

**CITY OF BELLEVUE
REGULAR COMMISSION MEETING
MINUTES**

**BELLEVUE CITY HALL
COMMISSION CHAMBERS**

**July 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

ABSENT: DEPUTY CLERK DeGENNARO

1. APPROVAL OF MINUTES

06/09/04 Workshop Meeting
06/23/04 Workshop Meeting
07/06/04 Commission Meeting

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

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

**2. FINAL READING: a)ORDINANCE 2004-15 GENERAL ELECTION
b)ORDINANCE 2004-16 CANDIDATES QUALIFYING FEE**

a) Mayor Bairstow stated this is a Public Hearing and Clerk McKamey read Final Reading, Title Only, of Ordinance 2004-15. 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.

Commissioner Chaffin made a Motion to Approve Ordinance 2004-15 and Commissioner Nadeau seconded the Motion.

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

b) Mayor Bairstow stated this is a Public Hearing and Clerk McKamey read Final Reading, Title Only, of Ordinance 2004-16. 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 stated that this Ordinance shortens the qualifying period from noon on Monday until noon on Friday and the qualifying period would be around the third week in August.

Commissioner Chaffin made a Motion to Approve Ordinance 2004-16 and Commissioner Nadeau seconded the Motion.

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

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The Motion passed with a 5-0 vote.

<p>3. FIRST READING: a) ORDINANCE 2004-17, SITE PLAN DRAINAGE b) ORDINANCE 2004-18, ARTICLE XI c) ORDINANCE 2004-19, ARTICLE III</p>

a) Mayor Bairstow stated this is a Public Hearing and Clerk McKamey read First Reading, Title Only, of Ordinance 2004-17, Site Plan Drainage.

Clerk McKamey gave a brief review of the Ordinance. 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.

Commissioner Nadeau made a Motion to Approve the First Reading of Ordinance 2004-17 and Commissioner Chaffin seconded the Motion.

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

b) Mayor Bairstow stated this is a Public Hearing and Clerk McKamey read First Reading, Title Only, of Ordinance 2004-18, Article XI. 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.

Commissioner Nadeau made a Motion to Approve the First Reading of Ordinance 2004-18 and Commissioner Chaffin seconded the Motion.

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

c) Mayor Bairstow stated this is a Public Hearing and Clerk McKamey read First Reading, Title Only, of Ordinance 2004-19, Article III. 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.

Commissioner Nadeau made a Motion to Approve Ordinance 2004-19 and Commissioner Chaffin seconded the Motion.

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

<p>4. KIRK BOOONE - COBBLESTONE NORTH ADDENDUM</p>

PWD Monroe reviewed the Cobblestone North Addendum and discussed the changes to the original Developer's Agreement. Kirk Boone came forward and gave an update on this project.

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Commissioner Nadeau stated that the Addendum deletes the road improvements to Highway 441. The PWD stated except for the deceleration lane which was in the original agreement.

Commissioner Abshier stated that he spoke with Greg Slay, MPO, and he felt that he could get funding for 100th Street in 2-3 years. Mr. Slay stated that he feels, however, that DOT will close the medium cut by Moose Lodge if we do that. The Commissioner stated he would like a medium cut that would access 100th Street, but DOT would probably do a directional turn on 100th Street. Commissioner Abshier stated he would like both the existing cut and the directional turn on 100th Street.

Commissioner Nadeau stated he would like it done before the project starts because he is not sure that 100th Street could handle the traffic for 140 homes. Commissioner Abshier stated that we need to be careful before we approach DOT and we need to know what direction the City wants to go, because DOT may close all the cuts.

Commissioner Anderson asked if the County would have any input on 100th Street. PWD Monroe stated that when the site plan is submitted then that road, which is a county road, would be addressed by the County.

Mayor Bairstow asked PWD for his recommendation and the PWD stated to approve the Addendum.

Commissioner Abshier made a Motion to Approve the Cobblestone North Addendum and Commissioner Chaffin seconded the Motion.

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

5. BOY SCOUT TROOP 113

Daniel Vincent, Troop Leader, came forward and stated that his troop was from Weirsdale and that the Troop was working on merit badges. The troop has earned 120 merit badges.

Mayor Bairstow stated that the Commission appreciated the Boy Scouts coming out to the Commissioner Meeting.

