

**CITY OF BELLE ISLE  
WORKSHOP SESSION  
WEDNESDAY, MAY 28, 2008  
8:30 A.M.**

The Belle Isle City Council met in a workshop session on Wednesday, May 28<sup>th</sup>, 2008 at 8:30 AM in the Belle Isle City Hall Council Chambers, 1600 Nela Avenue, Belle Isle, FL 32809

The following members were present:

Mayor Bill Brooks	walked in at 8:45 AM
Vice Mayor Larry Ady	District 4
Commission Petruzzi	District 1
Commissioner Prince	District 2
Commissioner Scott	District 3
Commissioner Readey	District 5
Commissioner Pisano	District 6
Commissioner Spaulding	District 7

Also present were City Attorney John Bennett, Be Bateman, City Clerk and Administrative Assistant, Miriam Rodriguez

Vice Mayor Ady called the meeting to order at 8:33 AM

He said he got a call from Bill Ravenel who said he was interviewed by Channel 6 News in front of his house about a letter from Sheriff Kevin Beary to discontinue all law enforcement services from Belle Isle. I don't see how they could do that since we are paying them.

Mrs. Bateman said we have a verbal agreement, we don't have a contract and it has been going on for years and years, it doesn't have an expiration date. The letter that we have not yet received, from what I saw on TV when they flashed it, basically dealt with they want to institute an MSTU for all enforcement effective October 1st the City Of Belle Isle will not be approved off duty service and he can do that because all off duty work has to be approved by the Sheriff's office. MSTU is a Municipal Service Tax Unit and what they want to do is impose a tax on us for law enforcement so that we are paying the same that Ready Creek and other contractual ones are paying which is higher. What they are not considering is that we pay a county wide tax on our tax bill and I believe something like 73% of the Sheriffs budget comes out of the county wide taxes, the balance of the budget comes out of the unincorporated tax that only county residents pay. In addition we are putting additional cars on the road, manpower, backup support. At this point we want to stand back and see the impact that it will have on this department and its budget.

Commissioner Petruzzi asked if it was possible for us to retrieve a recap of the back up services that we have been providing for this zone.

Mrs. Bateman said we can get a printout of every call that was dispatched on Zone 40 and 41 but will also show calls that are not Belle Isle calls which means that an individual will have to go through the print out call by call.

Commissioner Petruzzi said do we have students looking for intern type assignments in this community I know we have had boy scouts do some work for us, because on that basis that might be an ideal opportunity to not use staff time if we could get students to go through that printout and perhaps we could offer some kind of a credit to the student for their time.

Commissioner Prince said we take two or three Boone high school students senior level and you can give them tasks, they are sharp kids. We pay them minimum wage whatever the school tells us.

Commissioner Petruzzi said I think in retrieving that data we would be able to respond, we know for a fact that sometimes we can't reach our officers because they are on a call outside the city limits which we are paying for, we never objected to that. I think that would be good ammunition to have where we can support that fact or maybe contact the newspaper or news stations to show them our response.

Mayor Brooks walked in at 8:45 AM

Mayor Brooks said he spoke with Chief Tegg who indicated he does support status quo on the deputy side. On the letter from Sheriff Beary obviously he still has to go through one more budget cycle with his County Commissioners and Mayor Crotty. My understanding is that it was Mayor Crotty that initiated actions. He and Sheriff Beary had a press conference themselves on this topic and did not give us notice of the press conference or the letter, I had the letter handed to me by a Channel 6 news reporter, they claim they had sent it to Belle Isle City hall to Larry's attention but when I spoke to Miriam and Be last night we had not seen it yet. It's an annual topic, their real target is Disney and Bay Lake and Lake Buena Vista because of the identical service that they provide for the same situation that we have that is what they view as big money maker if they were to get them to pay the same amount the rest of the county pays that is a huge amount of money, if you google it on the Sentinel's website you will find all the articles that show you how much money they are losing at Disney, Bay Lake and Lake Buena Vista. When I was actually accosted on the way out of my office to my car, camera in face I didn't want to be viewed as the guy jumping in the car saying no comment, so I went ahead and spoke to the guy, I won't choose to step in to the ring, they are attempting to call us out, and with all the annexation in the media, I am not going to be a part of it and I encourage all of you to not be a part of it. It has cost Windermere their annexation. We need to cross our T's and dot our I's better, in essence we could probably win the war but the battles may not be worth it so the likely scenario is we regroup and start all over on all four of them, at least three of the four perhaps dropping out the Hoffner one as it

appears those residents are not interested in voting yes, there are only five of them, if that one looks like a no win situation I think we should just drop it. It is still on the table for you to consider.

