

**CITY OF BELLEVIEW
REGULAR COMMISSION MEETING
AGENDA**

**BELLEVIEW CITY HALL
COMMISSION CHAMBERS**

September 6, 2005

6:00 PM

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

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

ABSENT: COMMISSIONER CHAFFIN; CHIEF STRICKLAND

1. APPROVAL OF MINUTES

- a)7/19/05 Regular Meeting
- b)7/28/05 Special Meeting
- c)8/02/05 Regular Meeting

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

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

2. PUBLIC HEARING: FIRST READING BUDGET FOR FISCAL YEAR 2005-06

Mayor Bairstow gave a brief presentation of the budget: current proposed millage was 4.4139 mills which would have a net increase to general fund budget of \$282,444.00. The purposes for which the ad-valorem tax revenues would be used are a) salaries/benefits and operation/maintenance; b) additional employees and capital outlay purchases.

Capital purchases come entirely from fund balance and the general fund cash forward comes to \$389,174. Estimated revenues which include Ad Valorem Tax, Sales and Use Tax, charges for services, Intergovernmental Revenue, License and Permits, Fines & forfeitures, Franchise Fees and Interest earned/other comes to \$3,183,450.

Expenses include General Government, Law Enforcement, Physical Environment, Roads & Streets, Parks/ Recreation, Cemetery totals come to \$3,183,450.

Mayor Bairstow stated this was a public hearing and asked if anyone wanted to come forward to discuss the proposed budget. No one came forward.

a) Resolution 2005-15 Tentative Millage Rate

The Mayor stated that Budget Workshops the budget was formulated. The Clerk read Resolution 2005-15, Title Only.

Commissioner Nadeau made a Motion to Adopt Resolution 2005-15 Tentatively Setting the Millage Rate and Commissioner Abshier seconded the Motion.

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

b) Resolution 2005-16 Budget

Mayor Bairstow stated gave a brief description of the Water & Sewer Fund: Cash Balance Forward comes to \$20,000; total revenues and other financing sources comes to \$1,565,853; total expenses \$1,565,853.

Mayor Bairstow stated this was a public hearing and asked if anyone wanted to come forward to discuss the proposed W&S budget. No one came forward.

Clerk McKamey read Resolution 2005-16, Title only.

Commissioner Nadeau made a Motion to Adopt Resolution 2005-16 Tentatively Adopting the Budget for Fiscal Year 2005-06 and Commissioner Abshier seconded the Motion.

On roll call vote, YES: Nadeau, Anderson, Abshier, Bairstow
The Motion passed with a 4-0 vote.
The combined budget for the City comes to \$4,749,303

3. PROCLAMATION – COB LIBRARY

Clerk McKamey read the proclamation and Mayor Bairstow declared the City would support the One Book/One Community Project which runs from September 17, 2005 through November 17, 2005.

4. PROCLAMATION: BALLROOM DANCING

Clerk McKamey read the proclamation and Mayor Bairstow declared September 23, 2005 through October 1, 2005 as Ballroom Dancing Week in the COB.

5. CUB SCOUT PACK 441

Kristy Randall, Cub Scout Leader, came forward and requested permission to use 1)the COB parking lot for a yard sale on 3/18/06 from 6:30 AM – 3:30 PM; 2) to use the area behind the T-ball field on 10/3/05 for a fun time of rocket launching from 5:00 PM – 8:00 PM.

Commissioner Nadeau made a Motion to Approve the requests and Commissioner Anderson seconded the Motion.

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

6. FUND RAISER FOR VICTIMS OF HURRICANE KATRINA

Melanie Miller/Elena Tochey came forward and requested to use the COB parking lot and stage area for a fund raiser for the victims of Hurricane Katrina on 9/17/05 from 10:00 AM – 9:00 PM.

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

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

7. PUBLIC HEARING: FINAL READING, ORDINANCE 2005-09 T&L HOLDINGS, LLC

Clerk McKamey read Final Reading of Ordinance 2005-09, Title Only, and gave a brief review of the Annexation Ordinance and stated First Reading was held on August 15, 2005.

Mayor Bairstow stated this was a public hearing and asked if anyone wanted to come forward in favor or in opposition to the Ordinance. No one came forward.

