

Amended 5/5/08 @ Noon
CITY OF BELLEVUE
REGULAR COMMISSION MEETING
AGENDA

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 CHRISTINE K. DOBKOWSKI

May 6, 2008

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 NADEAU

AGENDA ITEMS:

1. APPROVAL OF MINUTES: 3/18/08 Commission Meeting
2. PUBLIC HEARING – FINAL READING, Ordinance 2008-07 RV Park Regulations
3. PROCLAMATION – POLICE WEEK
4. SIGN ORDINANCE: Lion's Club Request To Change Ordinance
5. DON HARRELL – Comments On Sign Ordinance
6. REQUEST FOR ALLEY ABROGATION
7. DIANA BRUMM – TAYLOR COLLEGE
8. UNSCHEDULED AUDIENCE
9. PROPOSED LAND DEVELOPMENT REGULATION CHANGES:
 - a) Abandoned Vehicles
 - b) Fence And Wall
10. SIDEWALK ORDINANCE AMENDMENT
11. ZONING REQUIREMENTS FOR SCHOOL LOCATION
12. SCHOOL CONCURRENCY INTERLOCAL AGREEMENT – MCSB VERSION
13. SCHOOL CONCURRENCY INTERLOCAL AGREEMENT – WORK GROUP VERSION
14. STAFF REPORTS
15. COMMISSION COMMENTS

In accordance with the Americans with Disabilities Act, persons needing assistance in any of these proceedings should contact the Deputy City Clerk's Office listed below at least 48 hours prior to the meeting: 5343 SE Abshier Boulevard, Belleview, Florida 34420, 352-233-2109

**CITY OF BELLEVIEW
REGULAR COMMISSION MEETING
SYNOPSIS**

**BELLEVIEW CITY HALL
COMMISSION CHAMBERS**

**May 6, 2008
6:00 PM**

MAYOR TAMMY C. MOORE
SEAT 1 MICHAEL J. GOLDMAN
SEAT 2 KENNETH R. NADEAU
SEAT 3 WILMA C. LOAR
SEAT 4 CHRISTINE K. DOBKOWSKI

AGENDA ITEMS

1. APPROVAL OF MINUTES: 03/18/08 – REGULAR MEETING

ACTION: APPROVED MINUTES

2. PUBLIC HEARING, FINAL READING: Ordinance 2008-07: RV Park Regulations

ACTION: ADOPTED ORDINANCE 2008-07

3. PROCLAMATION – POLICE WEEK:

ACTION: PRESENTED PROCLAMATION

4. Sign Ordinance: Lion's club Request to Change Ordinance

ACTION: TO BE DISCUSSED AT THE LDR MEETING

5. Don Harrell – Comments On Sign Ordinance

ACTION: WAS NOT PRESENT AT THE MEETING

6. REQUEST FOR ALLEY ABROGATION

ACTION: ATTORNEY TO PREPARE ABROGATION DOCUMENTS FOR REVIEW

7. DIANA BRUMM – Taylor College

***ACTION: a) TREE PLANTING POSTPONED UNTIL PHASE 2 OR 2 YEARS WHICH EVER COMES FIRST;
b) GRANTED NURSING SCHOOL A 60 DAY TEMPORARY CO;
c) GRANTED A CPR TRAINING PARTNERSHIP BETWEEN COB AND TAYLOR COLLEGE***

8. UNSCHEDULED AUDIENCE

a) Clay Waldron – requested COB parking lot for Chicken Pileau on 6/12 and a pet Show on 6/14

ACTION: REQUEST GRANTED

b) Tom Cafaro – requested an Addendum to his Developer's Agreement for trees and water lines

ACTION: ATTORNEY TO DRAW UP THE DRAFT ADDENDUM

9. PROPOSED LAND DEVELOPMENT REGULATION CHANGES:

- a) Abandoned Vehicles
- b) Fence and Wall

ACTION: FIRST READING ON 6/3/08 FOR BOTH ITEMS

10. SIDEWALK ORDINANCE AMENDMENT

ACTION: FIRST READING ON 6/3/08

11. ZONING REQUIREMENTS FOR SCHOOL LOCATION

ACTION: FIRST READING SCHEDULED FOR 5/20/08

12. SCHOOL CONCURRENCY INTERLOCAL AGREEMENT – MCSB VERSION

ACTION: VOTED AGAINST PURSUING THE SCHOOL BOARD VERSION OF THE SCHOOL CONCURRENCY INTERLOCAL AGREEMENT

13. SCHOOL CONCURRENCY INTERLOCAL AGREEMENT – WORK GROUP VERSION

ACTION: TO BE DISCUSSED AT THE NEXT MEETING

14. STAFF REPORTS

PW ASSISTANT MCMURDY:

