

**CITY OF BELLEVIEW
REGULAR COMMISSION MEETING
MINUTES**

**BELLEVIEW CITY HALL
COMMISSION CHAMBERS**

**April 20, 2004
7:00 PM**

Mayor STEVE BAIRSTOW
Seat 1 EMERY ABSHIER
Seat 2 KENNETH R. NADEAU
Seat 3 PAULA CHAFFIN
Seat 4 PAUL ANDERSON

PRESENT: MAYOR BAIRSTOW; COMMISSIONERS: ABSHIER, ANDERSON, CHAFFIN, NADEAU; ATTORNEY LANDT, CHIEF STRICKLAND; PUBLIC WORKS DIRECTOR MONROE; INFORMATION TECH. TOWNE; CITY CLERK/ADMINISTRATOR McKAMEY, DEPUTY CITY CLERK DeGENNARO

1. APPROVAL OF MINUTES

03/16/04 REGULAR MEETING

Commissioner Chaffin made a Motion to Approve the minutes and Commissioner Nadeau seconded the Motion.

On roll call vote, YES: Nadeau, Anderson, Abshier, Chaffin, Bairstow

The Motion passed with a 5-0 vote.

2. PROCLAMATION - MARION COUNTY CHILDREN'S ALLIANCE

Clerk McKamey read the Proclamation and Mayor Bairstow declared the month of April 2004 as Alcohol Awareness Month in the City of Belleview.

3. PROJECT GRADUATION

Mike Franco, Past President of the Project Graduation Board, and Margie McGee, Immediate Past President of the Board, came before the Commission and discussed the arrangements for this year's Project Graduation. They stated that the Project Graduation May 22, 2004 will once again be held at Wild Waters starting at 9:00 PM. Mike Franco stated that there are prizes, games, food vendors, and scholarships to be awarded that night, as well as a Chevrolet Cavalier to be given to a lucky graduate.

Ms. McGee stated that the Commission and citizens have an open invitation to come out and volunteer and/or give donations.

Mayor Bairstow thanked Mr. Franco and Ms. McGee for their participation in this event which keeps kids safe and out of harm's way on Graduation night.

Commissioner Nadeau made a Motion for the City of Belleview to Support Project Graduation and Commissioner Chaffin seconded the Motion.

On roll call vote, YES: Nadeau, Anderson, Abshier, Chaffin, Bairstow

The Motion passed with a 5-0 vote.

4. LAKE WEIR HIGH SCHOOL BAND BOOSTER EVENT

Steve Stevens, President of Lake Weir High School Band Boosters, came forward and requested that the Band be permitted to use Lake Lillian for a March-A-Thon on May 15, 2004 to raise money to send the band members to New York City to participate in the Veterans Day, "Welcome Home Day Parade".

Commissioner Chaffin made a Motion to approve the request and Commissioner Abshier seconded the Motion.

On roll call vote, YES: Nadeau, Anderson, Abshier, Chaffin, Bairstow

The Motion passed with a 5-0 vote.

4. FINAL READING, COMPREHENSIVE PLAN ORDINANCES

- a) ORDINANCE 2004-06 MIELCZARCZYK**
- b) ORDINANCE 2004-07 COUNSELL**
- c) ORDINANCE 2004-08 WENDY'S**

a) Mayor Bairstow stated this is a Public Hearing and Clerk McKamey read Final Reading, Title Only, of Ordinance 2004-06 MIELCZARCZYK

Mayor Bairstow asked if anyone in the audience who was opposed or in favor of the proposed Ordinance wanted to come forward. No one came forward. Clerk McKamey gave a brief update on the Ordinance.

Commissioner Nadeau made a Motion to Approve Ordinance 2004-06 and Commissioner Abshier seconded the Motion.

On roll call vote, YES: Nadeau, Anderson, Abshier, Chaffin, Bairstow

The Motion passed with a 5-0 vote.

b) Mayor Bairstow stated that this is a Public Hearing and Clerk McKamey read Final Reading, Title Only, of Ordinance 2004-07, COUNSELL.

Mayor Bairstow asked if anyone in the audience who was opposed or in favor of the proposed Ordinance wanted to come forward. No one came forward. Clerk McKamey gave a brief update on the Ordinance.

Commissioner Nadeau made a Motion to Approve Ordinance 2004-07 and Commissioner Abshier seconded the Motion.

