

CITY OF BELLEVIEW
REGULAR COMMISSION MEETING
AGENDA

BELLEVIEW CITY HALL
COMMISSION CHAMBERS

Mayor TAMMY C. MOORE
Seat 1 MICHAEL J. GOLDMAN
Seat 2 KENNETH R. NADEAU
Seat 3 WILMA C. LOAR
Seat 4 PAUL B. ANDERSON

July 5, 2006

6: 00 PM

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

COMMISSIONER LOAR

AGENDA ITEM

1. APPROVAL OF MINUTES: 5/16/06 Regular Meeting
2. SUPERVISOR OF ELECTIONS OFFICE - Robert J. Smith, Jr., Special Projects Manager
3. PUBLIC HEARING: FIRST READING - ANNEXATIONS:
 - a) Ordinance 2006-15 Yerk, P&B
 - b) Ordinance 2006- 16 Yerk, K&L
 - c) Ordinance 2006- 17 Powell
 - d) Ordinance 2006-18 Cosenza
 - e) Ordinance 2006-19 Martinez)
 - f) Ordinance 2006-20 Bright
 - g) Ordinance 2006-21 Gwaltney
 - h) Ordinance 2006-22 Masonic Lodge
 - i) Ordinance 2006-23 Ramah
 - j) Ordinance 2006-24 St. Theresa
 - k) Ordinance 2006-25 Granata
 - l) Ordinance 2006-26 Willow Reed
 - m) Ordinance 2006-27 Granata
4. KIRK BOONE – RELEASE OF LETTER OF CREDIT
5. UNSCHEDULED AUDIENCE
6. RECREATION IMPACT FEES
7. DEPARTMENT HEADS
8. COMMISSION COMMENTS

**CITY OF BELLEVIEW
REGULAR COMMISSION MEETING
SYNOPSIS**

**BELLEVIEW CITY HALL
COMMISSION CHAMBERS**

**July 5, 2006
6:00 PM**

Mayor TAMMY C. MOORE
Seat 1 MICHAEL J. GOLDMAN
Seat 2 KENNETH R. NADEAU
Seat 3 WILMA C. LOAR
Seat 4 PAUL B. ANDERSON

AGENDA ITEMS

1.APPROVAL OF MINUTES: 5/02/06 Regular Meeting

ACTION: APPROVED.

2.SUPERVISOR OF ELECTIONS OFFICE

ACTION: APPROVED CITY HALL BEING USED FOR EARLY VOTING

3. PUBLIC HEARING: FIRST READING, ANNEXATIONS:

- a) Ordinance 2006-15 Yerk, P&B
- b) Ordinance 2006- 16 Yerk, K&L
- c) Ordinance 2006- 17 Powell
- d) Ordinance 2006-18 Cosenza
- e) Ordinance 2006-19 Martinez
- f) Ordinance 2006-20 Bright
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- m) Ordinance 2006-27 Granata

ACTION: APPROVED FIRST READING OF ORDINANCE 2006-15 THROUGH 2006-27

4. KIRK BOONE – RELEASE OF LETTER OF CREDIT

ACTION: APPROVED

5. UNSCHEDULED AUDIENCE

Don Harrell requested that he be able to post bond for his 102 PL Project

ACTION: APPROVED REQUEST

Ginger Harbin, owner of Sentry Storage Business, updated the Commission on Sand Mine Lawsuit

6. RECREATION IMPACT FEES

ACTION: TO BE BROUGHT BACK

7. DEPARTMENT HEAD COMMENTS

DENNIS MONROE: DISCUSSED STREET LIGHTS ON BASELINE ROAD AND 441

CHIEF STRICKLAND: NOTHING AT THIS TIME

INFORMATION TECH TOWNE: NOTHING AT THIS TIME

CLERK McKAMEY: DISCUSSED THE CARNIVAL ORDINANCE;

DISCUSSED THE APPRAISAL FOR AMDOR PROPERTY AND COMMISSIONER NADEAU WAS APPOINTED TO NEGOTIATE CONTRACT;

DISCUSSED UPCOMING MEETINGS: FEMA 7/13; BUDGET 7/17

ATTORNEY LANDT: NOTHING AT THIS TIME

8. COMMISSION COMMENTS

COMMISSIONER GOLDMAN:

ACTION: REQUESTD INFORMATION ON QUALIFICATIONS FOR CITY MANGER AND PLANNER POSITIONS.

COMMISSIONER NADEAU:

ACTION: DISCUSSED THE BASELINE EXTENSION AND APOLOGIZED FOR MISSING THE LAST MEETING.

COMMISSIONER LOAR:

ACTION: NOTHING AT THIS TIME.

COMMISSIONER ANDERSON:

ACTION: NOTHING AT THIS TIME.

