

**CITY OF BELLE ISLE
REGULAR SESSION
WEDNESDAY, SEPTEMBER 6, 2006
5:30 P.M.**

The Belle Isle City Council met in regular session on September 6, 2006, 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
Thomas G. Petruzzi	District 1
Trudy Prince	District 2
Charles R. Scott	District 3
Larry I. Ady, Vice Mayor	District 4
Lydia Pisano	District 6
Eric S. Spaulding	District 7

Absent was Harvey Readey, District 6. Commissioner Spaulding moved to excuse Commissioner Readey's absence. Commissioner Petruzzi seconded the motion which passed unanimously.

Mayor Brooks advised that Mr. Ready's Mother-in-law passed away earlier in the day and also reported the death of Mr. Paul Kuck and asked all to remember both families in their thoughts and prayers.

MAYOR'S REPORT:

Mayor Brooks asked if the repair had been made to the outfall pipe at Bruce Lincoln's address on Trentwood.

City Manager Williams responded affirmatively.

Mayor Brooks asked if there was a status report on the Nela Bridge.

Mr. Williams advised he would report on that during his report.

Mayor Brooks asked the Council to consider naming Montmart Park in memory of Mr. and Mrs. Paul Kuck in recognition of their selflessness and generosity.

Without objection this item is to be placed on the agenda.

CITY MANAGER'S REPORT:

City Manager Williams advised that the City of Belle Isle will be hosting the Tri County League of Cities meeting on September 21, 2006 at Regal Marine.

Mayor Brooks stated the guest speaker is to be Orlando Mayor Buddy Dyer and the program will begin at 11:45. Mayor Dyer will be talking about the plan for the development of the Arts Center, Arena & Citrus Bowl.

Mr. Williams said anyone who wished to go would be taken on a tour of the Regal facilities following the luncheon and that the luncheon is being sponsored by Waste Management.

City Manager Williams stated that Robert Fraser of Miller-Legg has been out of the country on vacation and we will, hopefully, have the status report for the special meeting on September 19th.

Mr. Williams advised the Regal Marine Community Development Block Grant is almost completed.

He also advised he met with Commissioners Ready and Scott regarding the 90% complete plans for Swann Drainage improvements from Berryman & Henigar.

Bob Fraser of Miller Legg held a public input meeting with area residents to discuss plans for Montmart Park and Delia Beach.

Commissioner Petruzzi asked that the notes from that meeting be distributed to Council.

Mr. Williams advised the minutes from that meeting are in the Council packets.

ATTORNEY'S REPORT:

Mr. Bennett stated that after researching how to limit the number of non-related people in a house, it appears laws which target the number of people based on square footage are the ones being upheld by the Court.

Attorney Bennett also advised that he will probably have the commercial vehicle information ready for the next workshop session.

Commissioner Prince asked about the Cay Circle property agreement status.

City Attorney Bennett reported the agreement with Mrs. Bryant has been signed by both parties and has been approved by the court. Now the city needs to get the work out for bid.

COMMISSIONER REPORTS:

Commissioner Scott asked about the status of the tree ordinance and the rezoning ordinance.

City Manager Williams responded the tree ordinance will be scheduled at a workshop for discussion and the zoning ordinance is being advertised for first reading on September 19th and second reading on October 3, 2006.

Commissioner Scott asked if the city was working with Linda Stewart on the shopping cart ordinance.

Mayor Brooks responded that we have already adopted a shopping cart ordinance and it was provided to Commissioner Stewart.

Commissioner Spaulding reported a mid-day break-in in Windsor Place.

Commissioner Pisano reported that she does not yet have a date to meet with the HOA president of Conway East. She advised that the residents that had complained about the construction traffic at the MI homes development all seem to be happy with the arrangements.

Commissioner Petruzzi thanked City Manager Williams for the e mails on the recent criminal activity.

Commissioner Prince – no report.

CoOmmisioner Ady advised that over the Labor Day Weekend he observed how overgrown the Gondola right-of-way is.

City Manager Williams responded the County directed us NOT to mow their right-of-way. We call constantly and get no results.

It was suggested Linda Stewart's office be contacted about the problem.

Mayor Brooks talked about the discussion that took place a couple of months ago regarding the Randolph Boat Ramp which included County staff, Linda Stewart, Marine Patrol and other interested parties. He advised that part of the discussion regarding the ramp was for 24 hour a day coverage to be provided

through a combination of Marine Patrol, off-duty life guards and assigned Orange County deputies.

The Church adjacent to the ramp had been accommodating to ramp visitors in that overflow parking was allowed on the empty lot to the east of the church parking lot. Since the ramp users have abused the privilege of parking on church property, perhaps the church will disallow all such parking now.

CITIZENS' COMMENTS:

Mr. Harold Stuart, 2424 Homewood Drive, asked for consideration in removing the stop signs on Nela now that the speed humps have been installed.

Mayor Brooks responded that the initial traffic study recommended removal of the stop signs on Nela but the Commissioner of the district asked that they remain in placed. He suggested Mr. Stuart talk to Commissioner Readey about bring the matter to the council.

Mike Aldrich, 1608 Idaho Avenue, asked Council to consider opening the space at Perkins reserved for law enforcement as he never sees it being used.

Mayor Brooks stated there are five public spaces and one reserved for law enforcement.

City Manager Williams advised the reserved space is there so law enforcement will always have access to the ramp for emergency response as well as for regular marine patrol as needed.

INTRODUCTION OF MR. KEITH RICE, BOYLE ENGINEERING CORP.

City Manager Williams introduced the City's new contact person at Boyle, Mr. Keith Rice. Mr. Rice will be the point person for the city and will work to ensure work flow meets our needs.

