

**CITY OF BELLE ISLE
REGULAR SESSION
FEBRUARY 5, 2008
5:30 P.M.**

The Belle Isle City Council met in Regular Session on Tuesday, February 5, 2008 at 5:30 p.m. in the Belle Isle City Hall Council Chambers, 1600 Nela Avenue, Belle Isle, Fl. 32809.

The following members were present:

William G. Brooks	Mayor
Thomas G. Petruzzi	District 1
Trudy Prince	District 2
Charles Scott	District 3
Larry Ady	District 4
Harvey Readey	District 5
Lydia Pisano	District 6
Eric S. Spaulding	District 7

Also present were City Manager Larry Williams, City Attorney John Bennett, City Clerk Belinda Bateman and others.

Mayor Brooks called the meeting to order and Commissioner Petruzzi gave the Invocation and led the Pledge to the U.S. Flag.

MAYOR'S REPORT:

Mayor Brooks distributed information to the Commissioners regarding the commuter rail South Orange Avenue stop. General discussion ensued regarding concerns with changes to housing densities and reduced parking in the area. The new focus seems to be on pedestrian traffic in the area supporting the rail stop. The Fountains project is being changed at the County's request to include retail, office and multi family residential mixed use on the site rather than the previously planned multi family residential only.

The density in residential units is up from 116 townhomes to 247 apartment units above residential and office space. The discussion continued.

CITIZENS' COMMENTS:

Jon Bergman, 5001 Pleasure Island Road, spoke regarding concerns about crime and the lack of law enforcement patrol in his area.

Mayor Brooks stated the city approved an additional officer 24/7 in the 2008 budget and we have increased patrol. Each shift officer is supposed to drive every street each shift. He stated we have a number of officers that patrol in unmarked cars and that he has asked for higher visibility through the use of more marked vehicles.

City Manager Williams concurred stating the job Commander is working to increase the number of marked units patrolling Belle Isle. He also stated a meeting is already scheduled with the off-duty job Commander to discuss the concerns in Mr. Bergman's area.

Several Commissioners shared Mr. Bergman's concerns and one asked what is the most troublesome time period.

Mr. Bergman responded it seems to be between midnight and six a.m.

Mr. Rich Holladay, 5370 Oak Island Road, shared the same concerns as Mr. Bergman.

CITY MANAGER'S REPORT:

City Manager Larry Williams reported the following:

He advised he met with Pine Castle United Methodist Church Board of Directors regarding annexation and the response was favorable.

Commissioner Ady advised, that as a Board member at PCUMC, he made the motion to pursue annexation which was approved unanimously by the Board.

Mr. Williams advised that John Bennett and he will work on preparation of the Involuntary Annexation, and have the annexation map prepared.

Commissioner Scott moved to notify Orange County of the intent to annex and to prepare the annexation report for the area to be annexed which includes properties within the area bound by Wallace Street, S. Orange Avenue and Oak Ridge Road.

Commissioner Petruzzi seconded the motion which was passed without dissent.

City Manager Williams advised he had also met with a couple of property owners West of Matchett Road between Perkins and Nela who are interested in annexation. He stated he will be working with them to determine if there is interest among enough property owners within the area to pursue annexation.

City Manager Williams reported on the meeting with representatives from City of Orlando, Orange County and Lake Conway East regarding the alignment of Cove Drive intersection. Lake Conway East will pick up an additional 50' of right-of-way and expressed concerns with the location of their entrance wall being so far from the actual intersection after the alignment and stated objections to there being no plans for a Southbound right-turn lane out of the subdivision.

Commissioner Prince asked if any action had been initiated regarding the three houses across Hoffner behind the white fence. They are apparently short term rental units.

Mayor Brooks asked if the property owners of the three homes facing Wilks in the Oaklynn subdivision have been contacted about annexing into Belle Isle?

City Manager Williams responded he had not yet gotten to those items.

APPROVED CONSENT AGENDA:

Item c. – Ad Hoc Committee Recommendations on Employee Survey was pulled from the consent agenda.

Commissioner Prince moved to approve the consent agenda which included minutes of November 28, 2007 Regular Session and January 2, 2008 Special Session and Workshop. Commissioner Petruzzi seconded the motion which passed with six ayes and one nay, the nay vote being expressed by Commissioner Readey.

Discussion ensued regarding the Ad Hoc Committee Recommendations.

Copies of the Ad Hoc Committee's recommendations were distributed to Council.

Discussion continued regarding what needs to be done.

It was the consensus of Council for the city to conduct regular training sessions and have all employees present at those sessions sign an attendance sheet.

It was also the consensus of Council to act on appointment of a Personnel Committee consisting of three members.

Commissioner Prince moved to adopt the Report of the Ad Hoc Committee. Commissioner Pisano seconded the motion which passed unanimously.

Commissioner Scott said he would like to see items 1. and 3. of the report proceed.

Commissioner Readey asked that mileage logs be maintained in all city vehicles. This provides the City with a method of tracking how much gas is being used and keeps track of mileage.