6. SHARE YOUR FAITH DAY

Ed Smith came forward and stated that this was the second annual Share Your Faith Day and they would like to use the COB stage and parking lot on November 6, 2004 for this event.

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

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

The Motion passed with a 5-0 vote.

7. SPRUCE CREEK

PWD Monroe stated this is the Spruce Creek Agreement for our reuse water which is a 20 year agreement. Spruce Creek will take 20 million gallons a day if available and pay \$.13/1000 gallons and there would be an escalator clause based on CPI after one year.

Changes to Agreement:

1. Pg.2, #2b depicted in Exhibit B - delete Exhibit B because that shows where Spruce Creek is going to run their line on their property, so therefore, it is not necessary for this agreement.
2. Pg.3, #6 specifications are set forth in Exhibit C. The specifications are in the contract so they do not need to be in this agreement also.
3. Pg.5, #15 - delete all of Paragraph 15 because it refers to the Exhibits

Commissioner Abshier stated that he is comfortable with the draft as presented. Commissioner Chaffin stated that there is a typo of the spelling in the name of COB on the signature line on Pg. 6.

PWD stated that originally there was some concern who the City would be dealing with, if it was the Community, Homeowners Association or Del Webb, but we have reached the decision that we are dealing only with Jeff Gann, Executive Director with Spruce Creek Golf and Country Club.

Commissioner Nadeau asked what was the total cost and PWD stated it is approximately \$600,000 to get the line to the entrance and Spruce Creek would absorb whatever cost to take the line where they need it inside their development.

Attorney Landt stated if the COB sets forth a public access standard to which you are going to produce water and later that standard is changed by the State, it could cost a significant amount of money to treat your reuse water to get it to that standard. The Attorney stated you need to recognize if you take out Exhibit B, and leave the language as is, then that is what would be expected. Before you sign the agreement, you need to spell out a standard and if that standard changes who would then pay to upgrade the system - the COB or Spruce Creek.

Mr. Gann stated that on Pg. 2, #3 it states that if the standards cannot be met for a variety of reasons, in his opinion that would give the City a way out and that the COB would not be guaranteeing any minimum amount of water to be sent to Spruce Creek.

Attorney Landt stated that Spruce Creek, as a purchaser, would expect the City to upgrade its process to meet public access standards if the requirements change. That is what any reasonable purchaser would want and would expect from you.

Mayor Bairstow stated the issue is should this agreement delineate a standard that we will be bound by in the future or should we allow the standard to be changed in the future and we would be bound by a new standard.

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Attorney Landt stated his recommendation is to define today's standard and say you will meet it and if that standard changes then you would try to reach a mutually agreeable resolution.

Mayor Bairstow stated he was in favor of Attorney Landt's recommendation. All of the Commissioners were in Agreement with the Mayor.

Commissioner Anderson asked if Spruce Creek was paying any of the cost and expenses for the line. The PWD stated originally it was supposed to go from the COB to inside Spruce Creek to their pond. The COB did not want to be responsible for their roads and there were liability issues, so we shortened the length of the line which actually cost less for the City. Spruce Creek will have to construct that portion of the line and they would need to put out some capital outlay, so they are contributing to the costs of the line.

The PWD stated that this is the first Agreement for our reuse water and this gives the City a disposal for our effluent water for a number of years. Mr. Gann stated that the rate was set to amortize that capital cost. Commissioner Abshier stated Baseline did not pay for their line and the PWD stated the COB paid to run the Baseline line to their pond on their property.

Commissioner Anderson stated that nothing is protecting the COB if Spruce Creek shuts off the valve in 20 years. How would we recoup the expense of that line if they shut off that line. Commissioner Abshier stated that is how the engineer determined the \$.13/1000 gallons to pay for that capital costs. It would do more than that, we would also make money with the inflation each year and this would handle our debt service.

Commissioner Anderson stated that he wanted Spruce Creek to participate in the construction of the line. Commissioner Abshier stated Spruce Creek cannot turn the water valve off for 20 years. Commissioner Anderson stated that we need to have something in the contract that at the end of the 20 years we recoup our money. The Commissioner stated they have control of the water valve; #2a should be a joint expense; and #3, they have first right of refusal. PWD Monroe stated that Spruce Creek has based it Consumption Use Permits on the COB giving them this water. Without the COB, they have no source of water for irrigation and they are willing to match offers in the future, so we gave them the first right of refusal.

