

**CITY OF BELLE ISLE
REGULAR & WORKSHOP SESSION
OCTOBER 2, 2007**

The Belle Isle City Council met in regular session on Tuesday, October 2, 2007 at 5:30 p.m. in the Belle Isle City Hall Council Chambers, 1600 Nela Avenue, Belle Isle, Orange County, Florida 32809.

Upon roll call the following members were present:

William G. Brooks	Mayor
Trudy Prince	District 2
Charles R. Scott	District 3
Larry I. Ady	District 4
Harvey Readey	District 5
Lydia Pisano	District 6
Eric S. Spaulding	District 7

Absent was Thomas G. Petruzzi, District 1. Commissioner Scott moved to excuse Commissioner Petruzzi's absence. Commissioner Spaulding seconded the motion which passed unanimously.

CITIZENS' COMMENTS

There were no citizens' comments.

APPROVAL OF CONSENT AGENDA

Commissioner Prince moved to approve the consent agenda. Commissioner Pisano seconded the motion.

Several corrections were made to the September 18, 2007 Special Session minutes.

The consent agenda which contained meeting minutes from August 1; August 29; September 4; and September 18th meetings; authorization to enter into continuing engineering services addenda numbers 2008-01, 2008-02, 2008-03, and 2008-04 with HDR Engineering, Inc. was approved unanimously.

PROCLAMATION OF ELECTION

Mayor Brooks read the 2008 Election Proclamation into the record.

By the authority vested in me, WILLAM G. BROOKS, as Mayor of the City of Belle Isle, Florida, I do hereby proclaim and pronounce, as required by law, that a Municipal Election of the City of Belle Isle, Florida will be held on Tuesday, January 29th, 2008; said election to be held between the hours of 7:00 a.m. and 7:00 p.m., for the purpose of electing individuals Commissioners to represent Districts 1 and 7 respectively, each to serve a term of three years beginning April 1, 2008.

Each candidate for such office shall file qualification papers and pay a qualifying fee to the City Clerk of the City of Belle Isle at City Hall, located at 1600 Nela Avenue, Belle Isle, Florida, at any time after 12:00 noon on Monday, November 5th, 2007 and before 12:00 noon on Monday, November 19, 2007.

Candidates wishing to qualify for any office of Council must reside in the District for which they are qualifying, and must reside in the District for which they are qualifying, and must be a resident of the City for one year prior to the date of the election.

This election will be held in conjunction with the Presidential Preferential Primary election at polling locations assigned and announced by the Orange County Supervisor of Elections.

SO BE IT PROCLAIMED THIS 2ND DAY OF OCTOBER, 2007.

APPEAL GRANTED TO STACEY SIMMONS, 6627 FRANCONIA DRIVE

Mr. Stacey presented the appeal to City Council, provided documentation which supported his statements that the HOA and his Homeowners' Insurance both were pushing him to remove the two dead trees, which they did.

After discussion with the appellant and a determination that the property owner is willing to replant desirable trees.

Commissioner Ady moved to grant the appeal and after the replacement trees are planted to return the \$50 tree removal permit fee. Commissioner Pisano seconded the motion which passed with four ayes and two nays.

It was the consensus of Council to revisit the tree protection ordinance to determine if any adjustments were needed.

WORKSHOP SESSION

City Manager's Report:

City Manager Williams reported on the following items:

He has 60% drawings for the Lake Conway Estates Water and Wastewater project.

Florida Supreme Court clarified its position on bonds. Previously issued bonds stay in place as is.

Suggested delay of enforcement of Sexual Predator Ordinance until the test cases are resolved.

He is preparing a RFQ for audit services for FY 2008-09.

He is also working on the RFQ for legal services.

Mayor Brooks stated the dead sod on Hoffner has not been replaced. City Manager Williams advised the sod is too wet to cut.

Mr. Williams advised that there is a missing culvert at Gran Lac and Hoffner which will be replaced.

Mayor Brooks advised the mitered end sections at Mr. Chronister's property do not have the safety bars affixed.

City Attorney's Report

Mr. Bennett reported the following:

All tax increment bonds will now have to be approved by referendum. Previously approved tax increment bonds will remain as they were adopted.

Mr. Bennett advised that there have been two decisions regarding the restrictions placed on where sexual predators can live. Now if your local law is challenged by a sexual predator, the city would have to pay for a private attorney to represent the sexual predator in court and pay all court costs. He advised the two challenges should be resolved in the near future and we will have more information upon which to base our decision.

Mayor Brooks asked if we are already posting names and addresses on our web site.