We cannot use other cities on the deputy situation they cannot provide mutual aid on the law enforcement side. They can chase someone into our city but they cannot provide law enforcement services. There are some options, let me ask who you are first of all.

I am Julie Salvo of Orange County Public Schools and Matt West of Ivey Planning Group we are here for the public school element on the Comp Plan.

Mayor Brooks said I always like to know who is in the room. I think the issues with respect to options for us are somewhere in between where the County thinks we should go and where we are now and what Commander Wynne had suggested to Larry in the past maybe provide an extra dollar per hour to offset what the county expenses are for their equipment, obviously fuel cost is up, ammos, guns. Or we can have them bill us. Some of these cities have deals where they pay for on a per use basis.

## **MAYOR'S REPORT**

Mayor Brooks said I apologize for being late, I had a family situation. A couple of items of good news. I received notification from Mr. Chris Kearns who is the district traffic operations engineer for the FL DOT District 5 and that is that the signal light at Gondola is now in the funded category, that may be funding for design, we will then be called about funding for construction, our last notification was official, the study has been done, that it was warranted, and that at such time funding was available they will move forward, they have identified funding, it is unclear from his correspondence whether he is specifically funding the design and construction or just the design.

Commissioner Scott said the controllers are in on McCoy and Gondola.

Mayor Brooks said we had the deal with the sidewalk at Judge and Conway, apparently Larry had been in contact with the construction inspectors on the construction job and the position they were all taking was that it was not the contractors that did the breaking of the concrete. I had a conversation with that same individual myself on Friday; I was trying to apply logic to it to the effect that is not their job to defend the contractor they need to be out there protecting the welfare of the public. I mean there is no other work going on out there, is either your contractor or the utility companies' work, the break is easily in the work zone. Then I went on vacation and got a voice message from the same guy saying that he talked to the City of Orlando and in the interest of being good neighbors they were going to go ahead and try to find a way to pay the contractor to fix the broken sidewalk under a concrete pay item for curb and gutter and that they would fix it this time. I told him I was glad that they had chosen to do the right thing. They are going to fix that sidewalk

He went on to say Larry is going to be attending the FCCMA conference starting today through Friday and he has his termination agreement charge to go down there and help us find a replacement. My understanding is that Larry has drafted up a job description of the duties that he has. So hopefully we will hear from him.

I did read with interest the saga that Oviedo has been going through with the recruiting of a City Manager.

He asked Be to speak on the Jim Sapp issue and the four day weeks.

We talked at one time after Jim Trimble passed away about potentially renaming Lagoon Park as Trimble Park. If that is the Councils' desire I'd like to put that on the agenda.

Commissioner Petruzzi asked if we could put it on the consent agenda

Mayor Brooks said it's up to Council. I'd like to see you all go ahead and act on that and also I would like to have Be check prices on the senior exercise equipment so Council would know what it would cost if we decided to go ahead with this equipment.

I had an email from Marie Alrich asking me about closing Trentwood. I just told her we were not aware of any discussions here in the City about potential closing for Trentwood. I basically told her that it was not being entertained by the Council.

In also looking at the meeting minutes regarding Conway Crest we basically continued the open item regarding the north and south wall for the June 3<sup>rd</sup> meeting, so I guess that needs to be on the agenda and they need to be notified.

HDR was given the go ahead on all construction phase services for the park construction and the drainage project designs. By the next council meeting Tuesday night I would like for someone from HDR to come in and tell us in detail what the milestone days are for these projects to start and finish. The park constructions especially because we have bids that have dates to award the contractors.

Mrs. Bateman said we have Ground Werks starting to mobilize today and that's for Montmart and Gene Polk Park. I have a status report from HDR on all open projects

Mayor Brooks said, last thing from my report, Attorney Bennett there was an email from Larry around mid May about a debate between us and the water management district about shoreline alterations permit and whether they were correct in their assertion or whether we were.

Attorney Bennett said Gayle has that, I didn't know it was going to be on the agenda so I didn't ask her.

Mayor Brooks said I think if we do what they ask us to do is going to cost us a lot of money to go back and re-permit all those projects that they gave us permits for and to now say we decided differently now we think you need to have all of this. We need to stand up for our rights here we got permits that they issued.