Mr. Gann stated the Spruce Creek system is sophisticated and environmental friendly and costs a lot of money to put in place. Spruce Creek is one of two Water Quality Developments in the State of Florida and the system is worthless without reuse water. We agreed initially to a 30 year term and talked about options to renew. The rate Spruce Creek is paying to COB is three times higher than what we pay Marion County. We are paying that rate to pay the costs for your line. Spruce Creek will take over 1 million and we are very motivated to take the water and the substantial benefit is a net gain. It is going to cost Spruce Creek a significant amount of money to connect to your system.

Commissioner Anderson asked why does Spruce Creek want to buy our water and Mr. Gann stated that Marion County bought the wastewater treatment plant and they are going to decommission that plant and construct a lift station and transfer the raw sewage to a regional

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plant in Silver Springs Shores and then pump the water on a spray field. COB is closer to Spruce Creek and easier to deal with. This is good deal for Spruce Creek and a good deal for the COB.

Mayor Bairstow stated that Commissioner Anderson has raised some points:

1) what part of the cost would Del Webb be willing to pay. Mr. Gann stated at this point zero. Commissioner Nadeau stated it cost the City money to send the water to Baseline and here we are going to pump to the property line and Spruce Creek will pay from there.

2) Pg. 2, #2a, Construction Cost of line - leave in or change 2a in the Agreement. All of the Commissioners were in favor of leaving #2a as is in the Agreement, except for Commissioner Anderson who stated he wanted a contribution from Spruce Creek.

3) Pg. 2, #3, delete right of first refusal. Mr. Gann stated he was not in agreement to delete #3. Attorney Landt stated that is there to protect Spruce Creek, but it does not hurt the City. The Commissioners were in favor of leaving #3 in the Agreement, except for Commissioner Anderson who wanted this taken out of the Agreement.

4) If the present pump is not strong enough to disperse water who would pay for the upgrade. The PWD stated the engineers are designing a pump that will accommodate this project which is included in the cost of this project. All of the Commissioners were in favor of leaving this item as is in the Agreement, except for Commissioner Anderson who stated he wanted a contribution from Spruce Creek.

5) Pg. 4, #8 Assignment of rights - the City has no say and will that make a difference. Mr. Gann stated the only property that could be sold/assigned would be the golf course to the Homeowners Association, but Spruce Creek would still control the infrastructure. Attorney Landt stated that gives them the right if they sell their property to transfer their right to the reuse water to the new owner.

6) Pg. 4, #9 Attorney Landt stated that Commissioner Anderson had asked him about this item which is a disclaimer of representation. The Attorney stated that we agreed to leave nutrients in the water and still meet public access standards, but the City would not be responsible for the productivity of the property or changes to the land, crops or vegetation of any kind. This protects the City if the grass grows or does not grow as a result of the water.

Mayor Bairstow stated to PWD that this agreement provides that the COB be under an obligation to perform certain tasks and wanted to know if the PWD was comfortable that the City would be able to perform those tasks. The PWD stated he was comfortable with that arrangement.

Commissioner Anderson stated instead of pumping to another entity because the PWD has stated that the City still has a problem in house, put the reuse water at the ballpark and use the reuse water right here on our property and then sell any excess. Attorney Landt stated that if the City believes it may want to spray this reuse water on its own properties then you need to say "except for any reuse of the City on its property." It is implied, but you should spell it out if you think that is what the City would do. Mr. Gann restated the COB is not obligated to send Spruce

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Creek any minimum amount. Commissioner Abshier stated it would be cheaper to do it the way we are doing it and because we have a buyer for the effluent; the sports complex would not pay for the reuse water.

Commissioner Nadeau asked what would it cost to run a line to the sports complex for irrigation. PWD Monroe stated the system out there is capable of using reuse water, but he separated the system out. The line would have to be a pressurized line which it is not right now and you would have to have a holding pond at the sports complex. PWD stated he thinks the City would want a closed tank out at the sports complex instead of an open pond.

