

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 CHRISTINE K. DOBKOWSKI

May 20, 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: 04/01/08 Commission Meeting
2. PROCLAMATIONS: a) Eagle Scout
b) National Community Action Month
3. PUBLIC HEARING – FIRST READING: Ordinance 2008-11 School Location
4. LIGHT UP LAKE LILLIAN – Dawn Kitzmiller
5. BOBBY DOBKOWSKI – Bulldogs Baseball Camp
6. SENTRY STORAGE
7. UNSCHEDULED AUDIENCE
8. OFF-SITE SIGN MORATORIUM
9. 441 SIDEWALKS – Final Payment
10. MID STATE ELECTRIC – Final Payment
11. SCHOOL CONCURRENCY INTERLOCAL AGREEMENT – WORK GROUP VERSION
12. STAFF REPORTS
13. 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 20, 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: 04/01/08 – REGULAR MEETING

ACTION: APPROVED MINUTES

2. PROCLAMATIONS a) Eagle Scout b) National Community Action Month

ACTION: PRESENTED PROCLAMATIONS

3. PUBLIC HEARING – FIRST READING: Ordinance 2008-11 School Location

ACTION: APPROVED FIRST READING

4. LIGHT UP LAKE LILLIAN

ACTION: APPROVED REQUEST

5. BOBBY DOBKOWSKI – Bulldogs Baseball Camp

ACTION: APPROVED AMENDING THE BULLDOGS CONTRACT

6. SENTRY STORAGE

ACTION: APPROVED SITE PLAN AS PRESENTED

7. UNSCHEDULED AUDIENCE

a) Tom Cafaro – requested a time frame for projects

b) Diane Brumm – discussed the foot candles for street lights at the Nursing School

8. OFF-SITE SIGN MORATORIUM

ACTION: APPROVED PLACING RESOLUTION ON THE NEXT AGENDA

9. 441 SIDEWALKS – Final Payment

ACTION: APPROVED FINAL PAYMENT

10. MID STATE ELECTRIC – Final Payment

ACTION: APPROVED FINAL PAYMENT

11. SCHOOL CONCURRENCY INTERLOCAL AGREEMENT – WORK GROUP VERSION

ACTION: APPROVED PLACING AGREEMENT ON THE NEXT AGENDA

12. STAFF REPORTS

PWD MONROE REPORTED:

Progress Energy – process of replacing the street lights that were out

Plants donated for around Lake Lillian

27 Acres – funding for purchase and infrastructure; County would pay their portion when they build

INFORMATION TECH TOWN REPORTED:
Police Records Management System

DEVELOPMENT SERVICES DIRECTOR REPORTED:
Update on School Comprehensive Plan
LDR Committee Meeting on 5/28/08

CHIEF STRICKLAND REPORTED:
Media conference
Click It or Ticket Campaign

ATTORNEY LANDT REPORTED:
Discussed the Library Project Meeting

CLERK MCKAMEY REPORTED:
Belleview Library Opening on 5/30/08
Congressman Cliff Stearns Town Meeting on 6/7/08
Waste Water Reclamation Facility Grand Opening on 06/13/08
Classification and Compensation Plan workshop on 06/11/08

13. COMMISSION COMMENTS

COMMISSIONER DOBKOWSKI:

Thanked Donna McMurdy, PW Admin. Assistant, for her help with scheduling the watering at the Soccer Fields

COMMISSIONER LOAR:

Nothing at this time

COMMISSIONER NADEAU:

Discussed the street light project
Discussed the holes that keep opening up at the railroad crossing on Foss Road
Discussed the packing house demolition

COMMISSIONER GOLDMAN:

Discussed the Police Memorial Service

MAYOR MOORE:

Absent

MEETING ADJOURNED: 7:50 P.M.

