

CITY OF BELLE ISLE
SPECIAL SESSION
SEPTEMBER 16, 2008

The Belle Isle City Council met in Special Session on Tuesday, September 16, 2008 in the Belle Isle City Hall Council Chambers, 1600 Nela Avenue, Belle Isle, Florida.

The following members were in attendance:

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

Absent was Larry Ady, District 3.

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

Mayor Brooks called the meeting to order at 5:30 p.m. and Commissioner Pisano gave the Invocation and led the Pledge to the Flag.

CITIZENS' COMMENTS:

Mayor Brooks recognized that there a number of residents in the audience to discuss the Cove Drive realignment issue. He set a five minute time period for each side of the issue to present their comments/views to the Council.

Mr. Gary Adamkiewicz 4215 Quando Drive, asked for help from the city to slow down speeding on Quando Drive and asked if a stop sign could be installed at the intersection of Sol and Quando. He also stated he had asked for speed humps to be installed and had no response.

Mayor Brooks responded that the speed table issue had been discussed and there was inadequate support from the residents to install them. He advised a traffic warrant study would be necessary to determine if speed tables are warranted. He advised he wasn't aware a stop sign had been requested and that issue can be brought to the City Council for consideration.

Mr. Dave Kaufman, 4356 Quando Drive, stated that the residents who voted down the speed humps don't live in his area of the neighborhood. He also stated some of the residents that live in the back area of the neighborhood are inconsiderate of his area of the neighborhood which is demonstrated by speeding and lack of concern for pedestrian safety in his area.

Mr. Adamakiewicz, 4215 Quando Drive, asked if we could have a radar detail during the morning and afternoon business hours to curtail speeding on Quando and he said he would like to see some temporary speed tables installed.

Mr. Sonny Poff, 4344 Kandra Court, advised the neighborhood voted down speed tables in the past by a slim margin a few years ago.

Commissioner Pisano stated she had spoken with Bill Burns from the City of Orlando at 5:00 p.m. prior to coming to the meeting this evening and Mr. Burns had indicated FDOT is no willing to waive any part of the engineering fee.

Ms. Kathie Hayes, 4325 Quando Drive, stated she had spoken with Vincent Viacchiano, FDOT at 5:30 this evening and he said there ought to be a way to work on the cost issue.

Mr. Charles Goodwin, 4324 Kandra Court, spoke in support of asking the City of Orlando and FDOT to revert back to the "Plan B" design for the Cove Drive/Conway Road intersection. Mr. Goodwin, speaking on behalf of the Conway East residents, outlined the reasons the neighborhood residents should be supported by the City Council in their desire to change their mind on the previously presented design. He further stated that the residents of Conway East should not be held responsible for the engineering costs associated with the second design.

Mayor Brooks, Commissioner Pisano and City Manager Bateman responded to specific statements made during Mr. Goodwin's comments. Mayor Brooks stated the original design is obviously less expensive to build that the alternative plan with five traffic lanes and FDOT and Orlando should be inclined to go back to the original plan.

Commissioner Pisano stated she fully supported the residents of Lake Conway East.

Commissioner Prince stated she supported going back to the plan with fewer lanes of pavement. She stated that through this issue the Council had tried to serve the residents by supporting what the neighborhood asked for. She advised that this has been a lesson to all parties and we should remember to be careful

of what we wish for as we just may get it. She suggested looking at ways the cost of the engineering might be shared.

Commissioner Petruzzi advised he had received many e mails and phone calls and was amazed at the distortion of fact he heard regarding the Mayor and City Manager.

He advised he is supportive of a plan with less pavement and that the engineering cost is something that should be approached from a cost-share position.

Commissioner Spaulding stated he also supported the plan with less pavement and traffic lanes. He advised the entire Council only wants whatever it is the residents' want. He stated his concerns lay with the perceived mistrust when each step taken by the Council was in support of the residents requests. He suggested we send forth our best negotiator to deal with the engineering cost.

Commissioner Scott advised that the Council's actions, which were exercised in good faith, were battered about. He stated the Council did act in good faith in that we were asked by the residents of Lake Conway East to support a plan, which we did. Then we were asked to undo something we had done in good faith.