Commissioner Nadeau made a Motion to Adopt Ordinance 2005-09 and Commissioner Anderson seconded the Motion.

On roll call vote, YES: Nadeau, Anderson, Bairstow
The Motion passed with a 3-0 vote.

Commissioner Abshier abstained from voting because of a conflict; the Commissioner was related to the Engineer on this project.

8. PUBLIC HEARING: FINAL READINGS:

a) Ordinance 2005-22, R-4 Appendix

Clerk McKamey read Ordinance 2005-22, Title Only, and gave a brief review of the Ordinance

Mayor Bairstow stated this was a Public hearing and asked if anyone wanted to come forward in favor or in opposition to the Ordinance. No one came forward.

Commissioner Nadeau made a Motion to Adopt Ordinance 2005-22 and Commissioner Anderson seconded the Motion.

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

b) Ordinance 2005-23, R-4 Schedule

Clerk McKamey read Ordinance 2005-23, Title Only, and gave a brief review of the Ordinance.

Mayor Bairstow stated this was a Public hearing and asked if anyone wanted to come forward in favor or in opposition to the Ordinance. No one came forward.

Commissioner Nadeau made a Motion to Adopt Ordinance 2005-23 and Commissioner Anderson seconded the Motion.

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

9. PUBLIC HEARING: FRDAP APPLICATION

PWD Monroe stated that this was on the Agenda for the next round of funding and he was asking permission to apply for this grant which was a matching grant of 75%/25%. The Leagues are committed to getting donations and the grant would be used to construct two additional softball fields. The supporting facilities would be to remodel the restrooms and the electric system.

Costs are \$112,500 and listed in the Agenda packet and there would be in-kind donations of \$37,500; totals \$150,000.

Commissioner Nadeau asked if the lighting was for the baseball field and the PWD stated this was to upgrade the ball field electrical system.

Mayor Bairstow stated that this was a Public Hearing and asked if anyone wanted to come forward and speak in favor or in opposition. No one came forward.

Commissioner Anderson asked if there was a written contract with the leagues in regards to the 25% match and the PWD stated they had nothing in writing, but if they don't provide it then we could not proceed with the project and the grant money would not be expended.

Commissioner Anderson asked if the City gets half the money what would be completed. The PWD stated you have to have a primary purpose for the application and the ball fields were listed the way they were for that reason. The City gets what it applies for or we get nothing; if we don't provide the 25% match, we get nothing.

Commissioner Anderson asked if the City got \$63,000 would the PWD accept that and the PWD stated he would come back before the Commission. Commissioner Nadeau stated on Pg. 56 change Belleview Soccer Club to the entire existing Baseball and Softball complex.

Commissioner Nadeau made a Motion to apply for the grant; seconded by Commissioner Abshier

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

The Motion passed with a 4 – 0 vote

10. PUBLIC HEARING: FIRST READING, ORDINANCE 2005-16 MYERS CPA

Craig Brashier, Withlacoochee, came forward and stated that this property had been annexed into the City and these amendments would assign the proper City Land Use classification and Zoning designation to the 1.3 acres. The subject property was located at 6861 SE 110th Street and the impacts created were due to the possible increase in intensity of the land use. There was a residential structure on property and to the north was a single family residential neighborhood. Vacant lands to the east and commercial uses to the west. This property was not in a wetland or flood prone area.

Traffic analysis were based on the maximum trips and the Floor Area Ratio was proposed by P&Z Board to be limited to .7 as compared to the current COB rate of 1.25 which would reduce the possible traffic impact on the local road system.

Potable water system would reduce the water level of service by 441 gallons/day by being inside the city limits; the Sanitary Sewer system was higher outside so that would also be a reduction.

Solid waste, no level of service given for commercial uses in the City's Comprehensive Plan. Storm water management, the proposed amendment would have little or no impact on the City's drainage facilities. All new developments were required to be designed to accommodate for 25 year, 24-hour storm and any increases of run-off above pre-development conditions; peak post-development runoff would not exceed pre-development runoff. The proposed amendment would have little or no impact on the City's drainage facilities. No recreational level of service for commercial uses in the Comprehensive Plan.