Nothing at this time

INFORMATION TECH TOWN REPORTED:

Knowledge Web – Upgrade
ABC Power Shoot Software
Help Desk – Work Orders
Computer Viruses
Training for Employees

DEVELOPMENT SERVICES DIRECTOR REPORTED:

Legislation that was passed
DCA Conference he would be attending
Update On the communities that completed the School Comprehensive Plan
Development Services Assistant position
Sentry Storage Drawings on the next Agenda

LT. HOLLAND REPORTED:

Discussed the monthly report from the Chief that had been distributed
FEMA Workshop
K-9 Workshop scheduled for June 23, 2008

ATTORNEY LANDT REPORTED:

Nothing at this time

CLERK MCKAMEY REPORTED:

484 Space Needs Analysis on June 3rd Agenda
County Meeting on the Interlocal Agreement scheduled for 5/20/08
Video Vault – waiting to hear from their Attorney
Bulldogs declined use of the COB fields
Palm Tree Villas Corrected Plat documents
N. Point Plat documents were received
Discussed scheduling a workshop for the Salary Classification Plan
Budget Workshop schedule the week of 7/28/08
COB received two FRDAP Grants and CBIR Grant

15. COMMISSION COMMENTS

COMMISSIONER DOBKOWSKI:

Commented On Boy Scouts
Commented On Watering Of Soccer Fields
Commented On Founders Day And Employees Banquet

COMMISSIONER LOAR:

Commented On Founders Day and That She Won An Cob Afghan

COMMISSIONER NADEAU:

Requested a Proclamation for an Eagle Scout on the next Agenda
Discussed the Construction of a Dog Park in the COB by another Eagle Scout

COMMISSIONER GOLDMAN:

Discussed Library Project
Nine Mile Pond Dunking Booth For Commissioners

MAYOR MOORE:

Reminded Everyone That The Library Would Be Opened On May 31st
Commented on the PD's Memorial Ceremonial Was On Thursday At 8:30 AM
Congressman Cliff Stearns Would Be At City Hall On Monday, May 12th
Discussed the Annexation Process On 441

MEETING ADJOURNED: 9:10 P.M.

**CITY OF BELLEVIEW
COMMISSION MEETING MINUTES**

**BELLEVIEW CITY HALL
COMMISSION CHAMBERS**

May 6, 2008

6:00 PM

Mayor TAMMY C. MOORE
Seat 1 MICHAEL J. GOLDMAN
Seat 2 KENNETH R. NADEAU
Seat 3 WILMA C. LOAR
Seat 4 CHRISTINE K. DOBKOWSKI

PRESENT: MAYOR MOORE; COMMISSIONERS: DOBKOWSKI; GOLDMAN; LOAR;
NADEAU; INFORMATION TECH TOWNE; DEVELOPMENT SERVICES
DIRECTOR SHRUM; CHIEF STRICKLAND; ATTORNEY LANDT; CITY
CLERK/ADMINISTRATOR McKAMEY; DEPUTY CITY CLERK DeGENNARO

ABSENT: PUBLIC WORKS DIRECTOR MONROE

1. APPROVAL OF MINUTES: 3/18/08 Commission Meeting

Commissioner Nadeau made a Motion to Approve the Minutes; Commissioner Goldman seconded the Motion.

The roll call vote, YES: Loar, Nadeau, Goldman, Dobkowski, Moore

The Motion passed with a 5-0 vote.

2. PUBLIC HEARING – Final Reading, Ordinance 2008-07 RV Park Regulations

Clerk McKamey read Final Reading, Title Only, of Ordinance 2008-07 and gave a brief review of the Ordinance.

Mayor Moore stated this was a Public Hearing and asked if anyone who was in favor or against the Ordinance wanted to come forward. No one came forward.