The last thing from the meeting minutes I brought up a point and the minutes don't quite accurately reflect this and if you can fix this that would be good. We had a discussion about the Nela Avenue drainage problems that have been created as result of the curbing and the paving project and we had a discussion for the need to install French drains behind the curb or whatever the design specs is versus other options and being in the neighborhood of a million dollars the budget for this project which is obviously exorbitant in my opinion if the civil engineer doesn't adequately address how to drain the roadway in the design of a project that includes curbing and paving, then we should be seeking error and omissions coverage from their liability insurance carrier. The minutes seem to reflect contractor that is not what I was referring to, I was referring to the consulting engineers as the people that we need to seek errors and omissions that's what liability coverage is for.

That's all I have since we have a school board representative here, do we want to dispense with that item and let them get on with their day.

Mrs. Bateman said what Matt is here for is to advise the council as to the review of the public school facility element, it is just a brief overview of what you are expected to do with this document before Tuesday.

Matt West said thank you, in 2005 the board of education passed a bill that required a school concurrency and just like any other development that has to provide traffic studies, schools also have to be tested to make sure that they are operating at an adopted level of service for any new residential project. So what you have in this packet is a series of goals projected and policies. The senate approved that you have to have a public school facility element that you have to have an interlocal agreement with the school board that implements school concurrency. We tried to get the city to meet the exemption requirement if a city didn't have issued so many residential permits in a time period, because they weren't growing they could be exempt from the requirements but you guys were just over the threshold where you couldn't be exempt. You grew a little bit too much. What you have in this packet is a product of trying to meet a state mandate that all the cities and the county have a concurrency program. The penalty of not doing this is that you couldn't increase density in the city.

Mrs. Bateman said thank you for the overview and we are going to ask that the Council be prepared to adopt this at the June 3<sup>rd</sup> meeting.

## **CITY MANAGER REPORT**

### **Be Bateman said,**

- Jim Sapp – he filed a Workers Comp claim for sciatica. He asked to withdraw the claim. He just needs to be on light duty for two months. He has now returned to work on light duty.
- We made a couple of minor changes. We have moved the time clock to the warehouse we have not yet but will change the locks with the combination locks. We have had a breach in the building where offices are being accessed, computers are being accessed and documents have been disappearing. Our original copies of the annexation report disappeared from the front counter and later we hear people discussing in detail the annexation. The maintenance crew will do the maintenance of the building while the office is open. We can install monitors, cameras that would give us further security in the building.

Mayor Brooks said on that topic I would like to suggest that we get them at Perkins Boat Ramp.

Mrs. Bateman said we will include that. I believe we have corrected any problems we had at the warehouse. We had purchased some hand tools that were missing; all hand tools are now engraved. The keys can not be duplicated. We are also going to schedule First Aid training. I talked to Staff about the four day week. I have decided to work five eight hour days. I will be here Monday to Friday. I just feel we have to have consistency. It has been tough to keep up with the work when you have two employees off on Monday and two off on Friday; however, I will tell you they all prefer the ten hour days.

Vice Mayor Ady said would it be feasible to just have the maintenance crew on ten hour days

Mrs. Bateman said that would be up to Council.

Commissioner Spaulding suggested nine hour days and one eight hour day, it gives you a three day break every other week

Mrs. Bateman said our pay period is based on a 40 hour week but we can change our pay period to 80 hour two week period except for Code Enforcement, as she works one Saturday a month.

Commissioner Petruzzi said the last several weekends we have had many for sale signs

Mrs. Bateman said I have noticed some marked improvement on Hoffner

Commissioner Petruzzi asked how much of her job description is really dedicated to P&Z

Mrs. Bateman said 60% is Code enforcement and 40% is P&Z and plans review. I will tell you first hand experience I think the person we have doing Code Enforcement is the perfect fit for that job. I don't think she is the perfect fit for the P&Z job. She is not comfortable with calculating ISR and I think if the Council was to consider additional personnel a full time planner on staff, we are spending more on engineer consulting services then it would cost us to have a full time engineer on staff. I'd like to add for the consent agenda councils' amendment for the work period to be an 80 hour work period

Mayor Brooks said you also have those engineers do design work.

Commissioner Petruzzi said is it reasonable to have a discussion to hire an entry level or an engineering student

Mayor Brooks said this new City Manager with input from Be would have to address a budget cycle TRIM CIP cutbacks required by laws, staffing needs, council's vision and I can tell you this we had a good value from Larry. He could have been making a lot more money.

