

**CITY OF BELLE ISLE
WORKSHOP SESSION
JULY 28, 2004
8:30 a.m.**

The Belle Isle City Council met in regular session on Wednesday, June 30, 2004, 7:00 p.m., Belle Isle City Hall Council Chambers, 1600 Nela Avenue, Belle Isle, Florida.

The following members were present:

William G. Brooks	Mayor
Thomas G. Petruzzi	District 1
Trudy Prince	District 2
Charles Scott	District 3
Bill Ravenel	District 5
Sarah G. Goodwin	District 6
George I. Harrison	District 7

Also present were City Manager Larry Williams, City Attorney John F. Bennett, City Clerk Belinda Bateman, Dan Homblette from Boyle Engineering, Fabian Hurtado from Excel Engineering, David Hamstra from Professional Engineering Corp. representing the Lake Conway Navigation Advisory Board, Keshav Setaram from Orange County EPD; Penny Post from Orange County Engineering, Tom Walsh of CH2MHill, and members of the public.

Absent was Commissioner Ady, District 4.

Mayor's Report:

Mayor Brooks reported the following:

- a. A presentation of appreciation will be made to Robert W. Phipps on August 3rd for his service as the Planning and Zoning Board representative from District 3 for 2001 – 2004.
- b. David Hamstra of Professional Engineering Corporation presented several options for Venetian Canal improvements.
- c. Tom Walsh of CH2MHill presented the County's plans for drainage improvements in the Wallace/Randolf area and city's Wallace Street right-of-way.
- d. Mayor Brooks spoke about the Interlocal Agreement re: School Capacity and stated the agreement does little to address the problem and there is no impact issue with Belle Isle.
- e. Several "No Wake" buoys are missing from the Nela Bridge area and there is erosion at the bridge support bases due to heavy wake in the area. The

- buoys need to be replaced and additional buoys are needed. He also stated the "No Wake" zone needs to be extended.
- f. There has been additional Marine Patrol on the lake as a result of the city's funding, but additional coverage is still needed. Due to the shortage of Marine Certified officers there are not always personnel available to work off-duty.
 - g. Mayor Brooks asked about the status of the "Belle Isle" boat sponsored by Correct Craft.
 - h. Advised there is continuing tree maintenance in follow up to the storm. A bucket truck is working in the city to remove broken limbs which are hung in the trees. Several limbs have fallen on Hoffner and public safety is of concern.
 - i. There is a pile of tree debris on Matchett Road that needs to be removed by the County.

City Manager Williams advised a call has already been placed to the County to have it removed. He also stated the County has offered its assistance in removing limbs in trees over Hoffner.

- j. Former Mayor Rigante suggested some of the pavement at the end of the City Hall Point at the west end of the property be replaced with a plant bed and even suggested that as a location for the city clock.
- k. Received a letter from an 11 year old scout asking that the speed control sign be moved around to different locations within the city. Mayor Brooks commended the young man on his astute observations and concerns for his community.
- l. Asked that a schedule for the codification of the Belle Isle Code be provided.
- m. Asked about the date of the next newsletter.

City Manager Williams responded the next newsletter is to be out in the mail by August 15th and will have Fall Festival and September Yard Sale flyers inserted. He advised it is to be a lake and water quality issue rather than a typical newsletter.

Mayor Brooks stated the next newsletter should be a regular newsletter and the water quality information should be provided at another time. He added this issue should have budget information.

- n. Asked that information from resident Steve Upp regarding a possible watersports program coordinated through the USA Watersports Association and the South Orange YMCA be provided to the Commissioners and that Mr. Upp be invited to a future meeting to answer Council's questions about the PEP Grants and proposed program.

- o. David Hamstra, PEC, gave his presentation of the Venetian Canal alternatives.

Discussion ensued regarding the options and necessary funding.

- p. Tom Walsh, CH2MHill presented his report on the Randolph/Wallace Street area drainage which is included in an Orange County drainage project.
- q. Asked that the request from the LCNAB for Venetian Park and the proposed project for Wallace Street easement be placed on the August 3rd agenda.