Commissioner Nadeau made a Motion to Adopt Ordinance 2008-07; Commissioner Dobkowski seconded the Motion.

The roll call vote, YES: Loar, Nadeau, Goldman, Dobkowski, Moore

The Motion passed with a 5-0 vote.

3. PROCLAMATION – Police Week

Clerk McKamey read the proclamations and Mayor Moore presented the proclamations declaring May 12, 2008 to May 16, 2008 as Police Week in the COB;

Mayor Moore also presented Tom Cafaro with a Certificate of Appreciation in recognition of his contribution and support to the Sports Complex and Fred King's Playground projects.

4. SIGN ORDINANCE: Lion's Club Request to Change Ordinance

The Belleview Lions Club requested a change to the sign ordinance to allow them to place advertising benches the public right of way. The City currently had in effect an off-site advertising moratorium to allow time to review the sign ordinance. This moratorium expires on July 4, 2008, unless extended by the Commission.

Attorney Landt stated his suggestion was the benches could be allowed at bus stops or public transportation pickup points. His concern was to restrict them to the areas with public transportation or on private property for liability issues. You had to decide if you would allow adverting on those benches.

Commissioner Dobkowski asked if that would open the City up to a law suit. Attorney Landt stated that was why he said to place them at public transportation pick up points or on private roads. He would counsel the Commissioners against granting an exclusive to one group.

Commissioner Nadeau stated if the City limits them to public property or public transportation stops as far as he knew there were none. Attorney Landt stated that was correct, but his understanding was they wanted to install them now and people would sit on the benches by a busy highway and if a child got hurt they would ask why the City did not take preventative measures. Attorney Landt stated he was against the benches in the public right of way.

Mr. Newfield, Lions Club, came forward and stated that people do want to rest on park benches and the Attorney stated that was not a right of way and benches in parks was a separate issue.

Commissioner Goldman stated he was terrified that by putting benches on a sidewalk by a highway or busy road would invite someone to sit down and then some tragedy occurred. Commissioner Goldman stated he did not like the idea of benches in a public right of way, He preferred them to be on the property of a business or private land owner then it was not our issue but the land owners issue and the sign ordinance would kick in at that point.

Mayor Moore stated put the benches in the parks and Attorney Landt stated it was off site advertising of a business. Mayor Moore stated if the Commission does not want them in the City then we need to tell the Lions Club now.

Attorney Landt stated the sign ordinance was in the draft stage and was being worked on by the LDR committee. They would call Mr. Newfield and give him a draft to look at because the benches were in that ordinance. Attorney Landt stated that two public hearings would be held and Mr. Newfield and the public would be able to attend and participate.

5. DON HARRELL – Comments On sign Ordinance

Mr. Harrell was not present so this item was pulled from the Agenda

6. REQUEST FOR ALLEY ABROGATION

Dale Ohren, D&C Engine Repair, came forward and stated that he was asking for the alley behind his shop to be abrogated; part of his building had been in the alley for years.

Donna McMurdy, PW Administrative Assistant, came forward and stated that the City's policy was not to abrogate alleyways because of the possibility of future utilities. There was a chance the City would need this alley when Baseline Road was widened. Mr. Ohren stated he owned the property on both sides of this alley. The Clerk stated that she spoke with the PWD and he was not in favor of the abrogation because of a future need to place utilities on Baseline Road; the PWD's recommendation was to deny the request.

Mr. Ohren stated if it was needed what would the City do because the city did not own the property next to his; it does not make sense. The Clerk stated it was a designated right of way.

Commissioner Nadeau stated it was strange that one lot had the road on one side and the alley behind it. If they widen Baseline Road, they had to buy the front parcel of that land anyway. The alleyway only extends two blocks and it would be better to have people pay property taxes on it.

Mr. Ohren stated the City would not zigzag utilities along the right of way and the right of way would be where his shop was now.

Mr. Shrum stated that the problem was that on the other side was CSX and by keeping the alley way, it was less property the City in the future might have to buy additional square footage.

Commissioner Goldman stated the concern was the City might have to buy that property back at some time so could we put a clause in the abrogation regarding that. Attorney Landt stated no. Commissioner Goldman stated then since Mr. Ohren owns the property on both sides, give it to him.