**CITY OF BELLEVIEW
COMMISSION MEETING MINUTES**

**BELLEVIEW CITY HALL
COMMISSION CHAMBERS**

May 20, 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: COMMISSIONERS: DOBKOWSKI; GOLDMAN; LOAR; NADEAU; PUBLIC WORKS DIRECTOR MONROE; INFORMATION CORDINATOR TOWNE; DEVELOPMENT SERVICES DIRECTOR SHRUM; CHIEF STRICKLAND; ATTORNEY LANDT; CITY CLERK/ADMINISTRATOR McKamey; DEPUTY CITY CLERK DeGENNARO

ABSENT: MAYOR MOORE

1. APPROVAL OF MINUTES: 4/1/08 Commission Meeting

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

The Motion was unanimously approved by the Board (4-0)

2. PROCLAMATIONS –a) Eagle Scout b) national Community Action Month

Clerk McKamey read the proclamations and Mayor Pro-Tempore Nadeau presented the proclamations which:

- a) – declared May 21, 2008 as Travis Winstanley Eagle Scout Day in the City.
 - declared May 21, 2008 as Keith W. Dill Eagle Scout Day in the City.
 - declared May 21, 2008 as Daniel Walther Eagle Scout Day in the City.
- b) – declared the month of May as Community Action Month in the City

2. PUBLIC HEARING – First Reading, Ordinance 2008-11 School Location

Clerk McKamey read First Reading, Title Only, of Ordinance 2008-11 and Mr. Shrum gave a brief review of the Ordinance.

Mayor Pro-Tempore Nadeau 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 Dobkowski made a Motion to Approve First Reading of Ordinance 2008-11; Commissioner Goldman seconded the Motion.

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

The Motion passed with a 4-0 vote.

4. LIGHT UP LAKE LILLIAN – Dawn Kitzmiller

Dawn Kitzmiller came forward and stated that they wanted to schedule Light Up Lake Lillian for 12/6/08 and would like to use the City's bleachers and trash bags.

Clerk McKamey stated that was the same day as the Ocala Christmas parade and the next day was the Belleview Christmas parade. The Clerk asked if they would change the date to Friday, 12/5/08. The PWD stated he would have to pay his employees over time if it was held on Saturday which would go into two pay periods. Chief Strickland stated manpower was an issue for his department because his police officers help the Ocala police with their parade.

Mayor Pro-Tempore Nadeau stated that Friday would be better because people would want to go to Light Up Lake Lillian and the Ocala Parade.

After some discussion it was decided to hold Light Up Lake Lillian on Saturday, 12/6/08.

Commissioner Dobkowski made a Motion to Approve the Request with the Addition of the Bleachers and Trash Bags; Commissioner Loar seconded the Motion.

The Motion was unanimously approved by the Board (4-0)

5. BOBBY DOBKOWSKI – Bulldogs Baseball Camp

Bobby Dobkowski came forward and discussed the Bulldogs Baseball Camp. He asked the Commission to rethink the Belleview camp and they wanted to hold the camp on June 16 – 19th and then again on July 7th – 10th.

Mr. Dobkowski stated that he spoke with the League's President and they had no problem with the camp. The only problem the Bulldogs had was a financial problem. Mayor Pro-Tempore Nadeau asked what the cost was in our contract and Mr. Dobkowski stated \$7.50/player per week and they would charge the kids to attend the camp.

Commissioner Goldman stated he would like to have them here in this community and Commissioner Loar asked if there were funds allocated that could be used. Mr. Dobkowski stated he did not need funds just a revision to the contract because the \$7.50/per player per week made it pricey. Mayor Pro-Tempore Nadeau stated that the \$7.50 was intended for long term league use. The Clerk stated that the contracts with the other leagues state that the per player fee money was set aside for improvements to the fields, but the kids play for the whole season.

Commissioner Goldman made a Motion to Approve Adjusting the Contract of the Belleview Bulldogs Youth Baseball Camps to \$100/Week for the Week of June 16 to 19th and the Week of July 7 to 10th; Commissioner Loar seconded the Motion.

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

The Motion passed with a 3-0 vote.

Commissioner Dobkowski abstained from voting because Mr. Dobkowski was her husband which constitutes a conflict of interest.

6. SENTRY STORAGE

Mr. Shrum stated that staff had received an as-built drawing from Sentry Storage and comments were made on the drawing for review and discussion.