On roll call vote, YES: Nadeau, Anderson, Abshier, Chaffin, Bairstow

The Motion passed with a 5-0 vote.

Commissioner Anderson requested that this property be considered for the new library site and the Clerk stated she would add it to the list of possible sites.

c) Mayor Bairstow stated that this is a Public Hearing and Clerk McKamey read Final Reading, Title Only, of Ordinance 2004-08, WENDY'S.

Mayor Bairstow asked if anyone in the audience who was opposed or in favor of the proposed Ordinance wanted to come forward. No one came forward. Clerk McKamey gave a brief update on the Ordinance.

Commissioner Nadeau made a Motion to Approve Ordinance 2004-08 and Commissioner Abshier seconded the Motion.

On roll call vote, YES: Nadeau, Anderson, Abshier, Chaffin, Bairstow

The Motion passed with a 5-0 vote.

6. FIRST READING: ORDINANCE 2004-10 EXEMPT SIGNS

Clerk McKamey read Ordinance 2004-10 First Reading, Title Only, Exempt Signs.

Mayor Bairstow asked if anyone in the audience who was opposed or in favor of the proposed Ordinance wanted to come forward. No one in the audience came forward.

Commissioner Chaffin made a Motion to Approve Ordinance 2004-10 for Final Reading and Commissioner Nadeau seconded the Motion.

On roll call vote, YES: Nadeau, Anderson, Abshier, Chaffin, Bairstow

The Motion passed with a 5-0 vote.

7. SPORTS COMPLEX FINANCIAL REPORT

PWD Monroe stated that the report shows the revenues and expenses for the Sports Complex which currently is operating at a \$27,000 deficit. The PWD asked if the Commission wanted to make any changes to the league contracts because presently they charge \$5.00/participant. The PWD stated that it was on the Agenda for the Commission to give direction for the league contracts

Commissioner Chaffin asked who pays for the electric bills and PWD stated the leagues pay their own electric bills, but the City pays the difference which is in the budget between the

\$8,996.07 (total electric expenses) and \$6,534.54 (electric the leagues pay). The PWD stated that the labor, electric and maintenance were all budgeted for and we are on target with our budget. PWD stated that we were directed by the Commission to keep the Commission informed so that was the reason for this report.

Commissioner Chaffin asked about the concession fees and Pattie Hill, PW Staff Assistant, stated that some leagues pay 10%, some pay \$100/month and some pay \$150/month.

Commissioner Anderson asked if the City has a financial statement from each organization. Ms. Hill stated that the City has last years, but will be getting recent ones from the leagues. Commissioner Chaffin stated that she wanted to see the financial statements.

Commissioner Nadeau stated if the City increases the per player fee, they will just turn around and increase their registration fees, so it would not impact the financial status of the group or not. Commissioner Chaffin stated that the reason was to help the leagues out but not cause the taxpayers to pay for the Sports Complex.

Clerk McKamey stated that you have to actually back out the player fees because they cannot be counted. They are money designated for improvements at the sports complex. Commissioner Abshier stated that he counts the \$8,185.00 as revenue into the City even though it is used for a designated purpose. Commissioner Abshier stated that the \$23,392.00 City expenses would still be the same amount because we are going to continue to mow the grass and common areas no matter who is out there. If you take that figure out you are only talking about a subsidy of \$3,000 - 4000/year. Commissioner Abshier stated he thinks the fees are fine right now.

Commissioner Abshier congratulated the PWD and his department for doing such a good job at the Sports Complex. PWD Monroe stated that the City has a good working relationship with all the leagues and Ms. Hill is in contact with them all. The Commissioner stated that maybe the lights at the tennis courts could be turned off more. The PWD stated they have tried to cut them back, but they got complaints from people so they tried to adjust the schedule to the input they get from the users.

The PWD stated if the Commission is satisfied the city would renew the contracts. Commissioner Nadeau stated he is content for the time being, but would prefer standardized contracts. The Commissioner stated he has asked the staff to contact the leagues for their future projections so the City can develop a long term recreation plan.