Mayor Moore asked if the City could do the abrogation and keep an easement to run the water lines across the property. Ms. McMurdy stated they could not construct over a utility easement and Attorney Landt stated that was correct.

Mr. Ohren restated the City would not put sewer lines in a zigzag formation for two blocks and Ms. McMurdy stated they could zigzag if they had the available right of way.

Mr. Ohren stated the City would need to do something with Baseline Road and when that happened he wanted to be able to build on his property. Mayor Moore stated she was in favor of his giving the City an easement and Mr. Ohren stated that would be fine because the right of way on the front of his property was probably going to happen anyway.

Attorney Landt stated he would prepare the documents regarding utilities and abrogation and then Mr. Ohren could take them to his Attorney for review. The Clerk stated there was a \$350 charge for abrogation and Commissioner Nadeau stated the property owners need to pay whatever cost the City incurred because the owners would receive the benefit of the land without purchasing it. Attorney Landt stated there was no need for a motion at this time.

7. DIANA BRUMM – Taylor College

Diana Brumm came forward and stated that she previously came before the Commission and asked about not putting the trees around her retention pond. The building was completed and Phase 2 would come in late 2009. Ms. Brumm asked the Commission to allow them to hold off on putting the trees around the retention pond until Phase 2.

Ms. Brumm stated that she also wanted to discuss the lights that were on the school property. Her property cornered on 125th street which never had lights before and now her neighbor was complaining that the lights keep her family awake at night. They were not told what the candle light was prior to the CO and then they found out that they had only half the amount that was required. However, the parking lot could not be brighter; it was like the Orlando airport. Now they had to add additional fixtures on poles or additional poles and the cost quoted was \$3500 – \$9000.

Commissioner Dobkowski asked if the current retention pond would also serve Phase 2. Ms. Brumm stated the retention pond was in the back of the building which required irrigation for the trees which would be torn up when they did Phase 2; that was the reason they wanted to wait to plant the trees.

Commissioner Nadeau asked how many trees were they talking about and Mr. Shrum stated around 12 trees or so. This site plan came in under the old ordinance and the process that was used was similar to the hotel site where a professional comes in and evaluated the trees and the trees were his recommendation.

Commissioner Goldman stated the second phase would be in 2009 and Ms. Brumm stated that the site plan for the second building would be presented in the spring of 2009. Commissioner Goldman stated the biggest concern was the irrigation to the trees and couldn't the irrigation go in around the retention pond. Ms. Brumm stated that they assumed it was voted on in June but no official vote took place and they had a temporary CO. Ms. Brumm stated there were so many other things they wanted to get done right now.

Commissioner Loar stated she agreed and would hate to put those trees in and have to move them later. Mayor Moore stated that it was discussed but no action was taken by the Commission. The Clerk stated the Minutes of June 19, 2007 stated there was no consent agreement, but discussed and dropped.

Commissioner Nadeau asked what would happen if Phase 2 doesn't start until 10 years from now and Attorney Landt stated the recommended language would be for you to give her 2 years to install the trees or completion of Phase 2 whichever came first.

Commissioner Nadeau made a Motion to Postpone the Tree Planting Portion For Two Years or Until the Completion of Phase 2 Whichever Came First; Commissioner Goldman seconded the Motion.

The Motion was unanimously approved by the Board (5-0)

Lighting – Commissioner Goldman asked who was responsible to tell what was needed. Ms. Brumm stated that her Engineer, Joe London, checked into it but that information was not in the code. Upon meeting with the City two weeks ago, she asked specifically and was told what the foot candle was.

The Clerk stated that Sec. 118 -100 discussed the intensity of the foot candles and the City had a similar problem with a gas station whose lights shone into the homes behind it and they were reflected back into the parking lot. The Clerk stated that the Code states not to exceed 5 foot candles, but not less than 1 ½ foot candles. Mayor Moore stated to Ms. Brumm that this was discussed and you were told to face them into the parking lot.

Mr. Shrum stated when they did the Developer's Agreement, Ms. Brumm did not want to put the street lights in the roadway so the Commission gave their approval if their lights in the parking lot provided sufficient light for the roadway. The issue here was they did not provide sufficient light to meet our code. Mr. Shrum stated that the majority of the parking lot did meet the 1 ½. Mr. Shrum stated it was a public road and it was required per our code.