The P&Z Board recommended approval with the condition of limiting the Floor Area Ratio to .70.

Clerk McKamey read First Reading of Ordinance 2005-16, Title Only, and gave a review of the Ordinance. Mayor Bairstow stated that this was a Public Hearing and asked if anyone wanted to come forward and speak in favor or in opposition.

In Favor of the Ordinance:

Ken Winstanley came forward and stated he had no problem with this ordinance.

Commissioner Nadeau made a Motion to Approve First reading of Ordinance 2005-16 CPA; seconded by Commissioner Abshier

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

b)Ordinance 2005-17 Harrell CPA

Clerk McKamey read First Reading of Ordinance 2005-17, Title Only, and gave a review of the Ordinance.

Craig Brashier, Withlacoochee, stated that this was located on SE 102 PL and the impacts were due to the increase in possible floor area ratio for the City's Commercial Land Use. The future land use of this property was going from commercial (County) to commercial (City); This was a single family structures to the east and west of the property; a multi family mobile home park located directly across SE 102 Pl with single family residential structures located to east of mobile home park; with commercial businesses along south side of 102 Pl and auto repair body shops were west of the property.

Potable water, the City's Comprehensive Plan's level of service inside the City limits was 462 gal/day for commercial uses; sanitary and sewer system inside the city was 373 gal/day for commercial uses; solid waste –no level of service given for commercial uses in the Comprehensive Plan; storm water management - the proposed amendment would have little or no impact on the City's drainage facilities. All new developments were required to be designed to accommodate for 25 year, 24-hour storm and any increases of run-off above pre-development conditions; peak post-development runoff would not exceed pre-development runoff. Recreation, no level of service for commercial uses in the Comprehensive Plan.

The P&Z Board recommended approval of the application with limiting the Floor Area Ration to .70 and limit the zoning to a B-4 instead of B-5 as proposed.

Mayor Bairstow stated that this was a Public Hearing and asked if anyone wanted to come forward and speak in favor or in opposition.

a) Dorothy Grimm came forward and stated this property was behind her property within the 300 feet and she has cows and does not want the City to put commercial businesses out there. She stated that they had been there for years and would like to stay there and keep her farm.

The Mayor stated that this would not affect her land and it would not prohibit her from doing what she had been doing on her land.

b) Reverend Brown came forward and the Mayor stated that this Ordinance would not affect his property and he could continue farming on his land.

c) Bob Dobkowski came forward and asked what were they going to put on that parcel on 102nd St.. He was concerned with the traffic because he had property there. The Mayor stated without any adjustments there would be an adverse traffic affect and that was why the P&Z made the recommendation to reduce the floor area ratio to .7% which would reduce the potential number of trips. The Clerk stated there would be warehouses but they would still need to go through the site plan process.

Commissioner Nadeau stated the B-4 zoning had dozens of uses that can go in there under that classification. Mr. Dobkowski asked if apartment complexes could go in there and the Clerk stated not in B-4.

Commissioner Anderson stated to the Clerk note that putting a B-4 next to residential should require some buffers.

Commissioner Nadeau made a Motion to Approve First reading of Ordinance 2005-17 CPA; seconded by Commissioner Abshier

Commissioner Anderson asked if the landowner was aware of what was going on and the Clerk stated his daughter was at the public hearing for P&Z and they were aware of the recommendations. The Clerk stated that the Traffic study potential development generates the number of trips at .7 from the County then jumps up to 1.25 in the COB and that was why that recommendation was made

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

c) Ordinance 2005-18 PKD CPS

The Clerk read Ordinance 2005-18, Title Only and gave a review of the Ordinance. The Clerk stated that this Comprehensive Plan was presented to the P&Z Board on August 9, 2005 and they had concerns about the high density for the residential area and traffic. Their recommendation was to deny the Application based on their concerns.

Craig Brashier, from Withlacoochee Regional Planning Council, stated this parcel which was recently annexed into the City of Belleview was located adjacent to the Moose Lodge on Hwy 441 and approximately 7.32 acres. The impacts were the high floor ratio and the increase in the density. Currently use was vacant with one single family. To the East and South vacant land, City's water well,

pawn shop and open agriculture space was to the North; to the West a church and additional vacant open land. The property was not located in a flood prone area or wetland and the soil does not present any severe limitations for dwelling units, small commercial structures, or local roads and streets.

