

**CITY OF BELLE ISLE  
REGULAR SESSION  
OCTOBER 7, 2008  
5:30 P.M.**

The Belle Isle City Council met in Regular Session on Tuesday, October 7, 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
Charles Scott	District 3
Larry Ady	District 4
Harvey Readey	District 5
Lydia Pisano	District 6

Not present were: Trudy Prince, District 2 and Eric S. Spaulding, District 7

Also present were City Manager Be Bateman, City Attorney John Bennett, City Clerk Miriam Rodriguez, and others

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

**CITIZENS' COMMENTS:**

1. Chuck Goodwin gave the Council an update on the Lake Conway Estate construction. He also asked for an Amoeba Warning sign and a four way stop sign at Cove and Sol
2. Jim Sandusky of Windsor Place spoke on the quality of the retention pond behind his house. He presented pictures to the Council.

Mrs. Bateman said CJ's lake care has been applying a special treatment.

**CONSENT AGENDA:**

- a.) Minutes of September 16, 2008 Special Session
- b.) Addendum No. 2 to Addendum No, 2008-08 to the Agreement dated June 25, 2007 between The City of Belle Isle, Florida and HDR Engineering, Inc for the drainage easement for the Lake Drive outfall

- c.) Addendum No. 2 to Addendum No. 2008-09 to the agreement dated June 25, 2007 between the City of Belle Isle, FL and HDR Engineering, Inc for the Horizon Court outfall improvements.

Commissioner Petruzzi moved to approve the consent agenda. Vice Mayor Ady seconded the motion which passed unanimously.

**PUBLIC HEARING: Consideration of an appeal requested by Arsenio and Kathy Mestre, property owners of 3525 Cullen Lake Shore Dr., Belle Isle, FL 32812 also described as Parcel ID #17-23-30-4391-20-820, Belle Isle, Orange County, Florida, to the Planning and Zoning Board's denial of a variance to rear setback from the 86.9 from Thirty Five (35') feet to Ten (10') feet at the rear of the property for a pool.**

Mayor Brooks reminded the Council that the appeal request will be conducted as a Trial de Novo and that new evidence or testimony may be presented during the hearing, as well as the evidence from the Planning and Zoning Board's hearing on the request.

Mrs. Mestre presented her appeal by stating that it is a large front yard but a very narrow yard with a sturdy seawall. She said she came more prepared than what she was at the last P&Z meeting. She presented photos of pools around the neighborhood with setbacks.

Commissioner Pisano said she would make a motion in support and approve the grant appeal.

Vice Mayor Ady seconded the motion which passed 3:2 as Commissioner Petruzzi and Commissioner Scott voted Nay.

**SECOND READING AND ADOPTION OF ORDINANCE 08-18**

**AN ORDINANCE AMENDING THE CITY OF BELLE ISLE COMPREHENSIVE PLAN TO IMPLEMENT PUBLIC SCHOOL CONCURRENCY REQUIREMENTS MANDATED BY THE STATE OF FLORIDA; ADOPTING AND INCORPORATING THE PUBLIC SCHOOL FACILITIES ELEMENT; AMENDING THE CAPITAL IMPROVEMENTS ELEMENT; AMENDING THE INTERGOVERNMENTAL COORDINATION 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 adopt the ordinance. Vice Mayor Ady seconded the motion which passed unanimously.

Upon roll call the vote was as follows:

Vice Mayor Ady	Aye
Commissioner Petruzzi	Aye
Commissioner Pisano	Aye
Commissioner Scott	Aye
Commissioner Readey	Aye

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

Mr. Matt West of Ivey Planning Group asked for a motion to adopt the Interlocal agreement as well.

Vice Mayor Ady moved to adopt the Interlocal Agreement. Commissioner Pisano seconded the motion which passed unanimously.

**CONSIDERATION AND FIRST READING OF ORDINANCE 08-26:**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELLE ISLE, FLORIDA, AMENDING CHAPTER 48, ARTICLE III SECTION 48-63(b) OF THE BELLE ISLE CODE OF ORDINANCES TO PROVIDE DEFINITIONS RELATED TO REMOVAL AND DESTRUCTIVE PRUNING OF TREES WITHIN THE CITY OF BELLE ISLE, PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

Commissioner Petruzzi moved to advance the ordinance to second reading. Commissioner Pisano seconded the motion which passed unanimously.

Upon roll call the vote was as follows:

Commissioner Ady	Aye
Commissioner Petruzzi	Aye
Commissioner Pisano	Aye
Commissioner Scott	Aye
Commissioner Readey	Nay

With five ayes no nays the ordinance was advanced to second reading.

### **Consideration of site assessment by HDR regarding two large holes in the vicinity of the drainage outfall for Lake Conway Estates**

Mayor Brooks stated this is a project that needs to be properly maintained and fixed.

Vicki Berkowitz of HDR said the plan is to line the pipes due to the existing wet conditions, the corrugated metal pipes rust. What we would propose would be to line the pipes with a plastic lining that should last approximately 15-20 years.

Commissioner Petruzzi moved to move forward with this project.  
Commissioner Readey seconded the motion which passed unanimously

### **Consideration of Waste Management CPI increase and request of fuel adjustment**

Mrs. Bateman stated Mr. Jim Swan was going to be here and do a presentation for the fuel adjustment, since he is not here, we will just look at the CPI increase.

Vice Mayor Ady moved to approve the request of 2.9 increase subject to review and verification that that is the proper amount

Commissioner Petruzzi seconded the motion which passed unanimously.

There being no further business to come before the Council, meeting was adjourned.

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Miriam Rodriguez  
City Clerk