Commissioner Nadeau made a Motion to Enter Into the Agreement with the Proposed Modifications made by Attorney Landt which include 1) Right of First Refusal; 2) Changing water quality to an exact standard and set forth in the Exhibit; 3) Reserving the Right for the City to use its reuse water and Commissioner Abshier seconded the Motion.

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

The Motion passed with a 4-1 vote.

PWD Monroe stated that the County is in the process of repaving C-25 to D&D Business Center. This line of 1300 feet needs to be installed and the County has given us a price of \$27,560 to install this line while they are doing the repaving. PWD Monroe asked the Commission to approve having the County Contractor installing the line for \$27,560. Commissioner Nadeau asked where the funds would come from and the PWD stated we would have to pay for it immediately. If the City could be reimbursed from the loan process we would request that reimbursement, however, the PWD was not sure if that was possible.

Commissioner Nadeau made a Motion to Approve the project and authorize taking the funds from the sewer impact fees and Commissioner Abshier seconded the Motion.

Commissioner Anderson asked if this project needed to be put out to bid and the PWD stated that since the Agreement has been approved with Spruce Creek, he was hoping that he could make this an addendum to the County's contract with the general contractor. It basically comes down to if we don't do it now, our cost would be higher. Commissioner Anderson asked if they could put the pipes under the driveways and the PWD stated the price for that is \$14,000. The PWD stated that he talked to the Underground Contractor and he stated he would not give the COB a bid because he was working for the General Contractor on this project. Attorney Landt stated for the City to enter into an Interlocal Agreement with the County for this project and then pay the County directly. Mayor Bairstow stated if it can be done legally and properly, go ahead and do it, providing the Motion passes. The PWD asked what the cap cost would be on this job and all the Commissioners were in agreement with whatever it takes to get the job done.

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

8. GOLF PARK II

PWD Monroe stated that this is the proposed developers agreement for Golf Park II with is a little over 30 acres with 54 residential units on approximately 1/3 acre lots. The subdivision is outside the City limits and this agreement would be for the COB to provide water and sewer service to that subdivision. The PWD stated he had sent a letter to the officials of Golf Park II and they in turn sent one back to the City with revisions and he was asking the Commission to consider their requests tonight.

The PWD stated that Steve Gray, Attorney for Golf Park LC, stated in his letter that he was requesting a) language for a temporary septic system to be located in the front of each the residences in the event the COB could not supply sewer service when needed; b) when the City can provide service the temporary septic system would be abandoned and connection to the COB sewer system would be made; c) when those homes with the temporary septic systems are connected to the COB sewer system the City would waive the connection and impact fees for those residents and the owners will release the City from damages regarding the need for a temporary septic system. PWD Monroe stated that Attorney Gray would be going over his requests, but after that was done, the PWD had some changes to go over.

Attorney Gray came forward and stated that he had gone back after the last discussions and revised the plans and has incorporated the installation of sewer collection system and a lift station for connection to your system. His concerns are that the City does not have a procedure to reserve capacity and if he could not connect to your system when needed, he wants to limit what it would cost in that event. The Attorney stated that the County has provided his client with a waiver so he could install temporary septic tanks in each resident lot if needed, but it must be in the front yard and disconnected as soon as the COB can provide service. Attorney Gray stated that they would connect to provide service and if that occurs they are asking the City to waive some of the fees and bear some of the expenses. If the City could not provide service, than his client would have a 54 lot subdivision with no where to go. This is a safety valve in case we cannot get service from you.

Attorney Landt stated that it was his recommendation to adopt items A and B from this letter and then the Legislative Body would have to decide as to C, if you want to waive the fees. Attorney Landt stated that he was not making any recommendation as to item C. Mayor Bairstow asked the PWD what his recommendation would be. The PWD stated that he agreed with Attorney Landt on items A, B, but would recommend waiving the connection fee on C. Attorney Gray stated that he felt that was a fair proposal and it has been done in the past.

Commissioner Abshier stated he could not see how item C would impact the developers getting money from the lenders. Attorney Gray stated the lenders want a guaranteed/reserved capacity. Commissioner Abshier stated he thought the connection fees were the resident's responsibility. Attorney Gray stated that they feel the owner should not have the costs for an additional impact whereas the lender would have a problem if the City couldn't provide services. Attorney Gray stated that the lenders now are frequently requiring the engineers to get a certification letter that the utility providers have the capacity and can provide the services.