Traffic as proposed by limiting the floor area ratio would be additional trips because that possibility exist there now. Potable water, outside was up to 979 and inside the level of service drops to 462; the same for the sanitary sewer facility. The solid waste no level of service for commercial. Post development runoff would not exceed the predevelopment runoff.

Mr. Brashier stated that P&Z recommended denial because of the high density residential compatibles with low density uses and to minimize the floor area ratio.

Mayor Bairstow asked if anyone who was in favor of the ordinance wanted to come forward. No one came forward. Mayor Bairstow asked if anyone who was in opposition to the proposed Comprehensive Plan wanted to come forward:

1) Dorothy Grimm came forward and stated that DOT was supposed to be here tonight and discuss the traffic. The Moose Lodge was on one side and that was where the traffic would be turning in and she wanted to know what DOT was going to say about that. The Clerk stated those studies come further on in the development of the parcels. Mayor Bairstow stated that additional steps would have to be done first and then the traffic flow and DOT will be addressed

2) Bob Dobkowski came forward and stated that 14 units per acre would result in 56 residential units. Who would support these additional students because the school system was already over the limit. Mr. Brashier stated that there was a new State law passed but they have not put out the method of how to calculate it. The new requirements would probably use census data and take the average number of school age children in the City. Mr. Brashier stated 2.44 occupants per unit was how we arrived at 186. The Clerk stated that the City's Comprehensive Plan Amendments were forwarded to the School Board.

3) Lee Stoddard came forward and stated that he had horses and mules and with 50 apartments behind him the crime would escalate and soon enough someone would complain about his animals. There was no buffer there now and he could hear Ms. Grimm's cows and she had to hear his animals.

Mr. Stoddard stated that he was very concerned about the entrance and exit to that property because it was a blind intersection and someone would die there. He was not happy about the apartments, but if you went commercial he would not be here tonight.

4) Mike Slattery stated he had eight kids and so does he (pointing to someone in the audience). The National Average 2.3 children per family where would you put them in the schools. The people in those apartments would not want those farms around and they would have to rezone the property. You would eventually throw these people out; that needs to be considered because Reverend Brown has been there 97 years.

PWD Monroe stated that because of contamination the City could limit what type of business would go on this property; possibly passing a Well Protection Ordinance. Commissioner Abshier stated that you could have conditional zoning where you change the zoning class to a specify use and you could do that now without an Ordinance change. Attorney Landt stated that the applicant must be present to do that.

Commissioner Anderson stated that the back portion was residential and the Clerk stated that was the P&Z Board's concern and why they recommended denial. Commissioner Anderson stated the residential part would be near the animals and this was Mr. Brown's homestead; the City would need protection on its well and we could go with the developer and protect by deed.

The Clerk stated that the developer was out of town but his daughter was at the P&Z Board meeting and they were aware of the meeting tonight. Ms. Pittsley stated that she spoke to the developer and he had spoken to his daughter and he was aware of what was going on.

Commissioner Nadeau stated that no one was opposed to the backside being commercial so change it to a B-4 with protection and the City Attorney interjected that the applicant needs to be here to consent to change to a B-4. Mayor Bairstow stated to vote against it and then the burden would go back to the applicant to determine the next step.

Commissioner Nadeau made a Motion to Deny Ordinance 2005-18 and Commissioner Anderson seconded the Motion.

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

11. PUBLIC HEARING: FIRST READING: ORDINANCE 2005-24 BRIGHT HOUSE FRANCHISE

The Clerk read Ordinance 2005-24, Title Only and gave and gave a review of the Ordinance. Mayor Bairstow asked if anyone who was in favor of the ordinance wanted to come forward. No one came forward.