Mrs. Bateman said clean up day flyer is going out to residents. Clean up day is June 14<sup>th</sup>. Hazmat will be here.

Commissioner Spaulding asked if we could put this information on the website.

Mayor Brooks said we had a going away date with the staff for Larry on June 5<sup>th</sup> at 5:30 PM, we could invite citizens, employees, past and present board members, engineering firms, metroplan, deputies, Waste Management, vendors. He said he will get with Be on wording for a plaque.

Mrs. Bateman said Larry is having problems accessing the phone and the computer. We are using his personal phone. We are doing our best to stay in touch with him.

## **ATTORNEY REPORT**

1. Annexation – Attorney Bennett handed out a document and explained the county's objections and our responses.

Mayor Brooks asked about the Personnel Committee and what do we need to do to present them with their duties.

Mrs. Bateman said I would strongly suggest to wait for the new City Manager to begin that process.

Mayor Brooks asked if the appointments would stay the same.

Commissioner Scott suggested to send a letter to the Personnel Committee to “sit tight”

## **COUNCIL REPORTS**

ERIC SPAULDING – just curious as to when the temporary speed tables for Windsor Place

Mrs. Bateman said I have the information, I need to know how many we need.

Mayor Brooks said he thought Larry had ordered them and they were on their way

LYDIA PISANO asked if the tree ordinance trimming has been done

Attorney Bennett asked if we wanted that on the next workshop agenda

Commissioner Pisano said yes

- Tomorrow night at the Theater National Church, 5235 Hoffner from 5-7 PM regarding FDOT plans on the Hoffner widening project, four lanes from Hoffner to Lee Vista.
- Conway beautification extend overlay from Lake Margaret to Hoffner East and from Conway East to 436 and they are trying to get matching grants for resurfacing
- Residents survey – she asked Be if we could get that back again for next workshop.

COMMISSIONER SCOTT – had a question about the sidewalk on Judge but that has been answered.

COMMISSIONER PRINCE – No report

COMMISSIONER PETRUZZI - talked about the beautification project on Hoffner and how they showed him photos and art renderings of Hoffner. We used to have trees on Hoffner, they took parking spaces to put trees in.

Commissioner Pisano said they are trying to put live oaks every fifteen feet that will be watered with a hand truck for two years.

VICE MAYOR ADY – asked if Lagoon Park could be mowed and discussed the Harrel Mansion.

HARVEY READEY- said he just wanted to share some research work; it is new information regarding Rachel's. I have been in contact with the City Clerk and a Commissioner at Casselberry and basically as we all know entertainment places like these are legal but what goes on in there is racketeering where the girls are sold on the side. He had some documents he wanted to share with the Council. He said he will be making copies for everyone.

On a lighter note, he said we got the new Nela Isle signs, they look like bronze I would like Council to authorize reimbursement

Mayor Brooks said for us to pay for it, I think the proper mechanism would be a matching grant.

Commissioner Readey said a matching grant for \$300? I make a request to put on the agenda to pay the HOA \$300 for the plaque.

Also, he said he had an issue on the bridge; we did a lot of work to get rid of the cracking on the corner of the bridge. It came to the expansion joints, they didn't do it and it is now cracking maybe we could have the engineer come out and take a look at it.

#### **Discussion of Ordinance 08-06 establishing minimum maintenance codes**

Mayor Brooks said the intent all along is to give Code Enforcement the tools.

Attorney Bennett said we worked with Kissimmee and we embodied this one

Mayor Brooks said this was a Kissimmee Ordinance and that is what went to first reading. This was not intended as a code enforcement check list, it is more of a reactionary tool. Whatever the nuisance is this gives us the tool.

Commissioner Ready expressed his concern for vagueness on the language of the Ordinance.

Mayor Brooks said I think we should implement it and if we have problems we could revisit it if we have to.

Attorney Bennett said anytime you write an ordinance you are first with the dilemma to use broad language or precise language. The problem is if you go to precise you can go to a 300 page ordinance but if you go too broad, then you leave it to interpretation. What we are trying to do is balance.

Commissioner Petruzzi asked Mr. Bennett if he could get more background as to where the language came from.

Attorney Bennett said the language came from Kissimmee who took it from the international property maintenance code. The language is recommended across the country.

Commissioner Scott said I think we are duplicating other parts of the code.

There being no further items on the agenda, meeting was adjourned.

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Miriam Rodriguez  
Administrative Assistant