

**CITY OF BELLE ISLE
REGULAR SESSION
OCTOBER 6th, 2009
5:30 P.M.**

The Belle Isle City Council met in Regular Session on Tuesday, August 6th, 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:

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

Not present were 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.

Mayor Brooks asked Code Enforcement Board members to come forward and receive a token of appreciation for their service. He thanked them for their hard work and for keeping Belle Isle beautiful for generations to come.

Commissioner Scott presented Mayor Brooks with a plaque for his hard work toward the charter school for the Belle Isle children.

Mayor Brooks presented Mrs. Bateman with a token of appreciation for her twenty years of service with Belle Isle.

• **CITIZENS' COMMENTS**

1. Tony Carugno of 2372 Hoffner Ave., asked a question on the water work being done throughout the city as he has noticed a decrease in the cleanliness of his water.

Mayor Brooks said the work under way is Orange County, we have two providers in the city, OUC and OC. OC is monitoring the water. If you notice a decrease in water quality, let us know.

Mrs. Bateman said we have not received any complaints from anyone else in that area, call us tomorrow and we will call someone for you.

2. Mr. Biaggio Esgro of 1903 Wind Willow Road he says he has an easement problem at the park in back of his home. There was a permit issued to Lot 70 to install a fence that stopped the maintenance crew from being able to maintain the area. How was that permit given? Mr. Larry Allen said he cannot get his people back there.

Mayor Brooks said we will have to have our City Manager, Steve Gillis and City attorney go out there and take a look.

3. Mr. Drexal Strickland of 1915 Wind Willow Road, said the same thing as Mr. Esgro with regards to the fence.

Mayor Brooks said we will look into it and report back to Council.

4. Sarah Goodwin of 4324 Kandra Court spoke on an abandoned house in her neighborhood on Playa that has an overgrown backyard.

Mrs. Bateman said there is a work order on this and we will follow up on that work order

There being no further citizens comments, Mayor Brooks closed the session.

- **CONSENT AGENDA**

- a) Minutes of Regular Session August 6, 2009, Workshop Minutes of August 26, 2009, Special Session September 9, 2009 and Special Session September 23, 2009.
- b) Resolution 09-16 Supporting elimination of the cap on the state and local housing trust funds and supporting full appropriation of the housing trust funds for housing programs
- c) Resolution 09-18 Employer Benefit Contribution for the 401k plan decrease from 6% TO 4% EFFECTIVE October 1, 2009
- d) Addendum No. 10 General Planning and Development Services, Ivey Planning Group LLC.
- e) Addendum No. 11 Geographic Information Systems (GIS) and Mapping Services, Ivey Planning Group LLC.
- f) Addendum No. 12 Comprehensive Planning Services, Ivey Planning Group LLC.
- g) HDR -2010 Fiscal Year Continuing Contracts.
- h) Solarfied – approve proposal based on the 0% loan.
- i) Approval of \$500 donation to Victim Service Center.

Vice Mayor Ady moved to approve consent agenda.
Commissioner Scott seconded the motion

Upon discussion, Commissioner Scott said he would like to edit minutes of workshop, August 26th, 2009 page 8 first line to remove the word corruption and add lack of cooperation.

Commissioner Pisano asked to pull item H

Consent Agenda items A-G and I motion carried unanimously.

Item H – Solarfied – Commissioner Pisano asked Mrs. Bateman: did you find out if we do qualify for the 0% loan and cost for the canopy?

Mrs. Bateman responded not yet.

Commissioner Readey said I don't think we should go forward until the engineer is done with the whole thing. If the grand money doesn't come in we are approving something that is not defined to be funded.

Mayor Brooks said we have David Swanson here, could the Council authorize you to proceed with the grant application and loan application.

David Swanson said I did look into the loan, you do qualify, there are two available that I would like to talk to Mrs. Bateman about, we will do as much as we can.

Mrs. Bateman said the issue with the grant money, you cannot apply until the system is installed. We have no guarantee on the grant.

David Swanson said correct.

Mayor Brooks said is there a motion on Item H, or not, to be tabled or postponed?

Commissioner Pisano moved to approve based on the 0% loan and finance the canopy with it.

Vice Mayor Ady seconded the motion.

Attorney Bennett said is your approval contingent on getting the 0% loan?

Commissioner Pisano said contingent on getting the loan to include the canopy.

Commissioner Readey said I am shocked that we would put this on the consent agenda. We don't have the figures, I am not sure where we stand, if we approve, I don't know what we are approving.

Mayor Brooks asked Mr. Swanson, you would prepare the estimate for the cost and apply for the loan including fee to design.

Mr. Swanson said right.

Mayor Brooks and if we are approved we go ahead, if we are not approved it is scrapped. Let's say we are approved for the loan, once it is built and installed, we apply for the grant. Would it be reasonable that you can design built, guaranteed maximum price type arrangement.

Commissioner Ready said I would like to see the whole package together, why rush, when we can have a complete package next month. We don't know how much this is going to cost us.

Commissioner Scott asked are we committing to any money.

Mayor Brooks said we are committing to the loan; the only figure we know is the \$43,000 for the solar system and \$10,000 for the canopy. If you knew the number tonight and the number to not exceed, the motion could be amended.