MAYOR MOORE::

ACTION: DISCUSSED HOLDING A 9/11 FREEDOM WALKATHON IN COB.

The meeting was adjourned at 8:40 P.M.

**CITY OF BELLEVUE
COMMISSION MEETING MINUTES**

**BELLEVUE CITY HALL
COMMISSION CHAMBERS**

Mayor TAMMY C. MOORE
Seat 1 MICHAEL J. GOLDMAN
Seat 2 KENNETH R. NADEAU
Seat 3 WILMA C. LOAR
Seat 4 PAUL B. ANDERSON

July 5, 2006

6:00 PM

PRESENT: MAYOR MOORE; ANDERSON; GOLDMAN; LOAR; NADEAU;
ATTORNEY LANDT; PUBLIC WORKS DIRECTOR MONROE;
INFORMATION TECH TOWNE; ; CHIEF STRICKLAND; CITY
CLERK/ADMINISTRATOR McKAMEY; DEPUTY CITY CLERK
DeGENNARO

1. APPROVAL OF MINUTES: 5/116/06 Regular Meeting

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

On roll call vote, YES: Anderson, Loar, Nadeau, Goldman, Moore

The Motion passed with a 5-0 vote.

2. SUPERVISOR OF ELECTIONS OFFICE

Wesley Wilcox, Assistant Supervisor of Elections, came forward and stated that he was there to answer any questions about the early voting schedule. The Clerk gave a review of the dates and time and stated the early voting would take place at City Hall.

Commissioner Nadeau made a Motion to Approve the Request and Commissioner Goldman seconded the Motion.

On roll call vote, YES: Anderson, Loar, Nadeau, Goldman, Moore

The Motion passed with a 5-0 vote.

3. PUBLIC HEARING: FIRST READING - ANNEXATIONS:

- a) Ordinance 2006-15 Yerk, P&B
- b) Ordinance 2006- 16 Yerk, K&L
- c) Ordinance 2006- 17 Powell
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- m) Ordinance 2006-27 Granata

Clerk McKamey read Title Only for all the Ordinances

1) ORDINANCES 2006-15 THROUGH 2006-23:

Clerk McKamey read the names and parcel numbers and for Ordinance 2006-15 through 2006-23 and stated the total acreage was 35.76 acres.

Mayor Moore stated that this was a public hearing and asked if anyone wanted to come forward to speak in favor or in opposition to Ordinances 2006-15 through 2006-23. No one came forward.

Commissioner Nadeau made a Motion to Approve First Reading of Ordinances 2006-15 through 2006-23 and Commissioner Goldman seconded the Motion.

On roll call vote, YES: Anderson, Loar, Nadeau, Goldman, Moore
The Motion passed with a 5-0 vote.

2) ORDINANCE 2006-24

Clerk McKamey read the names and parcel number for Ordinance 2006-24 and stated there were 6 parcels totaling 12.03 acres.

Mayor Moore stated that this was a public hearing and asked if anyone wanted to come forward to speak in favor or in opposition to Ordinances 2006-24. No one came forward.

Commissioner Nadeau made a Motion to Approve First Reading of Ordinance 2006-24 and Commissioner Goldman seconded the Motion.

On roll call vote, YES: Anderson, Loar, Nadeau, Goldman, Moore
The Motion passed with a 5-0 vote.

3) ORDINANCE 2006-25 THROUGH 2006-27

Clerk McKamey read the names and parcel numbers for Ordinances 2006-25 through 2006-27 and stated the total acreage was 56.07 acres.

Mayor Moore stated that this was a public hearing and asked if anyone wanted to come forward to speak in favor or in opposition to Ordinances 2006-25 through 2006-27. No one came forward.

Commissioner Nadeau made a Motion to Approve First Reading of Ordinance 2006-25 through 2006-27 and Commissioner Goldman seconded the Motion.

Commissioner Anderson asked if the City had discussed the recreation impact fees with the developers and Sal Granata came forward and stated he was unaware of the impact fees.

Mayor Moore described the Recreation Impact Fees to the developer and asked him if he wanted to go forward with the Annexation. The Clerk stated that the developer could postpone the Annexation if he wanted to do so. Mr. Granata stated he did not want to do that and would go forward with the Annexation.

On roll call vote, YES: Loar, Nadeau, Goldman, Moore
NO: Anderson

The Motion passed with a 4-1 vote.

4. KIRK BOONE – RELEASE OF LETTER OF CREDIT

The PWD stated that everything had been completed and all improvements were done and the W&S was complete. The roads were cleaned up as was the illegal dumping. The Cable TV was not totally complete, but the developer had little control over that. The roads and drainage were there and certified. The City Clerk stated that the City had received all the required documents.