Diane Pickett Culpepper, Bright House, came forward and addressed Commissioner Anderson concerns regarding if the cable ordinance included DSL, RR and telephone. She stated the ordinance did not and that it was only for cable services; the internet was not included. Ms. Culpepper stated that telephone service over the internet was not regulated in Florida, but discussions were going on at the Federal level. The cable portion was regulated on the Federal level and FCC. Bright House does, however, provide 911 service and this contract was a 10 year contract. Commissioner Anderson asked if the FCC made changes would that automatically change the contract. Ms. Culpepper stated that would be handled as a separate process when that occurs.

Attorney Landt stated what the Commissioner was asking was if the law allows it, the COB would like a franchise fee or tax on the provision of service through the internet and broad band. The Commissioner would like a clause inserted that at that time the City could collect that fee and Bright House would pay it. Ms. Culpepper stated there was a different fee schedule for the Communication Service Tax and the internet was not included. If the laws change, Bright House would be bound by that separately but not as a cable. Attorney Landt stated to add a clause that was a catch all so if they change the City would get the fee. The Attorney stated that there was one section that contemplates that, but the definition made him uneasy.

Ms. Culpepper stated that CST states specifically what was included and what was not. Under Section 2, Ancillary Service, the City was covered there. The Attorney stated that under Section 2, a(i) he agreed

with Ms. Culpepper, but under Section 2,e, shopping revenue needs to be a bit clearer. Ms. Culpepper stated she would work with the Attorney on that sentence before the Final Reading.

Mayor Bairstow stated at the final hearing there would be a different Ordinance than what was presented here tonight.

Commissioner Nadeau made a Motion to Approve First Reading Ordinance 2005-24 and Commissioner Anderson seconded the Motion.

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

12. PUBLIC HEARING: FIRST READING, ORDINANCE 2005-25 HARRELL ANNEXATION

The Clerk read Ordinance 2005-25, Title Only and gave a review of the Ordinance. Mayor Bairstow stated this was a Public Hearing and asked if anyone who was in favor or in opposition to the ordinance wanted to come forward. No one came forward.

Commissioner Abshier made a Motion to Approve First Reading, Ordinance 2005-25 and Commissioner Anderson seconded the Motion.

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

13. PUBLIC HEARING: FIRST READING, ORDINANCE 2005-26 COST RECOVERY

The Clerk read Ordinance 2005-26, Title Only, and gave a review of the Ordinance. Mayor Bairstow asked if anyone who was in favor of the ordinance wanted to come forward. No one came forward.

Commissioner Abshier left the meeting at this time.

Commissioner Nadeau made a Motion to Approve First Reading, Ordinance 2005-26 and Commissioner Anderson seconded the Motion.

On roll call vote, YES: Nadeau, Anderson, Bairstow
The Motion passed with a 3 – 0 vote

Commissioner Nadeau made a Motion to Approve the Contract and Commissioner Anderson seconded the Motion.

Commissioner Anderson stated he had not had a chance to read the contract and Lt. Holland stated that Attorney Landt had reviewed it and the Lt. was recommending adoption of the contract to the Commission.

Commissioner Abshier re-enter the meeting at this time.

The Attorney stated he requested a change to the renewal, and the language was a result of that request. The Commission needs to adopt the contract with the change in Paragraph 7, the phrase “shall automatically be renewed” - remove the word “automatically.”

Commissioner Nadeau made a Motion to Approve Contract with the Attorney's changes and Commissioner Anderson seconded the Motion.

After some discussion concerning the contract.

Commissioner Nadeau made a Motion to Withdraw the Motion and Commissioner Anderson agreed to the withdrawal.

14. FRIENDS OF THE LIBRARY'S ROOF BID

PWD Monroe stated that they had submitted bids for repair of the COB's roof and the library's roof. The low bidder for the library was Lea Brothers Roofing at \$4000. The City had put aside \$3000 and was requesting the \$1000 balance come from General Fund Fund Balance.

Commissioner Anderson made a Motion to Approve the Bid of \$4000 with the Balance of \$1000 to come from General Fund Fund Balance and Commissioner Nadeau seconded the Motion.

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

PWD Monroe stated that as soon as the insurance company reviews the City Hall roof's bid, it would be brought before the Commission.

15. 441 MEDIAN LANDSCAPE PROJECT BID

PWD Monroe stated this was the weigh station on 441 using the grant money from the Department of Transportation. The low bid was from Grandview Landscaping for \$31,896.26 and that was the PWD's recommendation.