Commissioner Goldman stated he remember that now and in order for them not to put in the streetlights the lights on the side had to be sufficient to light the road. The Commissioner asked who determined the candle light and Mr. Shrum stated the City required the applicant to do that on their site plan. Mayor Moore stated the City did not want lights on the neighbors and we asked that it be in the parking lot not projected out to their homes.

Commissioner Nadeau stated we have a standard for candle power and we rely on those who build the building to tell us. Mayor Moore stated the City told them to face them in on the property. Ms. Brumm stated Engineer London went out there and checked it.

Attorney Landt stated if the developer put lights in the parking lot as our code required, they would shield the lights so they would not reach their neighbors. There was a request not to install the other lights that they were supposed to install. They negotiated the Developer's Agreement and the developer's representative made this request to deviate from the normal procedure to let them do this and now it was not working out. Let the PWD meet with Mss Brumm and report back to the Commission what you should do rather than abandon the Developer's Agreement that was negotiated at the request of their representative.

Mayor Moore asked what were the requirements and Mr. Shrum stated they thought one was sufficient but two was required by the light company and the cost was more than what they wanted to do at that time.

Ms. Brumm stated the light needs to be brighter and that was her concern because the campus looks like Ft. Knox. The Clerk stated the City always based the lights on the placement recommendation of the street light from the power company.

Mr. Shrum stated that he listed some comments on site inspection and one was an option that if they had put the street lights in as required by the power company would the light that would have been generated equaled what they had now; then it would be fine. However, the numbers did not match

what was required in our code. Mr. Shrum stated show to us the lights in the road way that were required by the power company and if what you were providing was equivalent to that that was fine; just give us that information.

Mr. Shrum stated on the he Site Plan he listed 5 comments that would have to be satisfied before they would release their Certificate of Occupancy (CO) and she was currently under an expired (CO).

Commissioner Nadeau stated how were they on items 3 through 5 listed in the letter of 04/18/08 to their Engineer. Mr. Shrum stated that #3 was submitted to the County and it was not received back yet; we should not release the (CO) until the other agencies had signed off;

Mr. Shrum stated that PWD Monroe had told him that #4 was fine;

#5 had not been completed by the applicant and they were on an expired temporary CO. and at this point, t as of April 28, 2008 they were on a per day fee.

Commissioner Nadeau made a Motion to Grant a 60 Day Temporary CO from April 28th Until June 28, 2008 Knowing that we have taken care of Items 2 and 4 in the letter to Joe London of April 29, 2008; But To Issue the CO the City Wanted the Property Owner to Take Care of Item 5 and During this time the PWD and Engineer London would sit down and solve item #1; Commissioner Goldman seconded the Motion.

The roll call vote, YES: Loar, Nadeau, Goldman, Dobkowski, Moore

The Motion passed with a 5-0 vote.

Ms. Brumm discussed that over the last three years they did CPR training for Marion County children. Last year 281 kids received their training and Taylor College was offering the CPR training this year. She asked the City to partner with Taylor College which would require no financial support or teachers. She just wanted everyone to come over and see the kids because that was empowerment. The Commission agreed that the City would partner with Taylor College.

8. UNSCHEDULED AUDIENCE

a) Clay Waldron, Chamber of Commerce came forward and asked that the Chamber wanted to hold a Chicken Pileau dinner on 6/12 in the COB parking lot and a pet show benefiting the Belleview Softball Team on 6/14.

Commissioner Nadeau made a Motion to Approve the Requests Providing the Appropriate Application was submitted; Commissioner Goldman seconded the Motion.

The Motion was unanimously approved by the Board (5-0)

b) Tom Cafaro came forward and stated that Coral Gables was near completion and in his presentation, which was approved before he could proceed further, he asked if he could tree line the streets. The landscape was almost completed and he continued to plant tree lines down the street according to what was approved.

He received a letter from the PWD on 5/2/08 and one issue was the trees at the front entrance which were removed because of the safety issue of blocking the stop sign. The tree line streets were also an issue but they were in his original presentation and at this point he did not want to take those trees out. He requested the streets be tree lined and then went ahead and that after the Commission gave their approval.