The Site Plan Committee Comments were:

- 1.) City staff had a concern that the partial drainage facilities constructed in accordance with the prior approved site plan do not have adequate structures to ensure onsite retention for the as built impervious areas. This concern was emphasized by the topography shown on the as built drawing that indicated higher elevations between the drainage facilities and impervious areas. As a result, the lack of drainage structures to convey the runoff to the drainage retention area may lead to runoff to adjacent properties.
- 2.) The site drawing notes indicated that lots 9 and 10 were not included in the lot coverage calculations. The properties shown on the drawing included lots 9 and 10 of Block A and lots 1-5, 9 and 12-20 of Block B. Based upon this it was unclear which lots were included in the lot coverage calculations; this should be clarified.
- 3.) Staff had concerns about the permeability of the crushed concrete added in the storage area (shown as lot 4). Although it may not be 100% impervious it may percolate much more slowly than typical soils for the area or it may have pockets of impervious area which cumulative may impact the overall drainage needs for the site.

Mr. Shrum stated that any future development had to comply with applicable City/County/State regulations.

Commissioner Goldman asked the Mr. and Mrs. Harbin if it was accepted by the Commission would it be adequate for them and Mr. Harbin stated yes and they understand if they do any improvements in the future they would have to come back to the Commission with a site plan for the site review process.

Commissioner Goldman stated should we ignore or remove #3 because we don't have anything that determines a impervious substance vs. a pervious substance. Mr. Shrum stated they would have to do a soil borne percolation test to see what it was doing. Commissioner Goldman stated he would like to have percolating concrete driveways and streets at every house.

Commissioner Dobkowski stated the City asked for an as built and they fulfilled that requirement and agreed if they made changes then they would go through the site plan process. Commissioners Loar and Nadeau agreed.

Commissioner Dobkowski made a Motion to Accept the Site Plan as Presented and any Future Development May Require Upgrade Of Existing Facilities To Meet Applicable City/County/State Regulations; Commissioner Loar seconded the Motion.

The roll call vote, YES: Loar, Goldman, Dobkowski, Nadeau
The Motion passed with a 4-0 vote.

7. UNSCHEDULED AUDIENCE

1) Tom Cafaro came forward and wanted to discuss Coral Gables in conjunction with Palm Tree Villas. There were memos between the City to help out with the lift stations and asked if they had any outside knowledge or side agreements with obligations he was required to do anything outside of his developer's agreement for Coral Gables regarding the pump station at Palm Tree Villas.

PWD Monroe stated he had discussions with the engineer who was the engineer for both jobs. They discussed both projects and the way the W&S service could be accommodated for both developments. As far he knew, there were never any discussions about what Coral Gables had to do in way of the pump station because the decision at that point would be made by the engineer and the developers to put in a lift station at Palm Tree Villas. In the developer's agreement there was language to have a study done for down stream effects but it was not required because the lift station would be built at Palm Tree Villas. Mr. Cafaro stated that was what he wanted on the record.

Mr. Cafaro stated that it took 1.5 years to get a land swap done with the City and he wanted to have a time frame before he submitted his new plat for recording to prevent it from being dragged out to the point of years; he felt that paperwork should be processed in a timely manner.

Mayor Pro-Tempore Nadeau asked Mr. Cafaro that since the land swap was delayed you were concerned that other things you present would take excessive time and Mr. Cafaro stated that was correct. Mayor Pro-Tempore Nadeau asked about the status of the land swap. Attorney Landt stated it was done. Mr. Cafaro stated he could not afford to have his projects dragged out and the City needs to be expedient so he wanted some kind of insurance.

Mayor Pro-Tempore Nadeau stated the City used due diligence to get things done in as timely a manner as possible but he would hesitate to put a time frame because it would vary with the complexity of the project and conformance of the rules and revisions. The staff, aside from the site plans and development plan, gets most of the work done in a timely manner. PWD Monroe stated that was correct they had never intentionally delayed a project because we had a conflict with a developer; we do the job and process things to the best of our abilities given the conditions we had to work with.

Commissioner Dobkowski stated that staff knows how long for example: a plat was going to take. In general, it takes 3-6 months give or take a few weeks with the understanding by the citizens and business owners that some times things happen that were out of the hand of the City. It would be a good customer service policy to tell ahead of time that general information if it was going to take longer than usual.

Commissioner Goldman stated he was a big fan of time frames. However, this was really about the trees in the easements. He thought it was settled but now it was going to be on the next agenda. The Commissioner stated he liked what they came up with at the last meeting.

