

**CITY OF BELLE ISLE
REGULAR SESSION
JUNE 3, 2008
5:30 p.m.**

The Belle Isle City Council met in regular session on Tuesday, June 3, 2008, 5:30 p.m. in the Belle Isle City Hall Council Chambers, 1600 Nela Avenue, Belle Isle, Orange County, Florida 32809.

Mayor Brooks asked Commissioner Scott to give the Invocation and lead the Pledge to the Flag.

Upon roll call the following members were present:

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

Absent was Eric Spaulding, District 7.

Also present were Former City Manager Larry Williams, City Attorney John F. Bennett, Interim City Manager/City Clerk Belinda L. Bateman, Matt West of Ivey Planning Group, Tyrone Smith of Orange County Public Schools, Pamela Miller of HDR Engineering, Inc.; and others.

CITIZENS' COMMENTS:

Mr. Charles Goodwin, 4324 Kandra Court spoke to the Council about the issues relating to the realignment of Cove Drive. He asked if the City Attorney can be utilized in any way to stop the progress of the realignment. He asked for support from the City and Commissioners to help them in their fight to protect their neighborhood. He stated the proposals brought forth for different

1 of 9

Should any person wish to appeal any decision made on any matter at this meeting, a verbatim record of the proceedings will be necessary to contain the testimony and/or evidence upon which the appeal is to be based. Such verbatim record is the responsibility of the appellant.

Any person with a disability as defined within the Americans with Disabilities Act needing assistance to participate in these proceedings should contact the Office of the City Clerk at least 24 business hours in advance of the meeting.

Official records of the City are available through the Office of the City Clerk, 1600 Nela Avenue, Belle Isle, Fl. 32809

configurations of the subdivision wall are a waste of time and money. They want their neighborhood to be left alone, as it is.

Mrs. Sarah G. Goodwin, 4324 Kandra Court, stated the issue is dead and they aren't willing to negotiate.

Mr. Frank Fabrizio, 2906 Nela Avenue, spoke in opposition to the proposed annexations being considered by Belle Isle.

There being no further comments the public comment segment of the meeting was closed.

CONSENT AGENDA:

Commissioner Petruzzi moved to approve items a – e of the consent agenda. Commissioner Pisano seconded the motion which included the following items:

- a. Monthly Financial Report for April 2008.**
- b. Approval of Addendum No. 2008-05 to the Agreement with HDR Engineering, Inc. for professional traffic calming strategies for the Windsor Place subdivision.**
- c. Approval of Minutes from the Belle Isle City Council April 1, 2008 Regular Session; May 6, 2008 Regular Session and May 13, 2008 Special Session.**
- d. Approval of naming "Lagoon Park" as "Trimble Park" in honor of the many years of service to the community given by Jim and Jo Trimble.**
- e. Award of Bid for Miscellaneous Pavement Marking to Price Construction as recommended by HDR Engineering Inc. in an amount not to exceed \$ 35,480.00**

The motion passed without dissent.

Mayor Brooks advised that Commissioner Spaulding, who is not present, has an excused absence.

Should any person wish to appeal any decision made on any matter at this meeting, a verbatim record of the proceedings will be necessary to contain the testimony and/or evidence upon which the appeal is to be based. Such verbatim record is the responsibility of the appellant.

Any person with a disability as defined within the Americans with Disabilities Act needing assistance to participate in these proceedings should contact the Office of the City Clerk at least 24 business hours in advance of the meeting.

CONTINUATION OF A REQUEST BY CONWAY CREST DEVELOPMENT TO ALLOW FOR A DEVELOPMENT WALL CHANGE FROM THE APPROVED PD.

Mayor Brooks advised this item had been carried over from the May 6, 2008 City Council meeting. The owner, Doug Brunk, has asked that the item be delayed until the August Regular meeting. City Council was amenable to the delay.

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

Commissioner Ady moved to postpone further consideration of this matter to the August meeting. Commissioner Petruzzi seconded the motion which passed without dissent.

PUBLIC HEARING: Consideration of an appeal requested by Roberta Melinda Bray, owner of the property located at 20005 and 2005A Hoffner Avenue, to the Planning and Zoning Board's approval of a variance to total square footage of an accessory structure from 300 square feet to 456 square feet on the property located at 1937 Hoffner Avenue and also known as Parcel ID # 18-23-30-3648-00-471, owned by Mitch Melum.

Ms. Melinda Bray, 1959/2005 Hoffner Avenue, presented her appeal stating she felt the board erred in its application of the criteria of the code. She stated she did not believe the variance met any of the criteria as required by the Belle Isle Code.

The applicant, Mr. Mitch Melum, 1937 Hoffner Avenue, stated he has compromised to be considerate of his neighbors; had been misled by the initial information provided by the city as to the size the structure could be; revised his plans to reduce the footprint; made request for a variance to the Planning and Zoning Board; was granted the variance and now is here to answer any questions the Council may have.

