

**CITY OF BELLE ISLE
REGULAR SESSION
July 7, 2009
5:30 PM**

The Belle Isle City Council met in Regular Session on Tuesday, July 7th, 2009 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
Commissioner Severns	District 2
Vice Mayor Ady	District 4
Commissioner Pisano	District 6

Not present were Commissioner Petruzzi, District 1, Commissioner Scott, District 3, Commissioner Readey, District 5, Commissioner Spaulding, District 7

Also present were City Manager, Be Bateman, City Attorney John Bennett, Police Chief Tegg and Miriam Rodriguez, City Clerk

Mayor Brooks welcomed everyone to the City Council meeting. He advised that we just received a call from Commissioner Readey that he has fallen ill and will not be attending tonight's meeting which would have given us the quorum needed.

We will take Citizens Comments and at that point we will be continuing our meeting until July 14th, 2009 at 5:30 P.M to conduct the work on the agenda. In essence what I am going to do is going ahead with the Citizens comments and each of the public hearings, I will open and if there is anyone here who wishes to speak, may do so but we will continue the meeting until next week so we could have a vote at that time.

CITIZEN'S COMMENTS:

1. Police Chief Tegg introduced Nicole Quinn, Executive Director of Victim Service Center in Orlando. She said they are a nonprofit agency, they serve victims as well as crime rape service for Orange County. We have contractual nurses that will respond within an hour of the call coming through. She said they are suffering with the economic times and decided to do a bunch of small fundraisers and she was here tonight to ask for a sponsorship from the City.

Mayor Brooks said you are doing a wonderful job for our community; unfortunately we are not able to vote on this tonight. We will get Be the City Manager to talk to the rest of the Council and get a final vote for you on this.

2. Mr. and Mrs. Brad Arenz asked the Council for consideration on getting a zoning change to open a Bed and Breakfast from their home. She said Belle Isle is a perfect location, ideal for tourists. There are only three rooms available restricted for adults only. It would be no noticeable difference whatsoever. I hope Belle Isle will consider working with us to make this a reality.

Mayor Brooks asked Attorney Bennett for his advice to the Arenz' request.

Attorney Bennett said the current zoning does not allow that, you are in an R1-AA zone. In order to accomplish the request here the property would have to be rezoned. We would have to amend the section in the code book to allow bed and breakfast for that zoning, and amend the comp plan. Additional conditions will have to be implemented such as, it must be owner-occupied, limitation on parking and signage.

Commissioner Severns asked if the property was lakefront.

Mrs. Arenz responded yes

Vice Mayor Ady asked if it would be only short stays

Mrs. Arenz said from Thursday to Sunday.

Commissioner Pisano asked Attorney Bennett, if they were to be granted a bed and breakfast how would that affect the Brunk property as a future vacation type home.

Attorney Bennett said I don't know, it would be a legal precedent. Politically you would have an argument.

Mrs. Bateman said I met with the Arenz, their property is a mixed use corridor, it does not change the residential nature of the neighborhood. They just want to feel the Council and see how they felt, they didn't want to enter into a process if there was no interest from the Council.

Mayor Brooks said I would imagine that there will be some distinction between a bed and breakfast and vacation use rentals. The bed and breakfast will have staff present vs. vacation rental where there is no staff present.

Attorney Bennett advised Mr. and Mrs. Arenz to start talking to their neighbors and get a feel for how they would feel, share their concerns.

3. Huel Chandler of 1402 Belle Vista Dr., wanted to inquire where we stand on the hedge. He handed out information, he had proposed an ordinance be written up restricting hedge height.

Attorney Bennett said he recalls it was discussed at a workshop and a hedge height is not covered in the code book.

Mrs. Bateman said the concern was adopt an ordinance that would impact one or two persons.

Mayor Brooks said we are not able to take action at this time, we will discuss this further at our next workshop and will get back to you.

Mayor Brooks recognized Mrs. Bateman. Mrs. Bateman said Mr. and Mrs. Hannah is here tonight to ask for a change from a chain link fence to a vinyl fence in the front yard. Attorney Owens had said in the P&Z meeting that this is a non conforming issue and it should be brought before Council. The existing fence has been grandfathered in, change to vinyl would be more appealing. Council would need to make a determination if that would be a less conformity.