Commissioner Prince moved to have Council appoint a Personnel Committee of three citizens. Commissioner Ady seconded the motion which passed unanimously.

City Manager Williams asked the Council to bring their recommendations for the committee to the next Council meeting for appointment to the Committee.

ADOPTED ORDINANCE 08-01

AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA FOR THE PURPOSE OF ADOPTING THE 2007 COMPREHENSIVE PLAN AMENDMENTS, PHASE II EVALUATION AND APPRAISAL REPORT, ATACVHED HERETO AS EXHIBIT "A" AND THE WATERS UTILITIES WORK PLAN, ATTACHED HERETO AS EXHIBIT "B" PURSUANT TO FLORIDA ADMINISTRATIVE RULE 9J-11 OF THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS.

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

Commissioner Ady moved to adopt the ordinance. Commissioner Prince seconded the motion.

Upon roll call the vote was as follows:

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

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

GRANTED APPEAL REQUESTED BY MR. ED SCHROEDER, PROPERTY OWNER 6832 SEMINOLE DRIVE TO REMOVED FOUR PINE TREES FROM THE REAR YARD OF THE ABOVE REFERENCED PROPERTY.

Mr. Schroeder presented his request to the Council. He advised that the four pines are located within an area of his rear yard that will be inaccessible once his new pool is installed. He stated he is more than willing to replace the trees with other desirable tree varieties in his landscape. He also advised his fiancée is allergic to pine pollen and not having the trees in his back yard would be beneficial to her health. He also stated the pine trees on the property adjacent to him are already infested with pine borer beetles and dying.

City Manager Williams advised a certified arborist did visit the site and determined the subject trees are not infested with borer beetles and warned that the trees are sensitive to grading disturbance.

Commissioner Readey asked if Mr. Schroeder was going to replace the pines with trees that have a larger canopy.

Mr. Schroeder responded that he would like to plant a variety of elm that would grow to 35' – 40' high and provide more shade.

Commissioner Readey moved to grant the appeal and allow the removal of four existing pine trees which are to be replaced with a minimum of 4 individual 4" caliper trees from the approved tree list and that the replacement will be completed with six months of today's date. Commissioner Ady seconded the motion which passed without dissent.

UPHELP PARKING CITATION #016228 ISSUED TO PHILLIP GUYOTE, 5378 JADE CIRCLE:

Mr. Guyote was not present to address the Council with his appeal.

Commissioner Petruzzi moved to uphold the citation and deny the appeal. Commissioner Pisano seconded the motion which passed without dissent.

PASSED FIRST READING OF ORDINANCE 08-03:

AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA, ADDING A NEW CHAPTER AND ARTICLE TO THE BELLE ISLE CODE OF ORDINANCES ESTABLISHING REGULATIONS AND LICENSING REQUIREMENT FOR THE RENTAL OF RESIDENTIAL DWELLINGS;

PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

Commissioner Readey spoke in opposition to the ordinance stating he does not see rental issues as a problem in his District and wondered if the ordinance was necessary.

Commissioner Pisano spoke in support of the ordinance as a method to help protect property values as the housing market continues to fall. She advised more and more properties will be rented by property managers to anyone.

Commissioner Readey asked Council if they didn't think there is another way to deal with the issue.

Commissioner Pisano advised that Conway Crest is promoting short term rentals as short as 30 days, which is violation of our Code.

Attorney Bennett stated he would put the property owner on notice.

City Manager Williams advised that he has been receiving more and more phone calls complaining about rental properties and under the current codes we can't do anything.

Mayor Brooks stated we will have to look at non-homesteaded properties to determine which ones are likely rental units and put the owners on notice of the licensing requirements. He also suggested sending letters to abutting properties to let adjacent property owners know the property next to them is a rental unit and letting them know what we are doing to protect the integrity of the neighborhood. This ordinance gives us a tool to deal with the problems.

City Manager Williams asked that a minor change to Section 7-3 on Page 2 of the Ordinance to have it read... "revocation, suspension or **failure to obtain**.....be made.

Commissioner Petruzzi moved to approve the modification. Commissioner Spaulding seconded the motion which passed with five ayes and one nay vote from Commissioner Readey.

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

Upon roll call the vote was as follows:

Commissioner Ady Aye

Commissioner Prince	Aye
Commissioner Petruzzi	Aye
Commissioner Pisano	Aye
Commissioner Spaulding	Aye
Commissioner Scott	Aye
Commissioner Readey	Nay

With six ayes and one nay vote from Commissioner Readey the ordinance was advanced to second reading.

CHANGE IN DATE FOR MARCH WORKSHOP:

Commissioner Petruzzi moved to change the March 2008 workshop to Thursday, March 27th at 8:30 a.m to accommodate scheduling conflicts with several Commissioners. Commissioner Prince seconded the motion which passed six ayes to one nay, the nay being expressed by Commissioner Readey.

There being no further business to discuss the meeting was adjourned at 8:13 p.m.