Motion passed unanimously.

Commissioner Spaulding wanted to add an item to the agenda. He wanted to nominate Ken Dukes, architect to the P&Z Board for his district.

Vice Mayor Ady seconded the motion which passed unanimously.

Commissioner Scott moved to appoint Mr. Ben Bateman for District 3 also for the P&Z Board.

Vice Mayor Ady seconded the motion which passed unanimously.

Mayor Brooks stated the Attorney Bennett has confirmed that there is no conflict with that appointment.

- **Consideration and First Reading of Ordinance No. 09-10**

**AN ORDINANCE OF THE CITY OF BELLE
ISLE, FLORIDA, AMENDING CHAPTER
54, SECTION 54-79(d) OF THE BELLE
ISLE CODE OF ORDINANCES**

**PROHIBITING VEHICLE SALES IN C-1
ZONING DISTRICTS; PROVIDING
SEVERABILITY AND PROVIDING AN
EFFECTIVE DATE**

Commissioner Pisano moved to advance to second reading.

Commissioner Spaulding seconded the motion which passed unanimously.

- **Second Reading and Adoption of Ordinance No. 09-12**

**AN ORDINANCE OF THE CITY OF BELLE
ISLE PROVIDING FOR THE CONDUCT OF
COUNCIL MEETINGS IN THE ABSENCE
OF THE MAYOR AND VICE MAYOR AND
PROVIDING FOR AN EFFECTIVE DATE**

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

Vice Mayor Ady moved to adopt Ordinance 09-12

Commissioner Scott seconded the motion which passed unanimously upon roll call.

- **Consideration and First Reading of Ordinance No. 09-13**

**AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF BELLE ISLE, FLORIDA,
AMENDING CHAPTER 52, ARTICLE II,
SECTION 52-32 OF THE BELLE ISLE CODE
OF ORDINANCES TO PROHIBIT OFF-SITE
SIGNS IN RESIDENTIAL DISTRICTS AND
TO ALLOW FOR SIGNS IDENTIFYING
CONTRACTORS DURING CONSTRUCTION
OF IMPROVEMENTS ON A RESIDENTIAL
PARCEL; PROVIDING FOR SEVERABILITY
AND PROVIDING AN EFFECTIVE DATE.**

Mayor Brooks said this is one we had read in 2007 and when compiling ordinances we were not able to locate in the minutes where it was adopted.

Vice Mayor moved to advance to second reading.

Commissioner Spaulding seconded the motion which passed unanimously.

- **Consideration and First Reading of Ordinance 09-15**

**AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF BELLE ISLE, FLORIDA
RELATING TO THE LEVY AND COLLECTION
OF A NON-AD VALOREM SPECIAL
ASSESSMENT ON RESIDENTIAL PROPERTY
WITHIN THE CORPORATE LIMITS OF THE
CITY OF BELLE ISLE FOR THE COLLECTION
AND DISPOSAL OF SOLID WASTE;
PROVIDING FOR SEVERABILITY AND
PROVIDING AN EFFECTIVE DATE**

Mrs. Bateman said this is an enabling ordinance necessary to allow us to bill for the solid waste fees for this fiscal year. We have the mailing list from the Orange County Property Appraisal's Office.

Commissioner Scott asked how are we going to handle delinquent payments.

Mrs. Bateman said they will be removed from service.

Commissioner Pisano asked what about vacant homes?

Mrs. Bateman said when the new owner calls in we will advise them.

Commissioner Spaulding moved to advance to second reading

Commissioner Severns second the motion which passed unanimously.

- **Landscape Maintenance Bids**

DTE Landscape Inc \$49,667.00
Nanaks Landscaping \$58,568.00
Premier Landscape \$58,665.00

Staff is doing further investigation as far as equipment and employees and will give staff recommendation at Council Meeting.

Steve Gillis said these are the three low bidders, we included site visits, we are recommending DTE Landscape Inc, the lowest bidder, we found their equipment and employees to be top notch. They work for the City of Longwood. We should go ahead and award the contract to them and make sure the contract has a

termination clause. It is a one year contract, with an option for renewal up to five years.

Vice Mayor Ady moved to approve staff's recommendation.

Commissioner Spaulding seconded the motion which passed unanimously.

- Mrs. Bateman said Vicky Burke of HDR is here regarding the Horizon Court and Belle Vista Outfall Improvement. Vicky Burke answered questions from Council regarding the outfall improvement.
- Mayor Brooks said I want to take this opportunity to read a letter from OCPA, Director of School Choice, Evelyn Chandler. It is a new day for our city and the education for our children. There is a ton of work to do before August 2010. We will be looking for properties.
- Lt Johnson gave an update on the police department.
- Commissioner Pisano said the adult entertainment ordinance passed.
- Commissioner Readey introduced his neighbor. Mrs. Carol Scott of 2230 Homewood Drive who spoke on the quality of the lake. Mrs. Bateman said Steve Gillis of our office will contact her and work with her.
- Mrs. Goodwin asked about the canal project. Mayor Brooks said he will go out there and take a look at it as well as the City Manager and Steven Gillis.

There being no further items to come before Council, meeting was adjourned at 7:25PM

Miriam Rodriguez
City Clerk