Mayor Brooks advised Mr. and Mrs. Hannah that we are unable to take action tonight, we are continuing this meeting next Tuesday, we will have you scheduled on the agenda for action.

4. Logan Gunsch of 1652 Wind Willow – handed out a letter and spoke in support of his High School, Oak Ridge HS. Spoke on the school's magnet programs.

Mayor Brooks commended Mr. Gunsch and his family.

Commissioner Pisano said I commend you for standing there. What are you doing as a leader or a student to try and get the grades up?

Logan Gunsch responded you get out of it what you put into it, a lot of cases there is no parent participation or involvement, parents have to work two jobs sometimes, what I am doing personally is the best I can and getting into an advanced class next year.

Mayor Brooks said I think you hit the nail on the head; you get out of it what you put into it. Thank you very much and congratulations.

Jim Yoachim of 6401 Gibson Drive, spoke regarding the park and the continued water retention problem.

Mayor Brooks asked Dr. Yoachim to be patient; we all want it to function properly. We are going to work together with you to have it working as intended.

Commissioner Severns said I have been out there a few times; I kind of live next door to the same situation. It's disturbing to see, we all want a clean lake.

Mayor Brooks said we have other outfalls that have always been untreated water. This one, there is a chance for treatment, there are those devices that you can buy that require a vacuum to come clean it out, they are not cheap, they are about \$85,000 each. Our goal is to have no pipes going into the lakes untreated; we all have the same goals.

Mrs. Bateman said we continue to work through that process; one very unfortunate thing is as everybody knows the rain we have had recently in such a short amount of time. While this is a priority, we have not ignored any of your comments.

Mayor Brooks closed the Citizen's Comments session.

CONSENT AGENDA:

Mayor Brooks said we will carry forward the Consent Agenda to next week.

PUBLIC HEARING:

Consideration of approval of informal subdivision. Wilfredo and Demetra Rodriguez, Kenneth and Maria McCormack, property owners or agents of the property located at 3204 and 3212 Indian Drive received a recommendation of approval for an informal subdivision of the referenced property from the Planning and Zoning Board at its meeting on May 26th at 7:00 PM and applicant hereby requests consideration of approval by the City Council.

Mayor Brooks opened the public hearing.

Mrs. Rodriguez presented her case knowing that no action could be taken, she asked if she had to bring her engineer again next Tuesday as it is quite expensive to have her here.

Mrs. Bateman said your engineer did an excellent job. You are in good shape for this to move forward next week. I would suggest you come back next week.

Mayor Brooks continued the public hearing until next Tuesday, July 14th at 5:30 PM

PUBLIC HEARING:

Fitzgerald Robeants, property owner or agent of the property located at 1767 McCoy Road requested a use determination for an auto transport equipment parking business on the above location. Planning and Zoning Board recommended approval of the use determination at its meeting on May 26th, 2009 at 7:00 PM and applicant hereby requests consideration of approval by the City Council.

Mayor Brooks opened the public hearing and continued public hearing until next Tuesday, July 14th, 2009 at 5:30 PM

PUBLIC HEARING – Second Reading and Adoption of Ordinance 09-07

**AN ORDINANCE OF THE CITY OF BELLE ISLE,
FLORIDA, AMENDING CHAPTER 52, SECTION
52-33(5) OF THE BELLE ISLE CODE OF
ORDINANCES REGULATING ILLUMINATED
SIGNS; PROVIDING SEVERABILITY AND
PROVIDING AN EFFECTIVE DATE**

Mayor Brooks opened the public hearing, there being no comments, he continued the public hearing until next Tuesday, July 14th, 2009 at 5:30 PM

Resolution 09-11 Authorizing City of Belle Isle to move forward with the Charter School as the applicant.

Mayor Brooks handed out revised copies of the Resolution and also the fact sheet promised by Dwight and Taylor. He said these questions have been prepared and answered by Dwight and Taylor, Fernando at Academica and Somerset Academy and Attorney Owens of Fishback Law. Resolution 09-11 will be continued until next Tuesday, July 14th, 2009 at 5:30 PM

There being no further items to come before Council, meeting was continued until next Tuesday, July 14th, 2009 at 5:30 PM

Miriam Rodriguez
City Clerk