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Commissioner Anderson stated that he was in agreement with A and B, but did not understand why they wanted to create another monster and allow septic tanks for a smaller subdivision than what was just proposed by Mr. Boone. Attorney Gray stated that the City would not be waiving the connection fee unless the City fails to perform under its own contract. Attorney Gray stated we are offering this waiver in case the City cannot provide the service, then the City would have

no liability. Commissioner Anderson stated that the City's Engineer has stated that the City has plenty of capacity. Attorney Gray stated he, too, hopes the engineer is correct, but he would prefer that the City would waive a small fee so that the City would not incur any liability. We can develop with septic tanks, we are now asking for a safety valve on 54 lots, at a later time we will not ask for a safety valve, but originally this subdivision was approved for septic tanks. Mr. Gray stated you are not making a concession, we are just asking for a safety factor option.

Commissioner Chaffin left the meeting at 8:50 PM

Attorney Landt stated he recommended approving A and B because the City has done that in the past and it is a reasonable out for the developers to quantify their risks. If the City is sure that the City can provide capacity, it is a moot point. If PWD Monroe recommended waiving the connection fees then the amount of the connection fees would be a fair trade off for the developers agreeing that they would have no claim if the City could not accept the effluent.

PWD Monroe stated he also wanted to change the boiler plate to include 1) taking a subdivision in within the one year warranty period. We are seeing that they are not developing within the one year time frame. Water and sewer lines are not a problem, but lift stations, roads, streets, lights, and drainage are a problem. The PWD stated he would like to change the policy to a 50% occupancy level and on this particular subdivision it would only pertain to the lift station. Mayor Bairstow asked Attorney Gray if he had a problem with that and Attorney Gray stated he did not because it meant the first day that you hit the one year time frame and 50% occupancy.

2) PWD Monroe suggested on Pg. 3, #A-5, would like that to be modified back to the original language which covers the one year warranty period on water and sewer lines. Attorney Gray and the Commissioners were in agreement.

3) PWD Monroe stated that he would like to insert a new paragraph which reads - pay all costs associated with operation and maintenance of sewer pumping station including electrical cost until 50% of the lots are improved, meaning certificate of occupancy are issued and are utilizing water and sewer service from the COB. Developers shall repair at their expense any deficiencies noted prior to the City assuming ownership and maintenance described in 5-B below.

The PWD stated that when the developer reaches that one year or 50% occupancy point, the PWD would do an inspection and if there were any, the developer would correct the deficiencies and then the City would take over the operation and maintenance. Attorney Gray and the Commissioners were in agreement.

4) Re-number paragraphs down the page.

5) Pg. 3, #A-9, PWD stated he wanted that to say that they will pay the cost of annexation when the City deems it necessary. Commissioner Nadeau asked if that would necessitate Comprehensive Plan Amendment Changes and if they were included in the costs. The PWD and the City Clerk stated the costs include both the Annexation costs and the Comprehensive Plan costs.

6) PWD stated on Pg. 4, delete #5 and add a new paragraph that states - after 50% of the lots are improved and the Certificate of Occupancy are issued and the COB shall assume ownership and maintenance of the lift pumping station listed in A-6 above prior to assuming ownership and maintenance the City would conduct an inspection and note any deficiencies of said lift pumping station. The developer shall be provided a copy of this list.

Commissioner Abshier asked where does it state that the developer would sign a covenant saying that the entire subdivision would be automatically annexed at the City's discretion. The Clerk stated that is on Pg. 3, #A-9. Commissioner Abshier stated there is absolutely no way that you can guarantee that will happen. The Clerk stated that procedures have been put in place to ensure the Annexation Covenant would be signed before the water and sewer is provided. The PWD stated we can have it signed before the recording of this agreement and Attorney Gray stated he had no problem having it signed simultaneous with the Developer's Agreement. The Clerk stated that the covenant would be signed simultaneous with the agreement.

Commissioner Abshier made a Motion to approve the Agreement with the modifications and Commissioner Nadeau seconded the Motion

On roll call vote, YES: Anderson, Abshier, Nadeau, Bairstow
The Motion passed with a 4-0 vote.