Mayor Moore stated the concern was that the water lines were there and Ms. McMurdy stated that the trees were planted right over the water mains and over water sewer lines and sewer laterals. Mr. Cafaro stated this was a private community and he duplicated Cobblestone.

Commissioner Goldman stated that the Homeowners Association would eventually take over the maintenance of the streets. Ms. McMurdy stated the developer's agreement says it be maintained by the owner for one year or after 50% occupancy and Attorney Landt stated that was the problem here, the City would be taking over the maintenance of the utility lines on our side of the water meters.

Mr. Cafaro asked they were doing an addendum to this developer's agreement and could they add item as well. The Attorney stated that since they have not sold lots the City could do an addendum and it would be recorded in the public records.

Commissioner Nadeau stated in a few years the Homeowners Association might want to abandon that whole concept. Mr. Cafaro stated he created a reserve for replacement for that future issue.

Mayor Moore asked the Attorney to draft the Addendum and all the Commissioners were in agreement.

9. PROPOSED LAND DEVELOPMENT REGULATION CHANGES:

a) Abandoned Vehicles; b) Fence and Wall

a) Abandoned Vehicles

Mr. Shrum stated Staff met with Commissioner Goldman to revise the proposed Derelict Vehicle language. Commissioner Goldman stated the reason for the ordinance was put in the header. Mr. Shrum stated Sec. 82-32 was made more visible for enforcement purposes; in Sec. 82-34 optional language was added for covered vehicles; and the intent was clarified for home repair. Under the enforcement section, he deleted the sale of vehicles issue and put in the normal Code Enforcement procedures.

Mayor Moore stated it was an improvement but wanted to make sure it was enforceable the way it was. Attorney Landt stated there were two things that he noted: 1) dead batteries were removed because the problem was when the Code Enforcement Officer went out and no one was home, the Officer could not pertain if the battery was dead or not; 2) the Commission did not want the provision to sell someone's car and that was taken out. The Attorney stated this was more enforceable than what the City had previously.

Commissioner Dobkowski stated it was important to include the optional language to cover vehicle in their rear yard with a cover or tarp. Attorney Landt stated if they were going with the optional

language it did not have to be fenced and it should be visible and it should say that the cover or tarp was in good repair.

Commissioner Nadeau stated that he had a client who left her car in front of her house for 5 years as a safety device so people would think someone was home so there should be a mechanism to grant exceptions case by case. Attorney Landt stated that the ordinance did not need exceptions because it no longer provided it had to be a licensed vehicle and the vehicles that meet the criteria would not serve the purpose you just described. That lady's vehicle would not meet the criteria set forth in this ordinance and would not be a concern under this ordinance.

Commissioner Loar stated they did a great job eliminating the excess language and she liked the cover or the tarp.

Mike McMurrer, Chairperson Code Enforcement Board, came forward and stated that it appeared this could be an enforceable ordinance. The definition of coverage would be different with 20 different people. The Code Enforcement Officer had to determine what that coverage was: just the top, front rear vehicle or the entire vehicle; how would the cover be anchored: tie downs, ropes or concrete block on hood; and what was a cover ex. commercial manufactured cover, or sheets, blankets, shower curtains, tarp and what was a tarp and what was in good repair. The additional optional language would make it unenforceable because there were too many variables.

It would be a safety issue as well because children love to play hide and seek. A child could get locked in that car and no one would think to look under the cover in the car for the child. The cover would encourage vegetation, rats and snakes to live there which created another potential problem. The ordinance should be approved without the optional language because it would weaken the Code Enforcement Board.

Commissioner Dobkowski stated to clean it up and have it say that the vehicle had to be completely covered with a vehicle tarp. Mayor Moore stated that most vehicle covers go to the middle of the tires. Commissioner Dobkowski stated it should say that the tarp needs to be staked down so we don't have the issue with the cinder blocks.