Mr. Cafaro stated that the Homeowners Association would pay for any damages. The trees were in the ground. Commissioner Goldman stated that the PWD was correct when he said he would never

drag out a project because of friction between a developer and the City. Everyone would work together and get this development done and everyone would be happy; this was a win-win situation.

Mr. Cafaro stated for the record that he would do everything he could but did not want his project to be dragged down for any reason because he had a tremendous investment out there.

Commissioner Loar stated with the trees we may see the same problem that we had with the Harbins, they were not given the whole story when they bought their property, but the City agreed with them and there was a conclusion.

Mayor Pro-Tempore Nadeau stated that City would not make a practice of slowing down one project because of a difficulty on another one.

2) Dianna Brumm stated they were there to ask the City to approve the foot candles for street lights so they could get their permanent Certificate Of Occupancy. Mayor Pro-Tempore Nadeau looking at the letter of 5/14 from Engineer London and the PWD interjected that the minimum requirement was 1.5 and the maximum was 5; 8 readings were submitted but only 1 met the minimum.

Ms. Brumm stated she spoke with Mr. London and Mr. Register and both asked the City what the foot candle requirements were and were told they did not have the criteria for the lighting. We had a temporary CO and now building was done.

Mayor Pro-Tempore Nadeau asked if this was the only issue holding up their CO and Mr. Shrum stated it was not. Our regulations on the lighting were in place for over 10 years and the developers know what they were so he did not want to address Ms. Brumm's statement. The County needs to sign off on the roadway improvement and if they obtained that, the City needs it. The other items were the agreement for payment for the front foot fees and if their impact fees were paid. The main issue was the County and the COB would not want to sign off until the other agencies have done so. It was in her court. Ms. Brumm stated she was told that County did not care about the lighting and Mr. Shrum stated it did not matter about the lighting but the acceptance of the design and construction of the actual roadways by the County did matter.

Mayor Pro-Tempore Nadeau stated that 7 out of 8 points did not meet our minimum. The Clerk stated that Sec. 118-100 had been in place since 1992 and her Engineer, Joe London, worked with the City before. The Clerk stated the 1.2 to 5 were the lighting requirements for parking lots.

Commissioner Dobkowski stated if we took the street out of the quotation she would then meet that requirement. Mr. Shrum stated not really, onsite the numbers overall were meeting the numbers but offsite in the roadway it did not meet them.

Mr. Shrum stated he had suggested a solution at the last meeting which was to have her Engineer get the specifications from the electric company or go out and take a measurement for a standard city street and see if they were equivalent. This was the only requirement the City could use in this instance because they were required to put in street lights and the Commission decided if the lighting on her property would provide sufficient light for the roadway they would not have to do that.

Commissioner Loar stated you need a comparison and Mr. Shrum stated correct it was a safety concern. Commissioner Goldman stated the suggestion made sense two weeks ago; they asked to put the lights there and Mr. Shrum came up with that solution.

Mayor Pro-Tempore Nadeau stated that 2 of the 3 items the City could do nothing about and according to Mr. Shrum the County was the biggest hold up. Mayor Pro-Tempore Nadeau asked if they needed official action and Attorney Landt stated if you were going to approve this before you hear from Progress Energy you would need official action tonight.

Commissioner Goldman made a Motion to Obtain the Figures from Progress Energy for the Roadway Lighting and If Their Minimums were Exceeded by these Measurements then the City Commission would Accept those Figures to Complete the Minimum Requirements for the Lighting; Commissioner Loar seconded the Motion.

Commissioner Goldman stated he wanted to confirm that the motion said if Progress Energy told us that the lighting on a public right of way from standard street lamp was these numbers or better then we were accepting this as the completion of the lighting and Attorney Landt confirmed that was what the motion was for; but that did not mean they would get approval until Marion County also approved it; this motion just goes to the lighting issue.

The roll call vote, YES: Loar, Goldman, Dobkowski, Nadeau
The Motion passed with a 4-0 vote.

8. OFF-SITE SIGN MORATORIUM

Mr. Shrum stated that the LDR Committee was looking at the rough draft and the deadline for the moratorium was coming up in July. They were requesting a 90 day extension of the moratorium until September 21.

