

**CITY OF BELLEVUE  
REGULAR COMMISSION MEETING  
AGENDA**

---

**BELLEVUE CITY HALL  
COMMISSION CHAMBERS**

**October 18, 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

---

*IF A PERSON SHOULD DESIRE TO APPEAL ANY DECISION MADE BY THE BOARD OR COMMISSION A VERBATIM RECORD OF THE PROCEEDINGS WHICH INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED MAY BE NEEDED. IT IS YOUR RESPONSIBILITY TO HIRE A COURT REPORTER TO MAKE A VERBATIM TRANSCRIPT, OR A TAPE OF THE MEETING CAN BE PURCHASED FOR \$5.00/TAPE AT THE CITY CLERK'S OFFICE. THE CITY IS NOT RESPONSIBLE FOR ANY MECHANICAL FAILURE OF RECORDING EQUIPMENT*

This meeting has been properly noticed PD

**INVOCATION AND PLEDGE  
AGENDA ITEM**

**COMMISSIONER CHAFFIN**

1. APPROVAL OF MINUTES: September 20, 2005 Regular Meeting
2. PUBLIC HEARING: FINAL READING: Ordinance 2005-27 Lot Coverage
3. PROCLAMATION: VFW Poppy Days
4. KIRK BOONE - Request To Burn
5. HEART OF FLORIDA GIRL SCOUTS - Christmas Tree
6. COMMUNITY LEGAL SERVICES OF MID-FLORIDA, INC.
7. LEGISLATIVE AND ADMINISTRATIVE CONSULTANTS
8. ASSOCIATED GROCERS DEVELOPER'S AGREEMENT
9. PAVING PROJECT 2006-01
10. CITY MANAGER CONTRACT
11. DEPARTMENT HEAD COMMENTS
12. UNSCHEDULED AUDIENCE
13. COMMISSION COMMENTS

**CITY OF BELLEVUE  
REGULAR COMMISSION MEETING  
MINUTES**

**BELLEVUE CITY HALL  
COMMISSION CHAMBERS**

**October 18, 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; CITY CLERK/ADMINISTRATOR McKAMEY; DEPUTY  
CITY CLERK DeGENNARO

ABSENT: COMMISSIONER CHAFFIN; CHIEF STRICKLAND; PUBLIC WORKS DIRECTOR  
MONROE; INFORMATION TECH TOWNE

**1. APPROVAL OF MINUTES**

September 20, 2005 Regular Meeting

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

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

**2. PUBLIC HEARING: FINAL READING: Ordinance 2005-27 Lot Coverage**

Clerk McKamey read Final Reading of **Ordinance 2005-27, 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 Anderson stated that the older portions of the City were not included in this Ordinance and the Clerk stated if the older subdivisions get a licensed engineer who would certify the additional coverage then this would apply to them.

Commissioner Anderson stated that our engineer stated in the newspaper on October 10<sup>th</sup> that Ocala was at 35% and in Marion County you could build what you want, but that the COB was not finished with its drainage and our flood maps were not up to date. Therefore, the City of Bellevue should hold off doing anything until then. The Clerk stated in Ocala that was for the building coverage only, not the impervious areas; ours includes all impervious areas.

Ed Abshier, City Engineer, came forward and stated the article did not explain what he was talking about. When it said to wait, he was referred to homeowners having the study done. He stated he told

them the homeowners to wait until the FEMA maps come out. His recommendation was not to the City but to the home owners because when FEMA maps come out it would be cheaper for the homeowners.

**Commissioner Nadeau made a Motion to Adopt Ordinance 2005-27 Lot Coverage and Commissioner Abshier seconded the Motion.**

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

The Motion passed with a 3-1 vote.

**3. VFW POPPY DAYS**

Clerk McKamey read the proclamation and Mayor Bairstow declared November 11, 2005 through November 13, 2005 as Poppy Days in the COB.

**4. KIRK BOONE - Request To Burn**

PWD Monroe stated that Mr. Boone has requested permits to burn in the past and he had no objection to the Commission granting this request for Cobblestone North. Commissioner Nadeau stated they would still have to get a Forestry Permit and the PWD stated that was correct.

