

**CITY OF BELLE ISLE
SPECIAL MEETING
MAY 30, 2007
8:30 A.M.**

The Belle Isle City Council met in special session on Wednesday, May 30, 2007 at 8:30 a.m. in the Belle Isle City Hall Council Chambers, 1600 Nela Avenue, Belle Isle, Florida 32809.

The following members were in attendance:

Mayor William G. Brooks
Commissioner Thomas G. Petruzzi
Commissioner Trudy Prince
Commissioner Charles R. Scott
Commissioner Larry Ady
Commissioner Harvey Readey
Commissioner Lydia Pisano

Absent was Commissioners Spaulding.

ADOPTED ORDINANCE 07-08 ON SECOND READING

Mayor Brooks asked City Clerk Bateman to read the ordinance by title only. The ordinance was read by title as follows:

AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA, RELATING TO HOMESTEAD EXEMPTIONS; REVISING THE AMOUNT OF THE ADDITIONAL HOMESTEAD EXEMPTION FOR LOW INCOME SENIORS IN ACCORDANCE WITH THE AMENDMENT TO SECTION 6(f), ARTICLE VII OF THE STATE CONSTITUTION ADOPTED AT THE 2006 STATE GENERAL ELECTION; PROVIDING FOR ADJUSTMENT OF THE 2007 TAX ROLL FOR THE CITY OF BELLE ISLE, FLORIDA; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

Commissioner Ady moved to advance the ordinance to second reading. Commissioner Petruzzi seconded the motion.

Upon roll call the vote was as follows:

Commissioner Readey	Aye
Commissioner Scott	Aye
Commissioner Petruzzi	Aye
Commissioner Prince	Aye
Commissioner Ady	Aye

With five ayes and no nay votes the ordinance was therefore adopted.

Note: Commissioner Pisano arrived at 8:33 a.m.

Mayor Brooks advised the ordinance's effective date is upon adoption, therefore it is immediately in effect.

CONSIDERATION OF VACATING BELLE ISLE AVENUE

Attorney Lionel Rubio of Winderweedle, Haynes, et al, representing the property owners presented the request. Mr. Rubio advised his clients would like to have a private drive, which they would maintain. Belle Isle Avenue is an access road that has never been paved or maintained by the City. The vacation would allow the property owners to make their own private drive access easement, which would be recorded at Orange County.

Mayor Brooks asked how many homes would be using the drive. The response was that six homes will abut the access drive.

Commissioner Readey asked why the city should vacate the roadway.

Mr. Rubio stated it is currently and always has been an unpaved, dirt road. The owners would like to have an attractive brick access drive. The City of Belle Isle would be alleviated of any responsibility for the access road's maintenance.

Mayor Brooks stated his concern was with the garbage trucks stopping on Hoffner to service the new homes. He asked if the property owners were willing to include a pull-off area for the mail and garbage trucks that would meet FDOT Access Management Procedures.

City Manager Williams advised the owners would have to go through Mark Massaro at Orange County and "No objection" letters would be advisable.

Mayor Brooks added he would want to see a written record from Waste Management and the Postal Service that they would be supportive of having a safe pull off area.

After further discussion council asked that the item be placed on the July agenda for consideration. The property owners are to provide documentation that the Postal Service and Waste Management are supportive of a pull-off area.

It was also stated that the easement agreement for the private roadway is to provide for maintenance of the entire easement area.

MAYOR'S REPORT:

Mayor Brooks reported that he had a conference call with Representative Andy Gardiner regarding the low income project being proposed for Conway Road.

Mayor Brooks stated he had issued an editorial letter to the Orlando Sentinel stating the City of Belle Isle supports low income housing and that the objections being raised to the proposed project on Conway Road are:

1. Too many low income units are being clustered in one area and there are already 7,000 low income housing units within three miles of the proposed project.
2. The area does not have adequate available employment for more low income units. Low income housing should be located in areas that have job opportunities to support low income families.

Mayor Brooks also spoke on the tax reform issue and his concern regarding specific impacts on Belle Isle's budget and ability to deliver city services.

He asked that the City Manager look at the real impact on the city the various proposals would have.

Commissioner Petruzzi asked that the city hold public meetings to educate the residents on the impacts of tax reform. He stated the constituents want to know what will be cut from the Belle Isle Budget.

Mayor Brooks advised he had invited citizens to come this evening to talk about the tax issue. He stated that the least anticipated impact on the budget will be in the \$237,000 - \$400,000 range.

There will be a meeting on June 15, 2007 with the Supervisor of Elections regarding changing our election date and qualifying dates to accommodate an early Presidential Preferential Primary in 2008.

CITY MANAGER'S REPORT

City Manager Larry Williams reported the following:

1. The City is working with Regal Marine Industries to assist them in securing "Field of Dreams" FRDAP Grant dollars to help build their community sports complex.
2. Getting the irrigation water meters installed is delaying the Nela Bridge project.
3. There is a curbing problem with the contractor on Nela/Homewood.
4. There was some unauthorized paving done at an intersection approaching the Bridge. The city asked for a cost estimate for the work, but never authorized the work.
5. Painting the bridge was not included in the contract.
6. He has not received the report back from BrightHouse.
7. City of Edgewood does not have "WI-FI"; not in city hall and not city-wide.
8. Mr. Williams advised Mr. McCawley asked for additional landscaping and other assistance to protect his private property. Mr. Williams stated it is up to Mr. McCawley to protect his own property.
9. Mr. Edge is working with Mr. Collins on a landscape plan. The estimated cost to remove and replant the trees with the sizes Mr. Edge is requesting will be \$18,400. \$4,500 is for the tree removal.
10. He reported that the Swann Beach contractor is working on the punch list and irrigation systems.

