

**CITY OF BELLE ISLE
REGULAR SESSION
JULY 10, 2007**

The Belle Isle City Council met in regular session on Tuesday, July 10, 2007 in the Belle Isle City Hall Council Chambers, 1600 Nela Avenue, Belle Isle, Florida 32809.

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

Upon Roll Call Commissioners Ady and Spaulding were absent.

APPROVED CONSENT AGENDA

Commissioner Prince moved to approve the consent agenda which included Minutes of the May 30 Special Session and June 5, 2007 Regular Session minutes and the April 2007 and May 2007 Monthly Financial Reports. Commissioner Pisano seconded the motion which passed without objection.

CITY ATTORNEY'S REPORT

City Attorney John F. Bennett advised that Mr. McCrory was able to redeem his property so it looks as though we are not finished with Mr. McCrory's property.

Mayor Brooks asked about the Winn-Dixie issue regarding shopping cart enforcement.

Mr. Bennett responded that the actual wording on the ordinance does allow them 6 months from the effective date to come into compliance. Therefore the ordinance can not be enforced until six months from the effective date.

City Manager Williams assured the Council if they are not in compliance they will be found in non-compliance and brought before the Code Enforcement Board.

ADOPTED ORDINANCE 07-07

The ordinance was read by title as follows:

1 Of 10

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AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA, RELATING TO THE RESIDENCES OF SEXUAL OFFENDERS (THOSE CONVICTED OF A VIOLATION OF SECTION 794.11, SECTION 800.04, SECTION 827.071, OR SECTION 847.0145, FLORIDA STATUTES) WITHIN THE CITY LIMITS OF THE CITY OF BELLE ISLE; AMENDING CHAPTER 8 OF THE CODE OF ORDINANCES OF THE CITY OF BELLE ISLE, FLORIDA, ENTITLED "OFFENSES AND MISCELLANEOUS PROVISIONS", TO ESTABLISH SECTION 8-7 ENTITLED "SEX OFFENDER RESIDENCY PROHIBITION", PROHIBITING SEX OFFENDERS CONVICTED UNDER CERTAIN FLORIDA STATUTES WHEN THE VICTIM OF THE OFFENSE FOR WHICH THE CONVICTION RESULTED WAS LESS THAN EIGHTEEN (18) YEARS OF AGE AT THE TIME THE OFFENSE WAS COMMITTED FROM LIVING WITHIN 2500 FEET OF SPECIFIED LOCATIONS WITHIN THE CITY OF BELLE ISLE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

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

Commissioner Petruzzi moved to adopt the ordinance. Commissioner Scott seconded the motion. Upon roll call the vote was as follows:

Commissioner Ady	Absent
Commissioner Prince	Aye
Commissioner Petruzzi	Aye
Commissioner Pisano	Aye
Commissioner Spaulding	Absent
Commissioner Scott	Aye
Commissioner Readey	Aye

With five ayes and no nays the ordinance was therefore adopted.

2 Of 10

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ADOPTED ORDINANCE 07-09 PROHBITING CANOPY SHELTERS

Mayor Brooks asked for the ordinance to be read by title only. The Ordinance was read by title as follows:

AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA, AMENDING CHAPTER 50, ARTICLE IV, OF THE CITY OF BELLE ISLE LAND DEVELOPMENT CODE TO PROHIBIT THE INSTALLATION OF CANOPY SHELTERS IN RESIDENTIAL DISTRICTS; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Commissioner Petruzzi moved to adopt the ordinance. Commissioner Pisano seconded the motion.

Commissioner Scott asked if any present structures were “grandfathered”.

Mayor Brooks responded that the existing canopy shelters will be allowed until the compliance deadline in the ordinance.

City Manager Williams advised no new permits will be issued after the adoption of the ordinance.