Commissioner Anderson asked the PWD to explain the actual water charges. The PWD stated that the City's policy has been the leagues pay the base charge not the actual use charges. Commissioner Anderson stated the City's water & sewer lost \$25,000 by them paying only the base charge. Commissioner Anderson stated it takes 1500 hours to mow the grass and the PWD stated that was the man hours for doing everything at the Sports Complex, i.e. mowing, repairing irrigation systems, fences, lights, landscaping, etc. Commissioner Anderson stated he would like information on the grants we had out there in the last two years. PWD Monroe stated he would get the grant information for the Commissioner.

Commissioner Anderson stated he wanted to get the financial reports from the leagues and see if they can make some contribution to help balance some of these bills. The Commissioner stated that he has been told by the football league that they had \$15,000 left over after the season and

did not know where to spend that money. The Commissioner stated he would ask them if they could now make a contribution to the COB since they have had a few years to get their bills paid. Mayor Bairstow asked when was the last time the fees were adjusted and the PWD stated about four years ago. The Mayor stated that the staff is content with the fees, both the Commissioner Liaison for Parks & Recreation and Commissioner Abshier are content, however, Commissioners Anderson and Chaffin want to see the financial reports.

Commissioner Chaffin made a Motion to withhold any judgment on the expenses for the Sports Complex until we see the financial reports and Commissioner Anderson seconded the Motion.

Commissioner Abshier stated he would like a date or a time certain on the motion. Commissioner Nadeau stated he would like to work with the staff and come up with more background information since there are still a lot of questions left unanswered by the next meeting.

On roll call vote, YES: Chaffin, Anderson, Bairstow
NO: Nadeau, Abshier

The Motion passed with a 3-2 vote.

8. EXCESSIVE WATER BILL RELIEF POLICY

PWD Monroe stated that he was asked to propose a policy and that is what we have here tonight. The PWD stated his philosophy is once we deliver the water to the customer plumbing system it becomes their responsibility and the City should not get involved with it after that. If there was some logical reason where the water goes the customer should at least pay for the water. If it did not go into the sewer system we automatically deduct that portion of the bill. It is the same policy we had before with a few changes.

Commissioner Abshier stated that he did not like the policy because the City it needs to be a more friendly community. The Commissioner stated that the actual cost to the City is only a few dollars, so this policy seems too restrictive. The Commissioner stated this policy came about for water & sewer clients who had a need and could not pay their bill. The City has not been reckless or irresponsible just the opposite, the individuals were grateful for the help and we are talking once in 20 years. Therefore, the Commissioner stated he would not support it.

Commissioner Abshier stated that the catch is the “unknown reason” because once you find the problem and correct it, it is no longer unknown. PWD stated that the “unknown” should be that the citizen did not know he had a plumbing problem and the intent was to adjust just one month’s bill. Commissioner Anderson suggested to change it from “unknown” to “known and unknown reasons.” The Commissioner stated the policy would be citizen friendly and we would give them the adjustment once every 20 years; we would be helping our citizens.

Mayor Bairstow stated that the citizens have come up to him and asked him who paid for the relief the Commission gave on these bills. The Mayor stated that he told the citizens that they paid for those adjustments. The Mayor stated that the citizens should know what is going on with their property because they are responsible for their property. Our motto of “City With Small Town Charm” does not mean to reach into the pockets of each citizen to offset the inability of another citizen to maintain their property. The Mayor stated the relief comes from 1)

no sewer bill if it did not go into the sewer which then cuts the bill in half; and 2) we have installment payments to help them. The City will eventually have to raise water rates to offset this loss and when the leak is on the citizens' side of the meter, it is their responsibility and they need to take care of their property. Or the City could give relief on a one time basis to anyone who comes in the door and ask for it.

Commissioner Chaffin stated that the water bills put her on notice that she has a problem. Mayor Bairstow stated that you do not need a water bill to tell you that you have water running.

Commissioner Abshier asked the PWD how much relief has been granted and the PWD stated over 100,000 gallons. Commissioner Abshier made some calculations and stated with 2300 active accounts it would cost each home \$.20 to help out the 80 year old lady on 54th Street with the leak she had outside her house. It was unknown to her because she would not go outside her house and the City actually found the leak. The good will that the City could have shown her if we said each resident would chip in and pay her bill because it is the duty of the City and we have an obligation to act like a City With Small Town Charm. The Commissioner stated that he agreed with changing the policy to "known and unknown."