9. CODE ENFORCEMENT BOARD MEMBER

Clerk McKamey stated that Chuck Baylis has called and asked to be a member of the Code Enforcement Board.

Commissioner Nadeau made a Motion to approve Chuck Baylis as a Code Enforcement Board Member for one year and Commissioner Abshier seconded the Motion

Clerk McKamey stated that this fills the Board except for the Alternate Members.

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

The Motion passed with a 4-0 vote.

10. CERTIFICATION OF TAXABLE VALUE

Clerk McKamey stated that this has been tradition since she has been Clerk to certify the taxable value at 6 mills for budgetary purposes. No date has been set for the Public Hearing because we coordinate with Marion County and the School Board and they have not turned in their Public Hearing dates yet.

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The Clerk stated that her recommendation was to certify the initial millage at 6 mills.

Commissioner Nadeau made a Motion to Approve the Certification of Taxable Value at 6 mills for budgetary purposes and Commissioner Abshier seconded the Motion.

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

The Motion passed with a 4-0 vote.

11. WILLIAM "BILLY" THREET MEMORIAL

PWD Monroe stated that he sat down with Commissioner Nadeau after the last meeting and there has been a change in the wording on the memorial. The size of the pad has also been reduced significantly because he did not feel such a large pad was needed over by the trail. The PWD stated that he also included in the Agenda a recommendation for the location of the memorial, which is between the big pavilion and the lake along the walking trail. As you walk along the trail, you can look at the memorial, and the lake would be in the background.

Commissioner Abshier stated this might seem silly, but to personalize the memorial by putting in one corner a little jar of marbles or something like that because Billy always had those things to count. PWD stated that was one of his favorite little get together items, a jar of beans, nails or marbles and the PWD stated he thought he could put that on the memorial. The PWD stated he could move the logo off center and put the jar on the bottom. Commissioner Anderson suggested leaving the logo where it was and in one corner put a quart jar to count and in the other one put a Christmas Tree.

Commissioner Nadeau made a Motion to Approve the Memorial with modifications and Commissioner Abshier seconded the Motion.

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

The Motion passed with a 4-0 vote.

12. SPORTS COMPLEX LEAGUES

Commissioner Nadeau gave an update on the four leagues that use the sports complex. Three of the agreements have expired and the documents that were requested from the leagues, which were financial information, player's roster and liability insurance information, were not provided to the City.

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Two of the three leagues are compliant and they are the Girls Softball whose Agreement expired 12/31/03 and the Adult softball which expired 3/5/04. Dixie Youth Boys baseball had nothing current in the file. From what the Commissioner had been told there is a lack a leadership on this league. The Commissioner stated that the three contracts that had expired he would like to extend those contracts until 12/31/04 providing we receive current information.

Commissioner Nadeau stated that at budget time he would bring up a part-time Park and Recreation person to relieve the workload on the PWD. Years ago the proposed player fee was \$10/player/season, but with resistance from the community the City reduced it to \$5. We need to move the fees upward and he suggested doing it in 2005 and extending the contracts until 12/04.

Commissioner Abshier stated that the Dixie Boys played without a contract this season and the Adult Softball also had no contract, but they are playing now. If there is not someone to come forward and sign the contract for the league, they should not play.

Pattie Hill, PW Staff Assistant, came forward and stated that two leagues wanted their contracts renewed, but the Commission was supposed to be looking at the fees. Commissioner Abshier stated it was made pretty clear that no one would play without a contract, so how did Dixie Youth Boys play and the Adult Softball league play. Ms. Hill stated that someone from the leagues came in the City in February and she explained everything they had to do and provide to the City. Commissioner Abshier stated did we collect the \$5 fee and Ms. Hill stated we did not and she did not have a list of players.

Commissioner Abshier stated if there is no contract, no one plays. Why did we spend all those hours going through this. Everyone is accountable and everyone has to sign a contract.

Commissioner Abshier made a Motion that no organized league would be allowed to participate at the Sports Complex without a signed contract prior to their season beginning and Commissioner Anderson seconded the Motion.

Commissioner Anderson stated we are going to have to give the Police Officers a list of those leagues that have no contracts with the City so they can go out there and stop those leagues from playing. Mayor Bairstow stated take the contract out and notify them that if they don't sign the contract, they cannot play. Someone from the City would need to call them and tell them, that they will not be able to continue to play unless the contract is signed.