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

Upon roll call the vote was as follows:

Commissioner Ady	Absent
Commissioner Prince	Aye
Commissioner Petruzzi	Aye
Commissioner Pisano	Aye
Commissioner Spaulding	Absent

3 Of 10

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Commissioner Scott Aye
Commissioner Readey Aye

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

ORDINANCE 07-10 ADVANCED TO SECOND READING

Ordinance 07-10 was read by title only as follows:

AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA, APPROVING JANUARY 29, 2008 AS THE DATE FOR THE 2008 REGULAR CITY ELECTION; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mayor Brooks asked for discussion.

Commissioner Prince moved to advance the ordinance to second reading. Commissioner Readey seconded the motion which passed without objection.

ADVANCED ORDINANCE 07-12 TO SECOND READING

The ordinance was read by title only as follows:

AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA, AMENDING CHAPTER 4, OF THE CITY OF BELLE ISLE CODE OF ORDINANCES ADDING A SECTION TO PROHIBIT THE KEEPING OF LIVESTOCK AND POULTRY IN RESIDENTIAL DISTRICTS; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Commissioner Scott asked that the word "domestic" be deleted from the ordinance.

Commissioner Petruzzi moved to advance the ordinance to second reading. Commissioner Scott seconded the motion which passed without objection.

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ADOPTED RESOLUTION 07-09A:

Mayor Brooks asked that the resolution be read by title only. It was read by title as follows:

A RESOLUTION OF THE CITY OF BELLE ISLE, FLORIDA APPROVING REQUEST OF PROPERTY OWNER FOR LOT SPLIT OF CERTAIN LAND HAVING ORANGE COUNTY PARCEL I.D. #24-23-29-8977-00-020 INTO TWO SEPARATE LOTS AS DESCRIBED HEREIN AND PROVIDING AN EFFECTIVE DATE.

Mayor Brooks asked if there were any questions or comments. Hearing none discussion was closed.

Commissioner Petruzzi moved to adopt the resolution. Commissioner Scott seconded the motion.

Upon roll call the vote was as follows:

Commissioner Ady	Absent
Commissioner Prince	Aye
Commissioner Petruzzi	Aye
Commissioner Pisano	Aye
Commissioner Spaulding	Absent
Commissioner Scott	Aye
Commissioner Readey	Aye

With five ayes and no nays the resolution was adopted.

AWARD OF BID FOR BRIDGE APPROACH TRAFFIC ISLANDS

City Manager Larry Williams advised the three low bidders were:

- a. APEC \$50,130.00
- b. Barracuda \$69,600.00

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c. A&M SI \$121,390.00

Discussion ensued regarding specific details of the proposed work, time deadline, and curb type.

Discussion also centered on moving the proposed fountain site from the east end of the bridge to the west end due to the amount of space available. Mayor Brooks recommended vertical curb be used around the base of the center circle island. He also suggested a Type A mountable curb be used at the Nela/Homewood Intersection on the traffic island installations.

Mayor Brooks contacted the low bidder who discussed his bid with the Council via speaker phone. He agreed to a time deadline and assured Council his quote includes all the necessary sawcuts and asphalt removal that would be necessary within the work areas of the islands.

Commissioner Readey moved to award the bid to APEC, the apparent low bidder.

Mayor Brooks advised that former Mayor Mo Rigante has expressed concern with run-off from the bridge. His point was well taken and it was determined the run-off is not significant enough to worry about.

Discussion regarding a ribbon cutting for the Bridge project ensued. It was determined by Council to keep it low key, inviting those people to whom you wish to invite and those who were the driving force behind the improvement project.

Commissioner Scott asked if the Finance position was still open and the response was that it was but a promising applicant has been interviewed.

Commissioner Scott asked about an additional street light being installed on Horizon Court. The estimated cost from Progress Energy is \$1,800.00 which includes a matching fixture, and directional boring.

Commissioner Scott moved to have the City pay for the purchase of one additional street light, the cost to be limited to that of installing a standard street light and that the neighborhood residents' pay the difference for the specialty

6 Of 10

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fixture. Commissioner Prince seconded the motion which passed without objection.

Commissioner Prince asked if a garbage service fee was going to be assessed on the residents to cover the budget short-fall.