**Commissioner Nadeau made a Motion to approve the request for a Burn Permit for Cobblestone North providing a Forestry Permit was obtained and Commissioner Abshier seconded the Motion.**

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

The Motion passed with a 4-0 vote.

PWD Monroe stated he wanted to make the same request for a burn permit for Dansan Court with the same requirement.

**Commissioner Nadeau made a Motion to approve the request for a Burn Permit for Dansan Court providing a Forestry Permit was obtained and Commissioner Abshier seconded the Motion.**

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

The Motion passed with a 4-0 vote.

**5. HEART OF FLORIDA GIRL SCOUTS - Christmas Tree**

Venus Taylor came forward and requested that the Heart of Florida Girl Scouts be permitted to decorate the City tree with their homemade ornaments again this year.

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

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

The Motion passed with a 4-0 vote.

## **6. COMMUNITY LEGAL SERVICES OF MID-FLORIDA, INC.**

Lena Smith, Community Legal Services of Mid-Florida, Inc., came forward and stated that her company and other non-profit and Social Service Agencies wanted to hold an Outreach program on 11/2/05 at City Hall. There would be fifteen agencies participating, door prizes, food, and valuable information on different community resources.

### **Commissioner Abshier made a Motion to Approve the Request and Commissioner Nadeau seconded the Motion.**

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

The Motion passed with a 4-0 vote.

## **7. LEGISLATIVE AND ADMINISTRATIVE CONSULTANTS**

Commissioner Abshier stated that Senator Kerry discussed with him supporting the City's request for funding the Wastewater Treatment Plant and related projects. Senator Baker suggested hiring a lobbyist because it is critical to get the project in front of the person who makes those decisions. Senator Kerry was Chairperson of Appropriations Committee in the House and Vice-Chair of the Appropriations Committee in the Senate so the Commissioner gave a lot of weight to his recommendation which in turn and he gave the lobbyist name to the City Clerk.

Clerk McKamey stated that Angie Brewer and Associates had recommended a lobbyist for several years and Representative Baxley contacted her and endorsed this firm as well for this particular project and they were here tonight. The Clerk stated that the City Code states that we can waive the bid proposal and that was her recommendation tonight.

Don Lamonica, Lamonica and Bell, stated that he has worked in this field for over 30 years and held positions on the House staff and as a lobbyist. Patrick E. Bell and Mr. Lamonica have worked together for 8 years and had listed several of their clients: Conference of County Court Judges; Public Defenders; Visa, Academy of Florida Trial Lawyers; FL Dept of Environmental Protection; Claim bills, representing people injured by stated and local governments; Florida Power & Light. Mr. Lamonica stated they specialized in appropriations in the water projects and had a lot of experience in this area.

Patrick Bell stated they would work real hard to make sure that money gets in the budget and they would stay on top of it and Senator Baker and Kerry and Representative Baxley to make sure it gets done.

Commissioner Abshier stated that Senator Baker did not come out and say that we needed a lobbyist, but he strongly made the impression on him to see how important this project was for us. The sponsors represent not only us, but a lot of people and a good faith effort on our part to get this done would go along way. The Senator recommendation was with this firm because he has worked with them and he knows the Chair of the House we could receive some funding for our project.

Commissioner Anderson stated that would be two senators that were for this project. The City Clerk stated since our area was split, Senator Argenziano also showed support for this project. Commissioner Anderson stated Senator Argenziano chaired the meeting and she understood that we were split, but for the record she was with us on this project. The Commissioner stated that this was the new way of doing

business and now we need to have a person lobby for us; they would keep things abreast so our project does not get sidetracked. The \$36,000 was the hard part, he could see the reasoning and he had talked to Representative Baxley but, he would be in support of it.

Mayor Bairstow stated he had two concerns: when the concept was first presented to him it seemed like an excellent thought and he agreed with Commissioner Anderson's way of thinking; he was hesitant to employ a lobbyist when we could give our new City Manager a chance to use his skills.

The Mayor stated he wanted to follow the procedures the City had in place instead of waiving the normal requirement in the procedures. Why not put this out for proposal through our normal procedures. We don't know if there were better people out there and we need to know that before we pick someone. The Mayor stated he was going to vote no because it was a procedure issue.