City Manager Williams responded that we have a link to the Sexual Predator list for residents to use.

Mr. Bennett also advised the Florida Supreme Court has ruled on what substitutes a substantial change to an ordinance. If a change to an ordinance during the adoption process is not substantial and does not change the original purpose of the ordinance, a re-advertising may not be necessary. If the changes stay within the description of the title of the ordinance and are not substantial a re-advertisement is not necessary.

Attorney Bennett reported that Mr. McCrory asked the court for another extension and the court granted an additional 20 days with no further extensions. October 26 is the final date for him to appeal to the court.

Mr. Bennett advised a notebook with all the proposed ordinances was prepared for distribution to the Mayor and Council. These ordinances will be reviewed/discussed at the Council workshop. He asked Council to please review them and be prepared to provide input at the workshop.

Mayor Brooks advised the City Manager is a strong proponent for nuisance abatement and asked that the Manager's previously discussed nuisance abatement ordinance be including in the discussion.

Mayor Brooks asked that we look at Orange County and other nuisance abatement ordinances for comparison.

COUNCIL REPORTS

Commissioner Ady reported discussions with several area residents regarding Pine Castle United Methodist Church properties, their new master plan and properties the church plans to sell.

He reported Pete Vogt commented that the Bridge lighting is blinding and the stop sign at Homewood and Nela is hidden by brush.

Commissioner Ady stated he was prepared to discuss the City Manager's annual evaluation.

Commissioner Prince reported on attending the South Orlando Chamber of Commerce luncheon and advised a presentation by Metro Plan on the Sand Lake Road/Orange Avenue rail station was very impressive.

She stated she was in agreement with Mayor Brooks that we need to move forward in our considerations of the properties lying south of our boundaries.

Commissioner Pisano asked if the developer of the project south of Belle Isle Apartments has filed his plans yet.

Commissioner Scott stated he has not secured the bond.

She stated the Jubilee project has been approved by City of Orlando and will consist of 1100 units and will take 500 students out of the DRI. She stated Lee Vista still has the right to add additional students and has five parcels left to build.

Commissioner Pisano reported that one home in her district is housing seven single adults. The address is 4211 Kezar Court. At 4211 Kezar Court they are always blowing their grass clippings out into the street. She stated she would send Mr. Williams the address of the house on Cranmore she spoke with him about earlier.

Commissioner Spaulding reported Windsor Place HOA is drafting a letter to the city to request a traffic study for speed humps. He advised he will be gone for 10 days and will miss the next regular meeting, but would be at the workshop session.

Commissioner Scott asked that the Pine Castle United Methodist Church be asked to provide a copy of their Master Plan for our next workshop.

Commissioner Scott asked if both the Perkins piers and the Swann Beach deck have been repaired.

City Manager Williams responded affirmatively.

Mr. Scott reported a commercial vehicle is being parked in the City Hall parking lot in the evenings.

Commissioner Readey advised he attended the Tri County League of Cities luncheon last week and the program on Tracking the Trends was very informative. He stated the traffic impact on our community is going to be profound and we need to get moving on having some say in how things affect us.

Commissioner Readey stated the traffic island on the east side of the Nela Bridge is working very well and said he would like to see plants in the center island.

Commissioner Readey asked what the city is doing to eliminate direct outfalls to the lake.

City Manager Williams and Mayor Brooks both responded advising him the City's Drainage Master Plan Phase I, addressed some of the largest outfalls and we are working in Phase II of the Drainage Master Plan to continue retro-fitting outfalls to capture debris and contamination from the first flush of run-off from entering our lakes. Mr. Williams stated that due to the storms of 2004 we are about two years behind schedule, but continuing to make progress.

Mayor Brooks advised City Manager Williams there is a place on Pennisular that is constantly having four or five cars parked in the yard.

Mayor Brooks asked if Council has given any thought to Belle Isle taking over Gondola Drive. Also, we need to pursue the traffic light for the intersection at McCoy Road.

Commissioner Ady presented the evaluation of the City Manager. He gave Mr. Williams accolades for his accomplishments including FEMA reimbursement of 95%, \$85,000 in savings on the Fire Contract, securing \$3 million in Grants.

The total is 277 points divided by 7 equals 39.58 points which is in the 7 – 9% range. After tossing out the low and the high it still is in the same range at 7.79%. Commissioner Ady recommended an 8% increase.

Commissioner Spaulding moved to award an 8% increase; Commissioner Scott seconded the motion which passed unanimously.

There being no further business to discuss, the meeting was adjourned at 7:16 p.m.

ATTEST:

Belinda L. Bateman, MMC
City Clerk