Belinda L. Bateman, MMC
City Clerk