The Clerk stated she had checked with the auditors and they had no problem with us doing this in this manner. Our grant writers recommended a lobbyist and both Sponsors made the same recommendation.

Mayor Bairstow stated that our accountants don't have a problem, but he had a problem with it because there were procedures in place. We would send notices out for an engineer or an attorney because that was how we run business in Belleview. The Mayor stated he looks for the best, and would not want the project to slow down, just pick up the pace and get it done quickly.

Commissioner Abshier stated that Senator Baker made that recommendation and if we hire this firm, he would feel a greater responsibility to back us up. The Clerk has informed us that procedurally we could do this and not break any laws or rules. Common sense says if we can do this with no violation of the Statutes, we should hire this firm. People were looking at this firm now to represent them for the next legislative session so if we put this out to bid, this firm could already be booked and would have to recommend us to other firms.

Patrick E. Bell came forward and stated that they got three new clients and had no conflicts; the recommendation was because of their relationship with the appropriation Committee. We got 100% last year for our clients, but you do not know what will happen this year. Commissioner Abshier stated it was unfair for the City Manager to have that kind of burden when first coming on board; he was not a lobbyist who was in Tallahassee day in and day out. Your chances were without having one there day and day out, you would not get funding.

Mayor Bairstow stated you are saying if we hire who they recommended and since they know the people who control the purse strings, then we should get our share of the purse. Timing was now considered an issue, but this project had been around a long time; doing it quickly was not a valid reason.

Commissioner Nadeau stated he would like to see this firm's results over the last few years instead of names of their clients. Would like to see some kind of track record which would give him some idea of how close they were with the deal makers in Tallahassee. Would like our incoming City Manager to look it over and give us some thoughts on it. Also would like something on paper from the Senator and Representative saying that chances were enhanced when a lobbyist was hired.

Commissioner Nadeau stated the City got a grant last year without having a lobbyist and the Clerk interjected that the City did not get anything last year. The Clerk stated they would also work for anything we would want them to work on and the \$36,000 would come from W&S Fund Balance.

Commissioner Abshier stated that 100% of their clients received funding and we have a potential multi-million dollar project in front of us. The Commissioner stated that Senator Baker stated they were very good and successful and the Senator yields a lot of influence because he knows how this system works and he knows both Chairs in the House and in the Senate. Commissioner Abshier stated he would urge the Commission to think about that as they made their decision; this was critical and what if we only get \$1 million that was still far more than \$36,000.

Commissioner Nadeau stated he would be willing to support it if he got three things: 1) letters of recommendation from the Senator and Representative; 2) this firm's 2 year track record for applying and receiving funds; 3) the City Manager's input.

Commissioner Anderson stated when you have ever asked the Senator or Representative to put their recommendations in a letter. Commissioner Nadeau stated we had not done that because we had never hired a lobbyist before.

Commissioner Anderson stated the State Representative and State Senator had made a recommendation that we hire a lobbyist. Senator Baker made that recommendation to Commissioner Abshier in his office; at a meeting, Representative Baxley stated to hire a lobbyist; Angie Brewer and Associates told the City Clerk 2-3 years ago to hire a lobbyist. Tables and times have changed over the years, but be assured that the Senator and Representative would not guarantee that we would get money if you hire this firm or any other firm.

The Project Engineer stated this year the City needs to make a bigger push and to get grants. Don't think that by hiring this firm that there would be money in the bank. You could call Representative Baxley and Senator Baker for a letter and they would say that they were not guaranteeing it, just trying to help those who they represent by moving us up one more step.

Commissioner Anderson stated if we wait until January it would be too late because they start in March. The RFP would need to go out to bid, be advertised; it would be January and it would be too short and still we would spend the money. We need to go forward with the project.

Commissioner Nadeau stated a letter recommending this firm so we could tell the taxpayers or use it to show the taxpayers that we acted in good faith and there would be documentation for it. The Clerk stated that the minutes of this meeting would be the record.