Commissioner Nadeau made a Motion to Approve Releasing the Letter of Credit and Commissioner Goldman seconded the Motion.

Commissioner Anderson asked if the sewer lids were in the center of the road and the PWD stated he was not aware of that but if they were that low there would be ponding. The PW Staff did the inspection and did not mention that. The Commissioner stated several manholes were low and he wanted that on the record. The PWD stated he would check that out and get it corrected if that was the case.

Commissioner Anderson asked who would be responsible for doing the water retention mowing in that subdivision. Kirk Boone stated that he would stay personally involved as long as there was new home construction and the PWD could call him. Mr. Boone stated that it was in poor shape but would be better now that there was a presence and the builders have a vested interest in it as well. Lamar Homes would be coming in at a later time but Adams Homes had gone in there and were having problems pulling permits.

The Clerk stated 7 permits had been pulled and the PWD asked about the cable problem. Mr. Boone stated Bright House was going in there but the builders were trying to get a better deal from Bright House. The PWD stated if we have problems after the escrow was released what recourse would the City have and Mr. Boone stated the PWD could call him.

On roll call vote, YES: Anderson, Loar, Nadeau, Goldman, Moore
The Motion passed with a 5-0 vote.

5. UNSCHEDULED AUDIENCE

Don Harrell came forward and stated on his 102 Place project he was having a problem with obtaining sod and if he could not get the sod he would not get his CO. Mr. Harrell was

requesting that the Commission allow him to put up a cash bond until he could get the sod so that his tenants could get in the building.

Commissioner Anderson asked how long before the final inspection and Mr. Harrell stated it could be that we would get some sod before the final which should be next week; everything else would be done but the sod. The Commissioner asked what type of time limit did he need and Mr. Harrell stated 30 days.

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

On roll call vote, YES: Anderson, Loar, Nadeau, Goldman, Moore
The Motion passed with a 5-0 vote.

6. RECREATION IMPACT FEES

Mayor Moore stated at the Workshop we discussed options and one was that the Developer donates property, for every 1000 people they bring in, the developer would donate 10 acres of land; if they develop homes with 2000 people they would donate 20 acres of land.

Commissioner Anderson stated he suggested that when the developers come into the City they should have to donate land for recreation. The impact fees we collect from people moving into the City would be used to build the recreational lands, whether active or passive recreation. The property on Baseline Road would bring in close to 900 people so the City would need 10 acres of recreational land. Those 10 acres would cost the City \$600,000 + and then the City would have to build the recreation and that could come up to \$2 million if no grants were available. The Commissioner stated we always said that growth should pay the way and the recreation was on the short list for last 4 years. This year was the only year we were able to get grant money and the County was matching \$17,000.

The Commissioner stated that developers build the cities by putting in the streets, water and sewer, street lights, telephones and cable TV, but the biggest thing we were lacking was law enforcement and recreation. Depending on how many people come in was the amount of recreation land we need per the State formula. We were asking for land contribution and the construction would come from the impact fees people would pay when they come into the area. The City was close to being built out of our recreation area. Why would the City want a development to come in and bury us and the cost of land in the State was hurting municipalities. We need to have all developments come in and use the State formula and that would tell us and them what they would have to set aside for the recreation land. The City Clerk stated the Comprehensive Plan states 10 acres per 1000 people.

Commissioner Goldman stated that if our Ordinance required getting land from a developer that would hardly be a donation. It had to be equitable and fair and those with a little villa would get by without donating anything. Fair would be the City gets the money and the City buys the land instead of someone giving us the land. You were removing the developers' profitability and the price of land would go up. Impact fees would be fair and equitable across the board.

Commissioner Anderson stated that people who lived here for 10 or 40 years should not have to pay. Commissioner Goldman stated the impact fee would be used to purchase the recreation land and if you were worried about buying and developing, then raise the impact fee. If you insist on having the developer donate the land you would be eroding their profit and no one would come into town to develop. Just have an impact fee and the new people were the ones who would pay for the growth. The Commissioner stated he could not get behind the idea to take the land from the developer; just get the money instead.

Commissioner Loar stated cap it at 100 acres or more before we take the property from the developer. Commissioner Nadeau stated taking land on large developments seems to make sense because small developments the City would be maintaining a recreational area the size of a parking spot. With 900 acres maybe they should have their own park. Mayor Moore stated that was the problem with smaller areas donating property; if we have them pay cash everyone would be equal and we can buy the property. We need to do it as one big impact fee because if we take park land from them they would pass it along to their buyers.

The Clerk stated that in the documents the Commissioner gave her, one City had a massive ordinance with a variety of options and they used all their prior park developments, grant money and in-kind services.