Commissioner Nadeau made a Motion to Approve the Bid of \$31,896.26 to Grandview Landscaping and Commissioner Abshier seconded the Motion.

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

16. SERVICE AREA AGREEMENT

PWD Monroe gave an update of the service area with a Power Point demonstration to the Commission and stated that the City's proposed map and Marion County proposed map were included in the packet.

Commissioner Nadeau made a Motion to Approve the proposed Marion County Map and Commissioner Abshier seconded the Motion.

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

Commissioner Nadeau made a Motion to Approve the Service Agreement and Commissioner Abshier seconded the Motion.

Commissioner Nadeau asked if the Attorney agreed with the agreement a long time ago and had been waiting for the map. The Attorney stated he did approve of the agreement but there were a few things he would have changed but they were not things the City could get changed. One provision was if the City

cannot provide service within its territory and the County comes in to provide service, the County keeps it forever; if they can't provide service out in the County and the City provides service to the County then the City keeps it forever. He would have put a time limit on that.

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

17. BASELINE EXTENSION BID

PWD Monroe stated this was bid with Marion County to extend Baseline Rd from C-25 along Front Street over by 441 at the over-pass. We had to relocate a water main and entered into an Interlocal Agreement with Marion County to include that in their bid so one contractor would do all the work. This project took more time than expected and the City moved into the treatment plan renovation project which included the Baseline corridor. We intended to make other improvements and we wanted to include the extension of the force main.

The City's portion of this bid includes the design work and we wanted to include this while the County was working there. Utility Adjustments of \$110,841 was the City's portion of which we have budgeted \$60,000 under the current years budget. We are recommending that the Commission approve \$110,841, of which \$60,000 comes from previously allocated funds; the remaining would be paid from the revolving loan fund the City has with DEP. The City had previously allocated \$40,000 which would go to Marion County for that entire project, but that was not included in this \$110,841.

Commissioner Anderson asked why not wait and put in those lines under our job grants and not spend that money. PWD Monroe stated that was a possibility for the sewer portion, but water we were going to have to do and the additional work would be \$50,000. It would be better to do that now to get that portion down to at least the overpass where the new construction would be. We could wait on the rest of the project down to the treatment plant but when we heard the County was doing the work, we wanted to get that portion installed at the time of the infrastructure.

Commissioner Nadeau made a Motion to Accept the Bid and fund per the PWD Monroe description and Commissioner Abshier seconded the Motion.

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

18. LEGISLATIVE DELEGATION MEETING

The Clerk stated that the Legislative Delegation meeting would be held on September 29, 2005; the PWD and the Clerk were looking at projects for grant funding. One project that we got funding for was the \$500,000 for the WW Treatment Plant Design work. Last year the City applied, but did not get any funding. Representative Baxley would support the project and PWD Monroe met with Engineer Ron Ferland and they looked at a project for some state funding and some St. John's funding.

Senator Nancy Argenziano was coordinating this meeting on September 29, 2005 from 1:00 PM – 6:00 PM at CFCC Weber Center.

Commissioner Nadeau stated he was free until 3:00PM then Commissioner Anderson could cover up to 6:00 PM. The Clerk stated she would coordinate with everyone after she gets a definite time.

19. SIGN CODE ORDINANCE

Attorney Landt stated that the FL League had recommended two interim ordinances to be adopted and that we need to monitor continuing litigation in regards to Neptune Beach case. The Attorney asked the Commission to approve his studying the Neptune Beach Ordinance in depth and compare it to the COB Sign Ordinance and then he would draft ordinances to implement the changes and this decision had ramifications regarding the billboards as well. The Attorney stated he could not tell how to restrict the billboards further until he researched that case.

Commissioner Nadeau asked what does this mean and the Attorney stated your sign ordinance was unenforceable because it was unconstitutional but we need to see how that would apply to COB Code.

Commissioner Nadeau made a Motion for the Attorney to review the Ordinance and make proposed revisions and ordinances that would keep the City in compliance with current sign laws and court cases and Commissioner Abshier seconded the Motion.