Mr. Rice stated he was looking forward to working with the City.

Commissioner Petruzzi asked what the outcome was on the fence height challenge on the lakefront.

Mr. Bennett responded that he has not yet seen the subject fence.

Mr. Petruzzi asked how large a firm is Miller Legg.

Mayor Brooks stated the Orlando Office probably has 40 employees.

Commissioner Petruzzi asked if Mayor Brooks had any idea how much the personnel salaries are at the firm.

GRANTED APPEAL TO PARKING CITATION #1502:

Mayor Brooks asked the appellant to state his name and address.

The appellant said he was Mike Aldrich, resident of 1608 Idaho Avenue. He advised that while parked at the Perkins boat ramp he received a parking citation for not having a parking decal affixed to the vehicle. He stated he had purchased the required decal and it had been affixed to the vehicle windshield and he did not notice it was gone. He brought evidence of the purchase of the decal.

City Manager Williams stated in a previous appeal testimony was given that the decals were hard to get off.

Commissioner Scott moved to grant the appeal. Commissioner Pisano seconded the motion which passed unanimously.

City Clerk Bateman advised a purchase order would be prepared for the appeal fee refund.

PUBLIC HEARING AND APPROVAL BY MOTION OF TENTATIVE MILLAGE RATE OF 3.6655 MILLS FOR FY 2006-2007.

Mayor Brooks opened the public hearing. There were no public comments and the public hearing was closed.

Vice Mayor Ady moved to approve a tentative millage rate of 3.6655 mills for FY 2006-2007. Commissioner Petruzzi seconded the motion.

Upon roll call the vote was as follows:

Vice Mayor Ady	Aye
Commissioner Prince	Aye
Commissioner Petruzzi	Aye
Commissioner Pisano	Aye
Commissioner Spaulding	Aye
Commissioner Scott	Aye

With six ayes and no nay votes the motion was adopted.

PUBLIC HEARING AND APPROVAL BY MOTION OF TENTATIVE BUDGET FOR FY 2006-2007

Mayor Brooks opened the public hearing. There were no public comments and the public hearing was closed.

Commissioner Prince moved to adopt a tentative budget for FY 2006-2007 as distributed to Council and attached as a permanent part of the minutes. Vice Mayor Ady seconded the motion.

Upon roll call the vote was as follows:

Vice Mayor Ady	Aye
Commissioner Prince	Aye
Commissioner Petruzzi	Aye
Commissioner Pisano	Aye
Commissioner Spaulding	Aye
Commissioner Scott	Aye

With six ayes and no nay votes the motion was adopted.

PUBLIC HEARING AND APPROVAL BY MOTION OF TENTATIVE FIVE YEAR CAPITAL IMPROVEMENT PROGRAM FOR FY 2006-2007 – FY 2010-2011.

Mayor Brooks opened the public hearing. There were no public comments and the public hearing was closed.

Commissioner Prince moved to adopt the tentative Five Year Capital Improvement Program for FY 2006-2007 – 2010-2011, as included in the budget document attached as permanent part of the minutes. Vice Mayor Ady seconded the motion.

City Manager Williams advised the Conway Estates sewer and water repairs were on the Orange County schedule for September 2007; the Conway East water and sewer repair project is scheduled by Orange County for August 2007.

He advised he has not been able to confirm the Daetwyler Shores water system upgrade and fire hydrants was on the 2007 schedule but he has had some indication it will be.

Upon roll call the vote was as follows:

Vice Mayor Ady	Aye
Commissioner Prince	Aye
Commissioner Petruzzi	Aye
Commissioner Pisano	Aye
Commissioner Spaulding	Aye
Commissioner Scott	Aye

With six ayes and no nay votes the motion was adopted.

ADOPTED MOTION TO SET DATE, TIME AND LOCATION OF SECOND PUBLIC HEARING ON THE BUDGET.

Commissioner Pisano moved to hold the second public hearing on the budget as September 19, 2006, 5:30 p.m., or as soon thereafter as possible, Belle Isle City Hall Council Chambers, 1600 Nela Avenue, Belle Isle, Florida 32809. Vice Mayor Ady seconded the motion.

Upon roll call the vote was as follows:

Vice Mayor Ady	Aye
Commissioner Prince	Aye
Commissioner Petruzzi	Aye
Commissioner Pisano	Aye
Commissioner Spaulding	Aye
Commissioner Scott	Aye

With six ayes and no nay votes the motion was adopted.

FIRST READING OF ORDINANCE 06-10 AMENDING CHAPTER 46, ARTICLE IV OF THE BELLE ISLE CODE OF ORDINANCES TO ESTABLISH A PROPORTIONATE FAIR-SHARE PROGRAM PURSUANT TO SECTION 163.3180(16), FLORIDA STATUTES.

Mayor Brooks read the Ordinance by title only as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELLE ISLE, FLORIDA, AMENDING CHAPTER 46, ARTICLE IV OF THE BELLE ISLE CODE OF ORDINANCES TO ESTABLISH A PROPORTIONATE FAIR-SHARE PROGRAM PURUSANT TO SECTION 163.3180(16), FLORIDA STATUES; PROVIDING FOR

**SEVERABILITY; AND PROVIDING AN
EFFECTIVE DATE.**

Mayor Brooks opened the public hearing. There were no public comments and the public hearing was closed.

Commissioner Spaulding moved to advance the ordinance to second reading. Commissioner Petruzzi seconded the motion which passed unanimously.

Item 16. – Consideration of amendments to zoning fees was pulled from the agenda at the request of the City Manager and with the unanimous consent of the Council.

There being no further business to discuss the meeting was adjourned at 7:40 p.m.

Belinda L. Bateman, MMC