Discussion between the Council, applicant and appellant ensued.

Should any person wish to appeal any decision made on any matter at this meeting, a verbatim record of the proceedings will be necessary to contain the testimony and/or evidence upon which the appeal is to be based. Such verbatim record is the responsibility of the appellant.

Any person with a disability as defined within the Americans with Disabilities Act needing assistance to participate in these proceedings should contact the Office of the City Clerk at least 24 business hours in advance of the meeting.

Official records of the City are available through the Office of the City Clerk, 1600 Nela Avenue, Belle Isle, Fl. 32809

Mayor Brooks advised that Mr. Melum has the ability to construct a 600 square foot detached garage in approximately the same location and it would not require a variance.

Interim City Manager Bateman stated the Belle Isle Code does not speak to protecting the lake views of property owners and an adjacent owner could have a screen of trees or tall hedge that would obscure the neighbor's view. She also stated lakefront properties are assessed on the lake front footage they have and not the lake view.

Commissioner Petruzzi moved to uphold the variance granted by the Planning and Zoning Board with the condition that Mr. Melum move the structure five feet further landward and two and one-half feet further off the side property line. Commissioner Ady seconded the motion.

Commissioner Prince stated we need to address the issue of outdoor kitchens within our code and that she would not support the motion.

Commissioner Readey stated he would like to uphold the original ordinance and would not support the motion with conditions as stated.

Commissioner Scott stated he did not see a hardship and would support the motion.

Upon Roll Call the vote was as follows:

Ady	Aye
Prince	Nay
Petruzzi	Aye
Pisano	Aye
Scott	Aye
Readey	Nay

With four ayes and two nays the motion passed.

Mr. Melum was advised there is a 30 day waiting period for any aggrieved party to file a Cert with the Court.

PUBLIC HEARING: ORDINANCE 08-18 Consideration and First Reading of an Ordinance Amending the City of Belle Isle Comprehensive Plan; by Adopting and Incorporating the Public School Facilities Element into the Comprehensive Plan, Amending the Intergovernmental Coordination Element and the Capital Improvements Element; Repealing all Ordinances in Conflict Herewith; and Providing Severability and Effective Date.

Matt West with the Ivey Planning Group and Tyrone Smith with Orange County Public Schools gave an overview of the ordinance and the Interlocal Agreement required.

Matt West advised the State Law requires municipalities to adopt a School Facilities Element into their Comprehensive Plan which requires amending the Intergovernmental Coordination Element and the Capital Improvements Element.

At the end of the discussion Mayor Brooks read the Ordinance by title only:

An Ordinance Amending the City of Belle Isle Comprehensive Plan; by Adopting and Incorporating the Public School Facilities Element into the Comprehensive Plan, Amending the Intergovernmental Coordination Element and the Capital Improvements Element; Repealing all Ordinances in Conflict Herewith; and Providing Severability and Effective Date.

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

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

Approved an Interlocal Agreement for Public School Facility Planning and Implementation of Concurrency

Commissioner Prince moved to approve entering the Interlocal Agreement for Public School Facility Planning and Implementation of Concurrency. Commissioner Ady seconded the motion which passed without dissent.

5 of 9

Should any person wish to appeal any decision made on any matter at this meeting, a verbatim record of the proceedings will be necessary to contain the testimony and/or evidence upon which the appeal is to be based. Such verbatim record is the responsibility of the appellant.

Any person with a disability as defined within the Americans with Disabilities Act needing assistance to participate in these proceedings should contact the Office of the City Clerk at least 24 business hours in advance of the meeting.

Official records of the City are available through the Office of the City Clerk, 1600 Nela Avenue, Belle Isle, FL 32809

ADOPTED RESOLUTION 08-19 ADDING SIGNATORIES TO CITY CHECKING ACCOUNT

**A RESOLUTION OF THE CITY OF BELLE ISLE,
FLORIDA CITY COUNCIL AUTHORIZING
SPECIFIC COUNCIL MEMBERS AS
SIGNATORIES ON THE CITY CHECKING
ACCOUNT.**

Commissioner Ady moved to adopt Resolution 08-19 adding Commissioner Lydia Pisano as a signatory to the City of Belle Isle Checking Account and deleting former City Manager Larry Williams from the Checking Account.

Commissioner Readey seconded the motion which passed unanimously.

CITY MANAGER'S REPORT

Mr. Williams advised he had directed staff to prepare for a Hurricane Drill on Thursday at 2:00 p.m.

Mr. Williams also advised he would like to recommend himself, City Attorney John Bennett and Commissioner Lydia Pisano for the interview committee for the City Manager Candidate screening. He stated there were three candidates he had asked to come in for an initial interview:

Linda McDermott
Susan Boyer
Kent Chichon

The Mayor and Commissioners asked that information on the three candidates be distributed to the entire Council for consideration prior to the Friday interviews.