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

20. BILLBOARDS MORATORIUM

Removed from the Agenda.

21. DEPARTMENT HEAD COMMENTS

PWD Monroe – Nothing at this time

IT Coordinator Towne – Nothing at this time

Lt. Holland – Nothing at this time

Clerk McKamey - Altrusa Program needs readers on 9/22/05 at Belleview Elementary School.
Commissioner Nadeau stated he would participate.

22. UNSCHEDULED AUDIENCE

1)Bob Dobkowski came forward and stated that he was the Chairperson for the Committee of 50 and the fee for the Ordinance should be paid by the City of Belleview instead of by the Committee. Also the people who are getting the signatures should not have to be on the Committee because it was not a Charter requirement. The Attorney stated that it was not specifically mentioned in the Charter, but any person could collect the signature but whoever takes the Petition around had to sign an affidavit and it must be a competent adult who signs that.

Mr. Dobkowski stated that the Ordinance handed in had a statement that it should become effective immediately upon adoption that wording was not placed on the Petition. Attorney Landt stated that the Clerk took great efforts to get your ordinance on one page and in the condensing he would assume that was eliminated, but it would take effect as soon as practical if passed.

Bob Dobkowski stated that for the record at the last meeting the Mayor talked about why he did not want to vote for the ordinance and one reason was because of the wording on the petition that was passed around in favor of the Ordinance. Mr. Dobkowski went through the petition and read where the people lived who signed the petition wanting the current alcohol Ordinance:

178 people listed Belleview as their address, one signature out of 528 could be certified by the Supervisor of Elections as a Belleview resident. The rest were from:

99 Ocala
80 Summerfield
78 No Address
29 Villages
19 Lady Lake
4 Silver Springs
13 Ockalwaha
4 Weirsdale
3 Dunnellon
2 Fruitland Park
2 Leesburg
2 Morriston
2 Magnolia Springs
2 Bushnell
1 Marion Oaks
1 Flemington
1 Ustis
1 Oxford
1 St of Kansas
1 Ft Mc Coy
2 Northern Ireland
1 London, England

Mr. Dobkowski asked the Mayor if he knew these statistics or just took some one's word that these were valid citizens of Belleview. The Mayor stated yes, and yes, but he would not participate in a debate.

2) Issue of Chief Strickland: was the City going to mandate that the Chief go through Stress Management. The Mayor stated a statement would be made at noon tomorrow in regards to Chief Strickland. Mr. Dobkowski stated the School System and State do training on abstinence and asked if the Chief who was a role model was in violation of the School System training of abstinence. Mayor Bairstow stated this was not an ethical question and his debating Mr. Dobkowski would only raise this concern to a level that it doesn't deserve.

Bob Dobkowski stated that Marion County has the highest rate of spousal abuse and he wanted to know what the City was doing to help the Chief. Mayor Bairstow stated that he tried to talk and Mr. Dobkowski continues to interrupt him; he would not do it any more.

Commissioner Nadeau stated that the School System and the Cob are two different agencies.

Commissioner Abshier stated to Mr. Dobkowski that the Mayor oversees the Police Department. He was the Liaison and would come out with a ruling or course of action. At that time, if the Commission was not comfortable it could be brought up but until that task was done, it was premature.

23. COMMISSION COMMENTS

Commissioner Nadeau – discussed setting another Workshop for the Sexual Offender Ordinance;
Discussed the County increasing sales tax to benefit roads; the Clerk stated we can do that, only if, they agree to it by an Interlocal Agreement;
Discussed the Memorials and the PWD stated he was waiting for estimates on the plaques;
Stated that the display cases in the Commission Room look very nice.

Commissioner Anderson – thanked PWD and staff for the new fountain and lights in Lake Lillian;
Discussed the time table for the road construction and the PWD stated the Engineer would work up a task authorization to do design work and he would do an analysis to see what additional right of ways would be required;
Discussed when the 4 lane to C-25 to the railroad would go out to bid and the PWD stated it was on DOT schedule for this coming year 2006-07

Commissioner Abshier - Nothing at this time

Commissioner Chaffin - Absent

Mayor Bairstow - Nothing at this time

Meeting was adjourned at 8:55 PM