Commissioner Goldman stated he liked the idea of a cap but it had to be equitable. The developer for Diamond Ridge has 100 units coming in and we would take land from them but Diamond Ridge Villas has 35 units and we would not take land from them. Who would decide which piece of land we would get or do they give us their worse piece which would cost us a fortune to develop.

Commissioner Anderson asked what the \$1380 represented and Commissioner Goldman stated there were 2.3 people per residential unit and 10 acres would get \$1.8 million in impact fees based on projections, but we would fall short if we need 30 acres or we could make it more so that we can develop the land that we purchase. Commissioner Goldman stated at the workshop discussion were on applying for a State Revolving Loan and then we would buy the land and start paying the loan back with the impact fees as they come in.

Commissioner Goldman stated that Mr. Boone offered to sell the City 10 acres of land by the ball field and Mr. Boone stated that was correct. The Commissioner stated that 183 units would be coming in and liable for permits because only 8 have been pulled so far. The Clerk stated the Ordinance would have to be in place first before you could collect the impact fee. Commissioner Anderson stated that Mr. Boone was several years from getting CO for the houses.

Commissioner Nadeau asked if we establish the impact fees by Ordinance when somebody sues the City how do we determine that costs and the City Attorney stated the Public Hearings would determine that. The Clerk stated that we could justify the \$60,000 per acre by the cost of the property on Baseline Road. Mayor Moore stated that was just the purchase price not the cost to develop the land.

Commissioner Loar agreed that the City should find the land because the developers would give the City their worst piece of land and it would cost more to develop. The Commissioner stated to have an impact fee to cover the cost of purchasing the land and developing the land.

The Attorney stated that you would have to hold public hearings so that it would be creditable and appropriate. You would need to back up and look at impact fees for facilities and development in the future. Look at State Law and at your Comprehensive Plan to make sure you would not be making any changes. The City would have to look at availability, service, cost and the method of collecting and generating those funds. You would not be just deciding on how to raise the money but what the money was for; small parks vs. large parks and how you intend to deliver recreation to the citizens. You need a vision of where you were going and what it would cost to give recreation to the citizens and how you would raise those funds.

7. DEPARTMENT HEADS

PWD Monroe – stated the street lights on Baseline Road and C-25 area were being installed but no permits were issued for 441.

IT Coordinator Towne - Nothing at this time.

Chief Strickland - Nothing at this time.

Clerk McKamey - Carnival Ordinance was postponed and had not been brought back; she would re-advertise for the first meeting in August;

Appraisal has been completed and was confidential per State Statue and Attorney Landt stated the Commission needs to appoint someone to negotiate with the owners, 30 days prior to making an offer. The Attorney suggested the PWD and the Clerk stated that Commissioner Nadeau was a natural because he had been in contact with the owners. The City Attorney stated for Commissioner Nadeau to bring back a contract for the Commission to review.

Commissioner Goldman made a Motion to Appoint Commissioner Nadeau as the person to negotiate the contract and bring it back for their approval and Commissioner Loar seconded the Motion.

On roll call vote, YES: Anderson, Loar, Nadeau, Goldman, Moore

The Clerk stated that on 7/13 a public outreach meeting would be held on the FEMA flood plan maps at 4:00 PM and at 6:00 PM there would be a presentation to the Commission; follow up outreach would be held after the Workshop was concluded. Both County and State Representatives would be present; Budget workshop would be held on 7/17 and she would schedule appointments with newly elected Commissioners next week.

Attorney Landt - Nothing at this time

Ginger Harbin came forward and gave an update to the Commission on the Sand Mine Lawsuit. Ms. Harbin also discussed that one officer was called about the trucks going where there was a no truck sign and the Officer told her that he had no authority to enforce that sign. She stated that cars and trucks were coming through her business parking lot to cut over to 64th and nothing could be done about that. Chief Strickland stated the PD does enforce that and he would look into it.

8. COMMISSION COMMENTS

Commissioner Goldman – stated he needed information from the staff on the qualifications, education and experience for the City Planner and City Manager positions. The Clerk stated she would get him the job descriptions.

Commissioner Nadeau - asked about receiving the Datagram and the Clerk stated she would forward it to him. The Commissioner stated he drove on the Baseline Extension and asked when the unveiling of that road would take place. The PWD stated on July 7th. Commissioner Nadeau apologized for missing the last meeting.

Commissioner Loar - Nothing at this time.

Commissioner Anderson - Nothing at this time

Mayor Moore - stated she was contacted by Alison Barber, Assistant to the Secretary of Defense, who asked that the COB represent this area in a Freedom Walk on 9/11/06. The City would need to get businesses involved and design a walk.

Meeting was adjourned at 8:40 PM

ATTEST:

Sandi McKamey, MMC, CPM
City Clerk/Administrator