Mr. Williams was asked if he had predetermined questions he was going to ask each candidate and he was also asked to provide those questions to the Council.

Mayor Brooks asked Mr. Williams if a salary range had been stated to the candidates and if so what?

6 of 9

Should any person wish to appeal any decision made on any matter at this meeting, a verbatim record of the proceedings will be necessary to contain the testimony and/or evidence upon which the appeal is to be based. Such verbatim record is the responsibility of the appellant.

Any person with a disability as defined within the Americans with Disabilities Act needing assistance to participate in these proceedings should contact the Office of the City Clerk at least 24 business hours in advance of the meeting.

Official records of the City are available through the Office of the City Clerk, 1600 Nela Avenue, Belle Isle, Fl. 32809

Mr. Williams responded he advised the candidates the salary range for the position is \$85,000 to \$105,000.

Commissioner Petruzzi asked what the current rate is for the position.

Mr. Williams responded it is about \$95,000 annually.

Mayor Brooks stated it was his preference the entire Council meet all the candidates.

Mr. Williams stated he felt the first review should be an initial screening to narrow the field.

Commissioner Scott stated it would behoove the Council to meet both formally and informally with the candidates.

Mayor Brooks asked if Mr. Williams had spoken to Jim Williams of Winter Park.

Mr. Williams responded affirmatively and advised Jim Williams was looking for a salary of \$185,000 annually.

Commissioner Ady moved to appoint a three person interview Committee consisting of Commissioner Pisano, Attorney Bennett and Mr. Larry Williams.

Commissioner Readey seconded the motion which passed without dissent.

Mr. Williams suggested the City Council hold off reviewing the RFP's for legal services until a new City Manager is in place. He also suggested the review committee consist of Mayor Brooks, Charles Green and David DeArmas.

Mayor Brooks respectfully declined and suggested the new City Manager be the third member of the review committee.

APPROVED PURCHASE OF TEMPORARY TRAFFIC CALMING DEVICES

Should any person wish to appeal any decision made on any matter at this meeting, a verbatim record of the proceedings will be necessary to contain the testimony and/or evidence upon which the appeal is to be based. Such verbatim record is the responsibility of the appellant.

Any person with a disability as defined within the Americans with Disabilities Act needing assistance to participate in these proceedings should contact the Office of the City Clerk at least 24 business hours in advance of the meeting.

Official records of the City are available through the Office of the City Clerk, 1600 Nela Avenue, Belle Isle, Fl. 32809

Interim City Manager Bateman advised Council the order for temporary traffic calming devices is ready to be placed. The Cost for four temporary units is just under \$20,000 and she was seeking Council's authorization for the purchase.

Commissioner Ady moved to approve the purchase of the temporary traffic calming devices from Traffic Logix. Commissioner Petruzzi seconded the motion which passed without dissent.

STATUS REPORT ON PROJECTS PRESENTED BY HDR ENGINEERING, INC.

Pamela Miller, Consulting Engineer from HDR Engineering Inc., presented an overview of current projects.

Mayor Brooks questioned whether there is a better fix for extended outfall pipes than we have been using. He said there must be a design that fixes the problem rather than just delays the inevitable failures we keep replacing with the same fix.

Ms. Miller stated there are other fixes and asked if it is the intent of the Council to pursue a different solution.

Mayor Brooks stated we should look at a design change that is more permanent than what we have been doing.

Ms. Miller stated she will look at some other options for Council to consider.

Ms. Miller continued the status report including the Nela Avenue drainage issues.

Upon conclusion of her report the Mayor asked that copies of all annexation reports be copied to the Mayor and Commissioners.

Mayor Brooks asked that the City Attorney check to ensure there was errors and omissions coverage in the contract with the engineering firm responsible for the drainage improvement designs on Nela Avenue.

Should any person wish to appeal any decision made on any matter at this meeting, a verbatim record of the proceedings will be necessary to contain the testimony and/or evidence upon which the appeal is to be based. Such verbatim record is the responsibility of the appellant.

Any person with a disability as defined within the Americans with Disabilities Act needing assistance to participate in these proceedings should contact the Office of the City Clerk at least 24 business hours in advance of the meeting.

Official records of the City are available through the Office of the City Clerk, 1600 Nela Avenue, Belle Isle, FL 32809

There being no further business to conduct the meeting was adjourned at 8:45 p.m.

ATTEST:

Belinda L. Bateman, MMC
Interim City Manager/City Clerk

Should any person wish to appeal any decision made on any matter at this meeting, a verbatim record of the proceedings will be necessary to contain the testimony and/or evidence upon which the appeal is to be based. Such verbatim record is the responsibility of the appellant.

Any person with a disability as defined within the Americans with Disabilities Act needing assistance to participate in these proceedings should contact the Office of the City Clerk at least 24 business hours in advance of the meeting.

Official records of the City are available through the Office of the City Clerk, 1600 Nela Avenue, Belle Isle, FL 32809