Mr. McMurrer stated his first thought was not to allow any tarps or car covers subject to depreciation because the City staff had to go out and recheck on a regular basis. Commissioner Goldman stated that was his first thought also because they had anticipated all the concerns, but if you wanted to cover them up it had to be with a mildew resistant cover. Mayor Moore stated she wanted the privacy fence so neighbors did not have to look at broken down cars, but she was not in favor of the tarp but would agree on a cover if it was a professional car cover.

b) Fence and Walls:

Mayor Moore stated that this proposed ordinance was also on the Agenda for the Commission to review the comments prior to the first reading. The Mayor stated that she agreed with the height restrictions for fences and walls in commercial districts. Which read, "Except as otherwise indicated in this article, in all commercial zoning districts, fences shall not exceed six (6) feet in height. Fences in the B-4 and B-5 districts may include security fencing with up to three strands of barbed wire (facing toward the subject property) not to exceed 8 feet in total height from grade. b4

and b5 was added to this.

Commissioner Dobkowski stated her concern was regarding the survey requirements. Attorney Landt had suggested putting on the permit itself that people sign something advocating responsibility that the City would not be liable if they place their fence on someone else's property in lieu of doing a survey. Mayor Moore stated she did want a survey for a wall but did not feel it necessary for a fence.

Attorney Landt stated the recommendation was to have the application signed by the applicant acknowledging they were responsible for the placement of the fence and the fact that the City issued the permit did not mean that the City approved the site of the fence. The Mayor's statement was accurate in that a survey should be required for a wall or brick columns or anything like that.

10. SIDEWALK ORDINANCE AMENDMENT

Mr. Shrum stated that at the April 17, 2008 meeting, staff was directed to revise the sidewalk ordinance to allow for a waiver to the sidewalk requirements. This amendment was proposed to address that issue. Mr. Shrum stated if you access fees you had to show a benefit to the property owner at some point or it would be difficult to access the fees.

Commissioner Dobkowski stated if there was an established business on a road and we decided to put sidewalks in would that business be required to pay. Mr. Shrum stated the City would do a special assessment.

Commissioner Goldman stated he disagreed because we have an ordinance in place and we would make the developer pay this fee and take his money and put sidewalks in front of someone else's property. That was not fair; if we put the sidewalks in front of his own property then that would be fair.

Commissioner Nadeau stated he agreed with Commissioner Dobkowski maybe the fund was not a great idea and the alternative was to build them and then there would be sidewalks to no where. Our community should be more of a walking and biking area because the community and our businesses were within the walking distance of our residents. Some places might not need sidewalks today but in 20 years they would. This written agreement had to stay with the property owners and be on the title in order for the City to enforce it. The Commissioner stated he rather have the sidewalks in place than not have them at all.

Commissioner Loar stated she agreed with Commissioner Goldman – the waivers we gave in the past were legitimate and we would have other residents come in and ask for waivers to allow certain conditions. The Daycare owner with the impact fees was an example, that we could not do anything for him because he did not get all the information from the original owner. Hopefully, there would be some information for the new buyers that the record would show sidewalks were planned for that property.

Mayor Moore stated to have a waiver built in for those places that sidewalks could not be built; we could waive the rest but put in a clause for the future. Commissioner Goldman stated to take out section b and leave 3 there. Commissioner Nadeau stated that it could be worded better but if the boundaries of the property would not lend toward the adjacent properties having sidewalks, then we could grant the waiver.

Attorney Landt stated that 2a) was drafted by Mr. Shrum and it was well stated but they would improve the language. Attorney Landt stated as the City's Legal Counsel, he would not recommend the fund.

The Commissioners agreed to bring the Ordinance back for first Reading on June 3rd.

11. ZONING REQUIREMENTS FOR SCHOOL LOCATION

Mr. Shrum stated that Staff requested direction to review and make recommended changes to the zoning districts where public schools were permitted.

Mr. Shrum stated the City does not have the right to approve the zoning districts for the school locations in the Comprehensive Plan which was consistent with what the City had now. He felt that the zoning designations should be under the Governmental Zoning Districts.

Mr. Shrum stated that the public schools were allowed in all residential districts but the COB Code only had them in the commercial areas. The City should allow them in our Government zoning districts; which was appropriate and what we had now. Mr. Shrum stated he wanted direction to draft an ordinance to revise our a) Comprehensive Plan which allowed the public schools in all residential districts and b) the Zoning part of our Land Development Regulations, allowed them in the commercial areas; so these changes would rectify the inconsistency we currently had.