One comment he stated he wanted to respond to had to do with a comment from a resident to "take the \$13,000 out of the taxes we pay". Commissioner Scott reminded the residents that only a very small portion of the tax bill we pay comes to Belle Isle.

He stated he was still undecided about what he will support and will reserve further comment. He expressed concern regarding two adjacent property owners that will be impacted by the additional right-of-way area and whether they support the change.

Commissioner Pisano responded that Mr. Goodman is in support of the change and Mr. Shumate stated previously he would go along with whatever the majority wanted to do.

Commissioner Readey stated he is in support of going back to a less pavement intensive plan and feels the City can negotiate with Orlando and FDOT regarding the \$13,000 engineering costs.

Commissioner Pisano moved that the City of Belle Isle support a return to the three traffic lane plan as offered by Bill Burns, City of Orlando, and that the City of Belle Isle pay up to \$13,000 to the City of Orlando to accomplish that change,

with an attempt to negotiate the additional considerations back into the plan and that the Lake Conway East HOA issue a letter to the City of Belle Isle agreeing to the above stated plan without conditions and memorializing their support of reverting to the three-lane plan. Commissioner Readey seconded the motion which passed unanimously.

PUBLIC HEARING: Consideration and approval by Resolution 08-25 of final millage rate for FY 2008-2009 of 3.5378 mills

Mayor Brooks opened the public hearing, there being no public comments, he closed the public hearing and opened it to Council.

Commissioner Spaulding moved to approve final millage rate for FY 2008-2009 of 3.5378 mills

Commissioner Petruzzi seconded the motion which passed unanimously.

PUBLIC HEARING: Consideration and approval by Resolution 08-26 of FY 2008-2009 ANNUAL BUDGET in an amount of \$7,298,396.00 as presented in Exhibit "A" attached thereto.

Mayor Brooks opened the public hearing, there being no public comments, he closed the public hearing and opened it to Council.

Commissioner Scott moved to approve by Resolution 08-26 of FY 2008-2009 Annual Budget in an amount of \$7,298,396.00 as presented in Exhibit "A" attached thereto.

PUBLIC HEARING: Consideration and approval by Resolution 08-27 of Five Year Capital Improvement Program for FY 2008-2009 through FY 2012-2013 as presented in Exhibit "A" attached to FY 2008-09 Annual Budget document

Mayor Brooks opened the public hearing, there being no public comments, he closed the public hearing and opened it to Council.

Commissioner Spaulding moved to approve Resolution 08-27 of Five Year Capital Improvement Program for FY 2008-2009 through FY 2012-2013 as presented in Exhibit "A" attached to FY 2008-2009 Annual Budget document.

Commissioner Pisano seconded the motion which passed unanimously.

CONSENT AGENDA

Commissioner Prince moved to approve Consent Agenda Items a-c which included the minutes from the August 5, 2008 Regular Session; Change Order No. 1 to the Contract with Groundwerks for aluminum rail fencing at Gene Polk Park in an amount not to exceed \$9,5000; and Change Order No. 2 to the contract with Groundwerks for landscaping maintenance work and new signage in an amount not to exceed \$9,000.

Commissioner Spaulding seconded the motion which passed unanimously.

CONSIDERATION OF STAFF RECOMMENDATION TO ENTER A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF BELLE ISLE AND FISHBACK, DOMINICK, BENNET, STEPTER, ARDAMAN, AHLERS, BOLTON AND LANGLEY LLP FOR LEGAL SERVICES

Commissioner Readey moved to approve Staff recommendation.

Commissioner Prince seconded the motion which passed unanimously.

CONSIDERATION OF CHANGE IN DATE FOR NOVEMBER 4TH CITY COUNCIL MEETING DUE TO FEDERAL ELECTION

It was unanimously agreed to change the date to Wednesday, November 5th, 2008 City Council meeting.

RESOLUTION OPPOSING VARIANCE FOR BEER/WINE/LIQUOR LICENSE WITHIN 1,000 FEET OF SCHOOL

Discussion ensued regarding a variance request being made to Orange County to allow the sale of beer/wine within 1,000 of a school.

Commissioner Petruzzi moved to adopt a resolution in opposition to the variance. Commissioner Spaulding seconded the motion which passed unanimously.

With no further business to discuss the meeting was adjourned.

Belinda L. Bateman, City Manager