Commissioner Nadeau stated the City needs to either continue with the policy or change it. It is our responsibility up to the meter and then it becomes the responsibility of the resident. Situations come up from time to time, but this is restricted to only one relief in a life time.

Commissioner Nadeau made a Motion to approve the amended policy by deleting the reason in the overview in Paragraph 1

Attorney Landt stated that the overview should say the intent and this policy does not say to give the relief for only one month's bill and it should say that. Or it should say the first month or if multiple months can they ask for the highest month to be excused, but this policy does not address that either. The City's code states no free water so it could read "unknown at the time of consumption or use or loss.

Commissioner Chaffin stated that the policy needs to clarify that the intent was for only one month. Commissioner Nadeau stated it doesn't matter what caused the leak to happen.

Commissioner Nadeau withdrew his Motion

Ms. Hill stated that when there is a leak running out the front door the City sends a copy of the bill and we adjust the sewer. The residents turn that bill over to their insurance and they get their money back. Ms. Hill stated that most of the time it is going to be a two month billing period because when they get the bill they are already into the second week of the next billing period.

Commissioner Abshier stated he and PWD would work on the policy and bring it back at the next meeting.

9. MARION COUNTY JOINT MEETING

Commissioner Chaffin stated that she would like to meet with the County and review all the different projects that are upcoming and get their input. The Commissioner stated she wanted to remind them that the COB is still here.

Mayor Bairstow stated we would need to put together a list of the agenda items to be discussed. Commissioner Abshier stated he had four or five important items for that list, but he would want the meeting held here in Belleview. Commissioner Anderson was in agreement with Commissioner Abshier. Clerk McKamey stated to get the proposed items for the list to her and they would be placed on the next agenda for approval.

10. DEPARTMENT HEAD COMMENTS

PWD MONROE: Nothing at this time.

Lt. HOLLAND stated that Chief Strickland went home sick.

IT COORDINATOR TOWNE: Nothing at this time.

CLERK/ADMINISTRATOR McKAMEY: Discussed rescheduling the 4/28 workshop to 5/12 to accommodate a Commissioner who could not attend on 4/28.

11. UNSCHEDULED AUDIENCE

N/A

12. COMMISSION COMMENTS

Commissioner Abshier – Discussed if City Hall parking lot and stage could be used for National Prayer Day on May 6, 2004 from 5:30 PM to 8:00 PM.

Commissioner Abshier made a Motion to grant the request and Commissioner Chaffin seconded the Motion.

On roll call vote, YES: Nadeau, Anderson, Abshier, Chaffin, Bairstow

The Motion passed with a 5-0 vote.

Commissioner Chaffin – Stated that she sadly resigned her position on the Police Pension Board as a result of the AGO opinion.

Commissioner Nadeau - Discussed phone calls he received last weekend concerning airplanes flying low over the City. PWD Monroe stated that the Leeward Ranch is a licensed airport and planes are permitted to fly below the 1000 ft ceiling when landing and taking off. The PWD stated that last weekend Leeward Ranch held a luncheon for the Ward Bird Flying program which was the reason there were so many planes in this area and everyone there got to see the restored old planes. The Commissioner stated that he would attend the MPO meeting next week for the Commissioner Abshier.

Commissioner Nadeau asked about the tribute to Billy Threet and the PWD stated he could not have it done in time for Founders' Day, but could for Light Up Lake Lillian.

Commissioner Anderson - stated that he was concerned about the soccer kicking wall being places next to the tennis courts because if the City wanted to expand those courts the wall would be in the way. Commissioner Nadeau stated that the PWD sent a letter to the soccer league

approving the concept, but not the location. Commissioner Anderson stated that he thought that the City should consider entering the Cancer Walk as a tribute to Billy Threet.

Mayor Bairstow – Stated that there is a vacancy on the Pension Board and Michele Harris has responded and would like to be appointed to complete the term which Commissioner Nadeau resigned from at the last meeting.

Motion made by Commissioner Abshier to appoint Michele Harris to the Police Pension Board replacing Commissioner Nadeau for the unexpired term of 3/05 and Commissioner Chaffin seconded the Motion.

On roll call vote, YES: Nadeau, Anderson, Abshier, Chaffin, Bairstow
The Motion passed with a 5-0 vote.

The meeting was adjourned at 8:35 P.M.

ATTEST:

Sandi McKamey, CMC, CPM
City Clerk/Administrator