Pattie Hill stated the direction that we were given from the Commission, the staff did not know what fees to charge. Mayor Bairstow stated to use the existing fees until changed.

Commissioner Nadeau asked what should he do with the two leagues who want to sign contracts and Commissioner Abshier stated that the City has a boilerplate contract that they can sign.

On roll call vote, YES: Anderson, Abshier, Nadeau, Bairstow
The Motion passed with a 4-0 vote.

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Commissioner Nadeau made a Motion to Renew the current expired agreements until December 31, 2004 providing that all fees are caught up and all documentation is up to date and Commissioner Anderson seconded the Motion.

Commissioner Abshier stated what is the purpose, because multiple leagues have multiple seasons with different time frames, and if they do a one year contract they are still using the park for the rest of the year. Commissioner Nadeau stated it is for time coordination and if we decide in our budget to raise the fees, we can do it all at the same time. If the recreation person is approved at budget, it would give them some time to move the program forward.

Mayor Bairstow asked Commissioner Nadeau if he and the staff would have new contracts ready by January 2005 and Commissioner Nadeau stated they would.

On roll call vote, YES: Anderson, Abshier, Nadeau, Bairstow
The Motion passed with a 4-0 vote.

13. 110TH STREET WATER MAIN RELOCATION

PWD MONROE stated that he was requesting to put this out to bid as part of the County bid for road construction. It would be added as an addendum or alternate bid to their contract. It would be awarded to one contractor and the City would pay the cost to Marion County through an Interlocal Agreement. The PWD stated he feels that he would get a better bid if the City and the County bid it together.

Commissioner Nadeau made a Motion to Approve the Project being bid as an addendum/alternate to the County contract and Commissioner Abshier seconded the Motion.

On roll call vote, YES: Anderson, Abshier, Nadeau, Bairstow
The Motion passed with a 4-0 vote.

14. POLICE DEPARTMENT COMPUTERS

Chief Strickland stated that he was requesting to replace 10 PC's at a cost of \$800 per PC which equals \$8,000. The Chief stated that he also needed a server at the cost of \$2,000 and he was requesting that the \$8,000 for the 10 PC's and the \$2,000 for the server to come out of the Automation Fund.

Commissioner Nadeau made a Motion to Approve the \$10,000 for the PC's and Server to come out of the Automation Fund and Commissioner Abshier seconded the Motion.

On roll call vote, YES: Anderson, Abshier, Nadeau, Bairstow
The Motion passed with a 4-0 vote.

15. DEPARTMENT HEAD COMMENTS

PWD MONROE: Nothing at this time.

IT COORDINATOR TOWNE: Nothing at this time.

CHIEF STRICKLAND: Read the monthly report for June

Total cases worked 540

Traffic Citations 185

7 were assigned to CID and 5 were cleared by CID

11 DUI arrests

6 D.L. Arrests

3 Drug arrests

21 Miss. arrests

0 Juvenile arrests

41 people were taken to jail

24 accidents on the roadway

CLERK McKAMEY: Nothing at this time.

16. UNSCHEDULED AUDIENCE

Albert Koons came forward and requested that a thorough traffic study be done for the 150 unit subdivision and also requested additional police officers because of all the development going on the City would need more men.

17. COMMISSION COMMENTS

Commissioner Abshier: Nothing at this time.

Commissioner Nadeau: Asked everyone to keep Jim Waldron, the Voice of South Marion, in their prayers; Introduced Mike Sizemore who was running for County Commission.

Commissioner Chaffin: Had left the meeting.

Commissioner Anderson: Discussed

1) the stop signs at the shopping center;

2) the survey on Front Street - PWD stated it has been ordered, but it would be a few weeks;

3) the fence on the Moody property - PWD stated he has not heard back, but would check on it;

4) the railroad on Robinson Rd - PWD stated he did not know what was wrong with it yet, but they had been notified.

Mayor Bairstow: Discussed the County Workshop on the Cities keeping a portion of the Sales Tax

The meeting was adjourned at 9:40 P.M.

City of Belleview
Regular Commission Meeting
July 20, 2004

ATTEST:

Sandi McKamey, CMC, CPM
City Clerk/Administrator