City Managers Report:

City Manager Larry Williams reported the following:

- a. The County is installing a new fence around the lift station at the Cullen Lake Shore Drive HOA lot which is to have acoustical material added to the interior of the panels to lessen the noise.
- b. Horizon Court and Gibson Drive projects have been awarded to one contractor and work will begin shortly.
- c. Nela Avenue (Vause/Walker) project was awarded to a contractor and should also begin soon.
- d. Storm clean up from dead head branches and limbs is continuing throughout the city.
- e. Sidewalk repair will resume as material is available.
- f. City Signage bids are in the agenda package for action by Council on August 3, 2004.
- g. Commissioner Petruzzi will provide information on the Fall Festival.
- h. Be Bateman will provide information on the September City-wide yard sale.
- i. TRIM has to be back to the County on August 4, 2004 and the draft budget has a significant deficit. He recommends an increase from 3.1655 to 4.2655 mills and consider a 5% Franchise Fee on electric utilities to help cover the budget deficit. He advised Council will have to determine what they would have reduced or eliminated from the proposed budget to make up the difference.

Commissioner Scott asked for a copy of the plans for the clock tower.

- k. Advised "No Wake" buoys must go through Orange County EPD and the State of Florida and must have specific geo-tech locations.

Mayor Brooks responded that the previously permitted ones may be replaced without going through the process again.

Attorney's Report:

City Attorney Bennett reported the following:

- a. The Overlay District ordinance has been completed and will be forwarded with the requested additions restricting bottle clubs, fencing and pole signs.
- b. He is having difficulty writing an impact fee ordinance that fits the criteria of the Supreme Court ruling.
- c. The ordinance dealing with obstructions in the right-of-way is being expanded to include yard/garage sale barriers.
- d. The legal description for the clock tower location has been prepared by the City Engineer and is being forwarded for inclusion in the easement agreement.

City Engineer's Report:

City Engineer Dan Homblette reported that the completed plans for the Conway Isles drainage structure restoration have been provided to the developer's engineer. The required permit from SJRWMD is in hand and there will be no bid documents since the developer will do the work. Mr. Homblette asked if the city wanted Boyle do provide any oversight of the work to insure the specifications are met.

It was the consensus of Council that Boyle Engineering perform periodic site inspections of the work.

Orange County is planning to replace the water system in Conway East so the paving of the subdivision will be on hold until the utility work is done by the County.

A new fence is being installed at the Cullen Lake Shore Drive HOA lot and subsequent sound insulation will be installed on the interior of the fencing for noise control.

Council Reports:

Commissioner Prince: Expressed concern regarding the issues at 6506 Cay Circle.

Attorney Bennett cautioned that Council should not discuss any matter that may be a quasi-judicial issue coming before them.

Commissioner Prince asked that a letter stating the city had erred in its approval be sent to the property owner.

Code Enforcement Officer Hollee Finlay responded that a letter to that effect had been hand delivered to the property owner on the previous Wednesday.

Mayor Brooks stated the fact that the city was in error does not obligate the city to either honor the mistake or grant a variance. He stated the structures are not in compliance and should be removed.

He stated the property owner needs to correct the problem by bringing into compliance or remove the structures.

Commissioner Scott asked if this issue will come before the Council.

Commissioner Harrison stated the city should immediately send a letter telling the property owner to get the structures out of there.

Commissioner Prince asked if the city shouldn't notify the property owner that the prior zoning approval is being rescinded and they have 45 – 60 days to remove the non-compliant structures.

Code Enforcement Officer Finlay stated the structures need only be moved to meet the required setback for a corner lot.

Mayor Brooks stated the code provides that the structures can be deemed non-compliant based upon esthetics and they are not esthetically in character with the neighborhood and therefore should not be permitted.

Commissioner Prince advised that she had received an invoice from Patty Spicer for clean-up of Delia Beach. She advised that the residents had become frustrated that no improvements have been made at Delia and took it upon themselves to clean the beach area. She asked why the city had not moved forward with cleaning up the beach.

City Manager Williams responded that Orange County is responsible for aquatic plant maintenance in the water and he had called to have Delia Beach sprayed. He further stated he did not know whether or not the county had sprayed and would check with OCEPD to make that determination.

He stated that consideration of payment for the invoice would set a dangerous precedent and he did not support reimbursing Mrs. Spicer for the expense incurred.

Commissioner Prince asked that a letter be sent to Mrs. Spicer advising her of the city's established policy for expenditures that should have been followed.

Commissioner Petruzzi asked if there was a work order for Delia Beach and how long has it been issued. He suggested that a long delay would understandably frustrate the area residents.

City Manager Williams stated the work order was issued on June 3rd, 2004 and the date of the invoice from Mrs. Spicer is June 30th.

Belinda L. Bateman, MMC
City Clerk