Larry Williams responded there is no anticipated shortfall this year. He did recommend to Council that they adopt a waste collection fee before December 2007 so it will be in place should we need it in 2008-09.

Mayor Brooks asked when the Council will have the budget figures.

City Manager Williams responded he will have preliminary budget for discussion at the July 25, 2007 Workshop Session and Budget issues will be on the August 1, 2007 workshop agenda, including TRIM Compliance; and on August 7th Regular session. The Budget Hearings will be held on September 4th and September 18th.

Mayor Brooks stated that after attending several meetings in Winter Park over the past couple of weeks he was amazed to see the Waste Management equipment being used on Winter Park Streets compared to the condition of the equipment being used on our streets.

Commissioner Readey asked if there was any news on PCUMC annexation discussion.

City Manager Williams advised that PCUMC had been in touch with Commissioner Ady so we will see what has transpired when Commissioner Ady returns.

Commissioner Readey said he was shocked at how much the water meter installations at the Nela Bridge were going to cost, an estimated \$17,000 for two meters.

He also reported a utility pole with BrightHouse lines still on it that is leaning a good 10 – 20 degrees out of plumb; and one of the light fixtures on the bridge is broken.

7 Of 10

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Mayor Brooks reported that the lot at Hoffner and Venetian needs maintenance.

He asked that a memo be issued to remind the Belle Isle Deputies they are to carry the Belle Isle Nextel each time they are on duty for Belle Isle.

Mayor Brooks advised there will be two bronze plaques on the west end of the bridge; one dedicating the bridge renovation and the other recognizing the resident committee members that were the driving force behind the project.

Mayor Brooks reported several items to be checked and recommended that the pour in place forms being used along Hoffner should be a 6" form and should be matted with wire mesh.

He initiated discussion regarding several outfalls in Lake Conway Estates.

City Manager Williams stated the contractor recommending using the type inlet that was installed behind City Hall.

Mayor Brooks asked that Dr. Diab's location be included in the bid price and we move forward with it.

Mayor Brooks asked that the deputies be directed to enforce "no parking" on the right-of-ways and sidewalks.

Commissioner Petruzzi stated she was aware of a parking ticket being issued on Sunday afternoon.

Mayor Brooks asked that the Code Enforcement officer be vigilant about the truck and vehicles at the corner of Hoffner and Pennisular Drive.

Mayor Brooks stated there are two houses on Wilks that it would make sense to annex since they face a Belle Isle Street.

Commissioner Pisano asked when there would be another joint Edgewood, Pine Castle, Orange County, Belle Isle meeting.

8 Of 10

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Mayor Brooks stated he was very supportive of meeting with interested parties for both our west and east boundaries. He stated he would like to see a sub-area DRI and re—plan for the entire area.

Commissioner Pisano suggested residents be surveyed about what they would like to see done.

Commissioner Prince commented on the proposed low-mod apartment project on Conway Road and stated it was going to significantly impact our area.

Commissioner Petruzzi commented on the number of homicides in the area over the past three to four weeks.

He advised he attended a meeting at Orange County regarding the Lake Conway Estates public works project. They review 60% plans and got the impression the project might begin July 2008. He asked about the "Orangeburg" product and got the impression Larry Tunnel had never heard of the material. He is expecting an e mail response.

City Manager Williams advised the 60% plan revisions are being made and then there will be another review meeting with 90% plans.

Commissioner Prince advised that the crime rate in the metropolitan Orlando area has become an issue of national concern. The federal level resources that have been sent to work with our local law enforcement agencies are here to determine if their assistance can deliver improved results.

Mayor Brooks stated he received a request from Mr. Buck at the Pine Castle United Methodist Church asking the city to consider a \$2,500 sponsorship this year for Pioneer Days. He asked what the donation was last year and asked that the matter be on an agenda for Council action.

9 Of 10

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There being no further discuss the meeting was adjourned at 7:50 p.m.

Belinda Lathem Bateman, MMC
City Clerk

10 Of 10

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