Commissioner Abshier stated that you could not get a grant for a project that was already half done. We were elected to do everything we could to manage the City, but use dollars wisely. Who could fault us when we have a recommendation from a Senator and a Representative. The Commissioner stated that the sooner we get a consultant on board, the sooner we could get a grant and if we get \$2-3 million dollars we would be heroes for taking a chance with this project.

Mayor Bairstow stated that the City was making progress and we were on schedule. The PWD would not say that this project would stop if we don't get the lobbyist. The Mayor stated he was convinced we need to hire a lobbyist, but do it through the normal process and expedite that process. What the Mayor heard was that Senator Baker met with Commissioner Abshier and said the City should do this, but he had a problem with doing it quickly. Commissioner Abshier interjected that the Senator said to do it and he had a problem doing it procedurally.

Attorney Landt stated he thought the City should put it out for RFP, but as described in Section 2-37 which states "opportunity shall be given for competition, as prescribed in this article. All purchases made, and contractual services" makes up the general statement of purpose for the City. This was not to say you can't do it without it because the Clerk has stated you can. If you chose not to follow your normal procedure, you need to put the in the Motion the reasons why you are not following the normal procedures and not offer the opportunity it This has nothing to do with the lobbyist, but to why you have decided not to follow your normal procedures and why you do not want to do that way.

Commissioner Abshier stated that this was the biggest financial project ever undertaken in the COB; \$8 million has been requested and \$36,000 was peanuts. The Commissioner stated he hoped he was communicating the message that was given to him by these people (not by Commissioner Abshier) to employ this firm.

Commissioner Nadeau stated he needed something showing him that this was the best firm and he would want some input from the City Manager that it was a good or bad concept.

Rick Dodge came forward and stated considering the size of the project and the amount of money, he would strongly recommend a lobbyist; this was a good project and necessary that it was done well. You have support from individuals who represent the City from the Senate and from the House; the Commission would be well served by a lobbyist in Tallahassee and would have a higher success rate with that kind of help. He knows this firm by name and reputation and they were a good firm and there was enough time to go through a quick process to make sure. Because of the time issue and how the City does business would force you to move more quickly. What you have done historically you could do that same process and this firm was used to that kind of process. These people were highly qualified so go forward with your process.

Commissioner Abshier stated do it tonight because he would not want to delay another four weeks. Put it out to bid tomorrow and make the recommendation at the first meeting in November. The Clerk stated it was not possible to advertise and get responses back by the next meeting. Commissioner Abshier stated to have a recommendation the first meeting in November and do whatever was necessary to make that happen.

**Commissioner Abshier made a Motion to have a recommendation the first meeting in November and to do whatever was necessary to make that happen and Commissioner Nadeau seconded the Motion.**

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

## **8. ASSOCIATED GROCERS DEVELOPER'S AGREEMENT**

PWD Monroe stated this Agreement was before the Commission in December of 2004 and since it has been a lengthy amount of time, he felt it needed to come back again before the Commission. The PWD gave a brief update on the project which was located on Baseline Road.

Commissioner Nadeau stated 197.72 acre piece of property and they agreed to be annexed in, but how close to the City was this parcel. The PWD stated Silver Springs Estates was the southern boundary of Associated Grocers and closest place was Diamond Ridge, Golf Park and Silver Springs Estates. Commissioner Abshier stated that there are several commercial properties out Baseline so you would not have to worry about Silver Springs Estates.

### **Commissioner Nadeau made a Motion to approve the Developer's Agreement and Commissioner Abshier seconded the Motion.**

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

The Motion passed with a 4-0 vote.

Attorney Landt stated there should be an addendum to the agreement because since it was drawn up and been floating around for so long. The Commission voted not to charge outside rates on parcels that were later annexed into the City if these were new developments so that language would have to be changed/clarified.

**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 Addendum outlining the terms that were stated by the City Attorney and Commissioner Abshier seconded the Motion.**

Attorney Landt reiterated those terms: once annexed into the City charged inside rates for sewer development charges and services.

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

The Motion passed with a 4-0 vote.

## **9. PAVING PROJECT 2006-01**

PWD Monroe stated that this Paving Project was pulled off of the last Agenda because he was not available and he was now resubmitting it for approval.

