

**CITY OF BELLE ISLE  
SPECIAL SESSION  
SEPTEMBER 9<sup>th</sup>, 2009  
5:30 P.M.**

The Belle Isle City Council met in Special Session on Wednesday, September 9th, 2009 at 5:30 P.M. in the Belle Isle City Hall Council Chambers, 1600 Nela Avenue, Belle Isle, FI 32809.

The following members were present:

William G. Brooks	Mayor
Larry Ady, Vice Mayor	District 4
Keith Severns	District 2
Charles Scott	District 3
Harvey Readey	District 5
Lydia Pisano	District 6
Eric S. Spaulding	District 7

Not present was Commissioner Thomas G. Petruzzi, District 1

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

Mayor Brooks called the meeting to order.

**CITIZENS' COMMENTS**

1. Karl Shuck of 1658 Wind Willow Road said his daughter was the last sixth grade class of 82-83 trying to get a reunion together, please pass the word along
2. April Rosenbloom of 1315 Waltham asked if the code enforcement position was being eliminated

Mayor Brooks responded that the Citizens comments session was not a question and answer session. Mrs. Rosenbloom spoke of her concern about her neighborhood.

Mayor Brooks responded that we will have code enforcement with the remaining staff and police department.

Mrs. Rosenbloom said she has seen some public records, she is concerned about the budget cuts, some people are being overpaid.

Mayor Brooks assured her that we will uphold the City's quality of life.

3. Sarah Goodwin of 4324 Kandra Ct said I would like to mention the overload. I have made several calls and no results from your engineer, I would like to get some answers

There being no further comments. Mayor Brooks closed the Citizens Comments session.

**PUBLIC HEARING: FIRST BUDGET PUBLIC HEARING.** Consideration and adoption of a tentative budget. Millage and Five Year CIP and adopting time, date and location of the Second Budget Hearing which will be Wednesday, September 23, 2009 at 5:30 PM

Mayor Brooks opened the public hearing.

1. Karl Shuck of 1658 Wind Willow Road said my concern is there was not a copy on the website that I could review before tonight.

Lucia Ramos said the budget has been on the website.

2. James Foshee of 1611 Overlook said I know we are under budget, how can we increase my taxes.
3. Manuel Umpierre of 2114 Belle Isle Avenue said my concern is the tax proposed budget. Do you have any input? It has gone over 3% cap.

Mrs. Bateman said that is under Orange County Property Appraiser Office.

Mayor Brooks said OCPA will provide you with information on how to appeal your assessment.

There being no further comments, Mayor Brooks closed the public hearing and opened it to Council for discussion and a motion. The motion is to approve and advance the budget for adoption to the second public hearing on Wednesday, September 23, 2009 at 5:30 PM and adopt millage which is the 3.7432 rolled back rate.

Commissioner Readey moved to approve first reading and advance to second public hearing for adoption of budget, millage rate of 3.7432mils roll back rate.

Commissioner Pisano seconded the motion which passed unanimously.

Commissioner Spaulding moved to adopt the five year CIP

Vice Mayor Ady seconded the motion which passed unanimously.

Commissioner Spaulding moved to adopt time date and location of the second budget hearing which will be Wednesday, September 23, 2009 at 5:30 PM at City of Belle Isle City Hall.

Vice Mayor Ady seconded the motion which passed unanimously.

### **CONSENT AGENDA**

- a) Minutes of July 29, 2009 workshop session
- b) Proclamation – Ovarian Cancer Awareness Month
- c) Proclamation – Constitution Week
- d) Statement of Support for the Guard and Reserve
- e) Finance Statements May and June 2009

Vice Mayor Ady moved to approve Consent Agenda.

Commissioner Pisano seconded the motion which passed unanimously.

### **PUBLIC HEARING**

Authorization for EAR base amendments, Presentation by Jordan Smith of Ivey Planning Group.

Jordan Smith said the City of Belle Isle has amended their Comp Plan twice. The City of Belle Isle Comprehensive Plan is required by state law and guides the City's existing and future development.

By Florida Statute 163, each city and county in Florida must adopt a comprehensive plan. The City of Belle Isle has amended their Comprehensive Plan two times since its last updated in 2003. The state of Florida allows the plan to be amended twice-a-year, separate from statutory amendments, emergency situations, and minor land use changes.