Attorney Landt stated the School Board met and adopted an Agreement prior to the committee initiating negotiations; a copy was in the Agenda packet The City needed to be consistent with its zoning ordinances. The major differences in the agreements were in the School Board version it does not provide for them to pay for any improvement fees or impact fees off their site. They do not have to pay any permit fees or applications fees as well. The local governments felt the School Board should be paying for the offsite improvements, but not the fees.

Mr. Shrum stated tonight they wanted the Commission to provide staff with direction to move forward with an Ordinance for First Reading on Chapter 134, zoning specific to the appropriate zoning districts for Public Schools.

12. SCHOOL CONCURRENCY INTERLOCAL AGREEMENT – MCSB VERSION

Attorney Landt stated the main differences that would impact the COB was a) the concurrency and mitigation; b) the schools sites and the impact of that on local government.

**13. SCHOOL CONCURRENCY INTERLOCAL AGREEMENT – WORK GROUP
VERSION**

Commissioner Goldman stated he would not vote for the School Board proposal at all. Item #5 waives the fees - our population was 4000 and their tax base was the entire County; under no circumstances would he vote for that Agreement.

Mayor Moore stated it would bankrupt the City over night. Attorney Landt stated that the City needed to do two things: 1) have First and Final reading on Zoning Ordinance; 2) take the work draft and review it and then we discuss it at the next meeting.

Mr. Shrum stated this agreement was presented to Ocala and Marion County. Mayor Moore stated to bring back the committee version for discussion at the end of the next Agenda.

Attorney Landt asked if the Commission wanted to vote on whether they would approve the School Board (Version) of the Agreement or not.

Mayor Moore asked the Commission if they were in favor of pursuing the School Board Ordinance.

Commissioner Dobkowski voted: not in favor

Commissioner Goldman voted: no

Commissioner Nadeau voted: no

Commissioner Loar voted: no

Mayor Moore voted: no

14. STAFF COMMENTS

PWD Monroe - Absent

IT Coordinator Towne Reported:

Knowledge Web had been upgraded and the Interactive Website was up and running;
Work Orders a/k/a/ Help Desk had 51 tickets submitted

Development Systems Director Shrum Reported:

DCA Conference in June 5, 2008

Stated that six communities had completed the School Comprehensive Plan

Stated his Assistant, Rae Gosselin, last day would be on May 28, 2008

Stated that Sentry Storage as built drawings would be on the next Agenda

Lt. Holland Reported:

The Monthly report from the PD was handed out and the K-9 Workshop was scheduled

Clerk McKamey Reported:

The 484 Space Needs Analysis would be on the June 3rd Agenda

County Meeting for the Interlocal Agreement was scheduled for May 20th

The City was waiting to hear from Video Vault's Attorney

The Belleview Bulldogs had declined the use of the COB's fields.

Palm Tree Villas Plat documents were corrected

North Point documents were received
Budget workshop scheduled for July 28th
Classification Plan workshop scheduled for July 7th

Attorney Landt – Nothing At this time

15. COMMISSION COMMENTS

Commissioner Dobkowski – discussed the \$300,000 CBIR grant that was awarded to the City: the City was also awarded two FRDAP grants;

Discussed the soccer field water situation. Mayor Moore stated that too many people were calling her because they were running the water all day and at the wrong time of the day which was more than their contract stated. Commissioner Nadeau stated the City was doing it twice a week.

The Commissioner commented that Founders Day was a great event and the PD's update was informative; the Employees' Award Banquet was wonderful.

Commissioner Goldman –discussed that he and PWD had met with Mr. Dann from the Library Association Board and were trying to make it a functional library project. Discussed Nine Mile Pond having a Commissioners dunking booth.

Commissioner Loar – stated she won an afghan at the Founders Day event.

Commissioner Nadeau – stated at the next meeting he would have proclamations for two local Eagle Scouts; another Eagle Scout wanted to construct a dog park in the City.

Mayor Moore – stated the new Belleview Library's grand opening was scheduled for May 31st; the PD's Memorial Day celebration was scheduled for Thursday at 8:30 AM; Representative Clifford Stearns would be at City Hall on May 12th.

Mayor Moore discussed annexation and wanted to try to get the commercial area on 441 annexed into the City and would waive the fees to bring them in. This issue would be brought back at a later date.

Meeting was adjourned at 9:10 PM

ATTEST:

Sandi McKamey, MMC, CPM
City Clerk/Administrator