Mayor Bairstow stated that on the letter from Engineer Abshier 9/6/05 2<sup>nd</sup> pg and subject to the attached Standard Condition of Agreement for Professional Services has been deleted and the PWD stated that was correct.

### **Commissioner Nadeau made a Motion to approve the Paving Project 2006-01**

Motion failed for lack of a second.

## **10. CITY MANAGER CONTRACT**

Commissioner Nadeau stated that he had meet with Rick Dodge and negotiated the City Manager's contract with him. Mr. Dodge would start work in Belleview on 12/27/05. He currently had to wind down a business that he was running and had one presentation to make in January 2006.

Section 3 - the contract was for a two year term and the salary was negotiated at the midpoint, \$67,500;  
Section 5 – time off would be requested in writing;

Section 6 – relocation, he would provide the city with two 2 estimates and the City would pay half of the costs for him to move to this area;

Section 9 – automobile, Mr. Dodge suggested as an alternative he wanted to use his personal vehicle and give monthly allowance. But the Commissioner stated he suggested using the Sheriff's automobile that was given to the City instead;

Section 11 – entitle to 3 weeks annual combined vacation and compensatory time;

section 18 – if terminated during the 2 year term of contract it would require a super majority 4-1 vote and would be given 3 months severance pay; if terminated on a 3-2 vote Mr. Dodge would get 6 months severance pay.

### **Commissioner Nadeau made a Motion to approve the City Manager's contract and Commissioner Abshier seconded the Motion.**

Commissioner Anderson asked if it was the practice to pay for moving expenses and regional and national membership dues and Commissioner Nadeau stated it was.

Commissioner Nadeau stated Mr. Dodge would start on 12/27/05, but would be here off and on and would come up and help paint the kitchen for the City's Hope House Project. The Commissioner stated the week of the 27<sup>th</sup> was a slow week and they felt that would be a good week to start.

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

The Motion passed with a 4-0 vote.

Commissioner Nadeau thanked everyone who assisted in the hiring and interviewing process which went until 11:00 PM; the Commissioner especially thanked Penny Byrd for her help with the negotiation process as well as the selection and interviewing process.

Mayor Bairstow thanked Commissioner Nadeau for taking a tough task and making it as easy as possible and for doing an outstanding job.

Commissioner Nadeau introduced Rick Dodge, City Manager, and Kelly Dodge, his wife to the audience.

## **13. DEPARTMENT HEAD COMMENTS**

PWD Monroe – stated he would be out of town for the next few days and if the Hurricane come through the staff would be prepared.

IR COORDINATOR Towne - reviewed the two seminars he had attended in October: a) he went to north Carolina for Police Pak software for Police Department; b) he also went to Orlando to get the new released version of the SQL software which you can only get this information at these types of seminars because he thought that PD could use this technology in the future.

Chief Strickland - remind everyone to come and participate in the Police Department's Halloween Carnival from 5:30 – 7:30 PM on Monday, October 31, 2005.

<b>14. UNSCHEDULED AUDIENCE</b>
---------------------------------

N/A

<b>15. COMMISSION COMMENTS</b>
--------------------------------

Commissioner Abshier – Discussed the cost of the speed table and the PWD stated prefer not to put in a speed bump at the First Baptist Church. Individuals could lose control of the car and would like to talk to the Chief about signs in the cross walk. If the signs say 25 mph they would need to be changed to 20 mph.

Commissioner Nadeau stated that two political forums were scheduled a) Rotary Club holding one on 10/28/05 at 7:30 AM at Lassies Restaurant; b) Chamber of Commerce holding one on 11/3/05 at 6:00 PM.

Commissioner Nadeau stated that the task authorization for paving project died for lack of a second and would like to bring it back up for review. Commissioner Anderson stated he had forgotten that Commissioner Abshier could not second the motion because of a conflict of interest.

**Commissioner Anderson made a Motion to approve the Paving Project 2006-01 and Commissioner Nadeau 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.

The Meeting was adjourned at 8:03 PM.

ATTEST:

\_\_\_\_\_  
Sandi McKamey, CMC, CPM  
City Clerk/Administrator