- Commissioner Scott asked if the maintenance crew would use our water wagon to water the trees. Mr. Williams responded affirmatively.
11. Hoffner Drainage Project has been modified to use pre-cast mitered end inlets. The project is being about 82% funded by FDOT grant money.
 12. The city received a binder on the Lake Conway Estates sewer project with no comments. An e-mail has been sent to Larry Tunnel of Orange County Utilities.

Commissioner Petruzzi stated that Sections 1 – 9 have serious defects. Sagging sewer pipes throughout the Estates. Are they proposing to do the repair in phases?

Mayor Brooks responded that he would bring it up to Commissioner Stewart.

Commissioner Petruzzi asked that concerns be related to the poor condition of the entire system.

Mayor Brooks asked City Manager Williams to set up a meeting with Larry Tunnel, Commissioner Stewart, a sewer expert from Boyle and the City Manager and himself.

12. Lake Conway East project is moving along. Service may be extended to residents on "old" Cove Drive.

CITY ATTORNEY'S REPORT

1. City Attorney John F. Bennett advised the Sexual Predator Ordinance is being presented at Council's request. He advised Council there have not been any test cases so far.

The City Commissioners were in favor of adding the ordinance to the City Council meeting in July for first reading.

2. Another look at the Commercial Vehicle Ordinance was requested by Commissioner Ady.

Commissioner Ady moved to suspend enforcement of the ordinance. The motion died for lack of a second.

Attorney Bennett asked if Council wished to consider adding a variance procedure to the ordinance.

City Manager Williams advised that when we dilute the code, it becomes harder to enforce. The current ordinance is working as it is.

Commissioner Ady stated residents are being penalized for having a rack on their personal vehicle.

Mayor Brooks stated this is one incident and it appears to be a commercial rack on a commercial truck.

Commissioner Petruzzi stated the commercial vehicle issue is covered by using a car cover.

3. Mr. Bennett proposed an ordinance regarding eliminating temporary canopies.

Council members asked to have the item added to the agenda today for first reading.

4. Mr. Bennett reported on the status of the City of Belle Isle vs. McCrory. He advised the McCrory property will be sold at public auction on June 15, 2007.

City Council authorized Mr. Bennett to bid on the property up to a maximum of \$178,500 plus unpaid taxes and document stamps. This will ensure the city will at least recoup its costs.

5. Attorney Bennett advised he researched lowering the speed limit under 30 MPH and a traffic investigation must be done to demonstrate warranting the speed limit reduction.
6. Mr. Bennett stated he visited the home on Wind Willow Road that has a vegetable garden in the front yard and will draft an ordinance for the next workshop.
7. Attorney Bennett brought up the Rental Licensing ordinance for Council discussion.

Commissioner Ady stated it is not needed.

Commissioner Petruzzi stated we need to make the landlords accountable.

Commissioner Ady stated we don't need draconian measures to make an owner accountable for their property.

Commissioner Petruzzi stated what the city is dealing with is a residential home that has been converted to a commercial business.

Mayor Brooks stated want the owner responsible for ensuring our codes are met and the proposed ordinance will give us some "teeth" in dealing with owners who don't care about our codes. He added that there are private property rights that must be protected, as long as they comply with the law. A residential unit with four locked and rented rooms becomes a boarding house.

CITY COUNCIL REPORTS

Commissioner Prince asked to have this item on the next agenda for consideration.

Commissioner Prince also stated she had a quote of \$5,570 from Landrum with a Scope of Work.

Mayor Brooks advised a new signature page would be necessary.

Attorney Bennett advised at least two more quotes must be solicited.

Mayor Brooks asked Commissioner Prince to ask for quotes on the same Scope of Service from two additional firms.

Commissioner Petruzzi asked if Mr. Bennett had obtained a copy of the International Property Maintenance Codes that many municipalities and Counties have adopted as their standard?

Mr. Bennett stated he has not seen it.

Commissioner Petruzzi responded that Orange County has it and that he had downloaded it for \$22.00 from the Internet. He stated it is a good basic foundation. Some communities use nuisance abatement and soe incorporate licensing. He asked Mr. Bennett to give us something reasonable.

Mayor Brooks asked City Manager Williams to bring the old nuisance abatement ordinance back to Council for consideration.

Commissioner Readey talked about the east and west intersections at the Nela Bridge and showed sketches of what is being proposed. He also included information on fountains that could be obtained at wholesale pricing. The estimate for the east end island is \$35,000 and there isn't an estimate yet for the west end intersection.

Mr. Readey was asked to obtain three competitive bids to bring back to council.

City Manager Williams advised it will be an addendum to the amendment for the bridge project.

Mayor Brooks stated the proposed plan will be given to the engineer for design and submitted to Council as a change order.

Mayor Brooks asked that the paving contractor be asked for a quote since he is working in the area.

City Manager Williams advised he has the electrical and water plans drawings.

Commissioner Scott objected to the additional expense for unnecessary additions.

City Manager Williams reported for **Commissioner Pisano** that Mr. Moore had resigned from the Code Enforcement Board and she will submit Mr. John Wise of Quando Circle as the replacement at the June 5th regular session.

City Manager Williams advised there is no budget adjustment necessary.

Mayor Brooks asked the City Manager to confirm there is water and electric installed at Montmart Park to the Conway Estates sign so it can be lit and the landscaping can be irrigated.

There being no further business to discuss, the meeting was adjourned at 12:13 p.m.

Belinda L. Bateman, MMC
City Clerk