What is the Evaluation and Appraisal Report (EAR)? The Report evaluates how successful the City of Belle Isle Comprehensive Plan is in addressing major community land use planning issues. State law requires that every 7-years, each city and county complete a report for their comprehensive plans.

What are the EAR-Based Amendments?

- Each city and county must amend its comprehensive plan to address the issues identified in its EAR report
  - o Review original recommendations and modify the goals, objectives, and polices
- State Mandated Amendments

- New State statutory requirements that will impact the City of Belle Isle Comprehensive Plan will be included with the recommended amendments
- State law requires this process to be completed February 28, 2010.

#### Energy Policies

- Approval of House Bill 697 caused changes to Chapter 163.3177(6), F.S.
- Amended the Comprehensive Plan to consider the new requirements

#### Duplicate Policy

- Policy was deleted because it is duplicated in other element

#### Delete Policy

- Policy was deleted because objective has been achieved or no longer desirable by city
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Mayor Brooks said on the recent dialogue about concurrency, our position has been to insert mobility requirement. Just give us a brief summary if we are not including any work.

Jordan Smith said we are not including that in this amendment.

Mayor Brooks mentioned to change legend no. 9 on the map to be Crittenden site.

Commissioner Spaulding moved to approve and transmit to DCA amendments and revisions to all elements of the Comp Plan.

Vice Mayor Ady seconded the motion which passed unanimously.

Mayor Brooks recognized Lucia Ramos to discuss our budget reserve.

Ms. Ramos said in our last meeting we had a reserve in the SBA, we decided to research and reallocate that reserve, after thorough research I recommend to leave the money at Wachovia at an average of 4% in a CD. At this time my recommendation would be to move the money from the checking account and transfer within Wachovia under GSIC and the only reason we are protected is under a government term, they will continue to honor rating our account at the top tier for an average of six months at least. The funds are available anytime, it is controlled by the Council members, it would still require two signatures.

Vice Mayor Ady moved to transfer funds within Wachovia.

Commissioner Spaulding seconded the motion which passed unanimously.

**Consideration and approval of Waste Management Contract extension.**

Mayor Brooks recognized Mr. Jim Swan of Waste Management.

Mr. Jim Swan said I will provide the rate sheet to the City Manager. I know what we have given you is competitive. Everything will remain exactly as it is.

Attorney Bennett said we have gone back and forth, we are ready for Council to authorize the extension of the contract for a four year term.

Vice Mayor Ady moved to approve extension at \$16.10 per month.

Commissioner Readey seconded the motion which passed unanimously.

Mayor Brooks said whenever there has been an issue your company has been there working with us on hurricane, spillage, oil leaks, Waste Management has been there on time and professionally, our commendation to you and your staff.

Consideration and First reading of Ordinance 09-09

**AN ORDINANCE OF THE CITY OF BELLE ISLE, FLORIDA, AMENDING CHAPTER 41, SECTION 41-4 AND Chapter 54, SECTION 54-76(c) OF THE BELLE ISLE CODE OF ORDINANCES TO PROVIDE FOR A SPECIAL EXCEPTION FOR BED AND BREAKFAST ESTABLISHMENTS IN RESIDENTIAL DISTRICTS; PROVIDING DEFINITIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

Mrs. Bateman said this was presented to the P&Z Board and they voted to recommend denial or not to adopt the ordinance. I will tell you that Attorney Owens went through the distance the severely restricts location within the city boundaries, there might be one other location that might meet the requirement because of the district.

Mayor Brooks said this is a first reading, here is the deal, if there is no motion to approve, if you want to see it happen you need to make a motion and advance to second reading. You may table it for any future consideration. There being no action ordinance fails for lack of a motion.

## **Presentation by Solarfied**

David Swanson of Solarfied made his presentation and comparison with photos for panels on the roof and in the front of the police department, he presented an ROI (Return of Investment) fact sheet.

Mayor Brooks asked Mr. Swanson to come back before Council and show us an analysis with the rebate and without the rebate for the property value increase, and the aesthetic effect.

There being no further items to come before Council, Vice Mayor Ady moved to adjourn. Commissioner Spaulding seconded the motion which passed unanimously.

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Miriam Rodriguez  
City Clerk