Attorney Landt stated the City should hold another public hearing on it and if it was extended it would be done by Resolution. The signs come up many times and we need to handle this in a way that allows the public to voice their opinions.

Commissioner Goldman made a Motion To Draft The Resolution To Extend The Offsite Advertising Moratorium; Commissioner Loar seconded the Motion.

The roll call vote, YES: Loar, Goldman, Dobkowski, Nadeau
The Motion passed with a 4-0 vote.

9. 441 SIDEWALKS – Final Payment

The PWD stated that DOT signed off on the 441 Sidewalks project and the City would like to release the final payment of \$137,698.50 was coming from DOT's funds.

Commissioner Goldman made a Motion To Approve the Payment of the Final Pay Application; Commissioner Dobkowski seconded the Motion.

The Motion was unanimously approved by the Board (4-0)

10. MID STATE ELECTRIC – Final Payment

PWD Monroe stated that this was for the installation of the lights at the new softball field at the Sports Complex.

Commissioner Goldman made a Motion To Approve the Release of the \$6,400 for Final Payment to Mid State Electric; Commissioner Loar seconded the Motion.

The Motion was unanimously approved by the Board (4-0)

11. SCHOOL CONCURRENCY INTERLOCAL AGREEMENT – WORK GROUP VERSION

Mr. Shrum stated this was a draft Interlocal Agreement that Attorney Landt and he had been working on with the staff from Marion County, the City of Ocala, the Marion County School Board, and legal representation from the private sector, over the last few months.

This version of the agreement was not the same as the version adopted by the School Board and presented to the Commission at the April 15, 2008 meeting. Two areas of concern raised at the last joint meeting could be found in Section 5.5 (waiver of application fees for school board) and Section 6 (off and onsite improvements for new schools). Marion County and City of Ocala approved the Agreement.

Attorney Landt stated that this draft was an effort from many people on school board and their consultant and he would not recommend this draft as being perfect but it was the best under the circumstances. The differences were waiving the fees when application was made and not paying for offsite improvements.

Commissioner Goldman stated he agreed, it was not a perfect document but superior to the one the school board presented to this body. Attorney Landt stated literally they took multiple drafts and went line by line to make sure that the true meaning was there when read in the future.

Mayor Pro-Tempore Nadeau state that he appreciated the hours that staff had to put in to get this done.

12. STAFF COMMENTS

PWD Monroe Reported :

Progress Energy completed all 14 street lights; found 74 and fixed 14

Lady donated plants at Lake Lillian

Anticipated the City funding the 27 acres infrastructure at the same time we fund the purchase of the land; expect the County would pay their share when they build

IT Coordinator Towne Reported:

Police Pack software on the PD Records Management System

Development Systems Director Shrum Reported:

Public meeting on Thursday for an update on the County's Comprehensive Plan

LDR Committee Meeting scheduled for Wednesday

Chief Strickland Reported:

Click It Or Ticket program campaign was in place

Clerk McKamey Reported:

Library Grand Opening was scheduled for 5/31 at 10:00 AM
Congressman Stearns would hold a Town Meeting at City Hall on 6/7
Waste Water Treatment Plant ribbon cutting ceremony was scheduled for 6/13
Workshop for the Salary Classification Plan was scheduled for 6/11

Attorney Landt Reported:

Six communities had completed the School Comprehensive Plan
Met with Library Association and the Friends of the Library and it looked promising

13. COMMISSION COMMENTS

Commissioner Dobkowski – thanked PW Department for getting the soccer water issue worked out.

Commissioner Goldman –Discussed speaking at the Police Memorial Service and how humbling it was to be there; he was glad our police officers were out there in the community

Commissioner Loar –Nothing at this time.

Mayor Pro-Tempore Nadeau – discussed the street light and Progress Energy Project; Stated that Foss Road railroad crossing holes were opening up again; Discussed the packing house and if it could be worked out so the property owners could tear it Down and rebuild. PWD Monroe stated that the requirements in the revision of the LDR would be different once they were passed. Attorney Landt stated the revisions should be helpful.

Mayor Moore – Absent

Meeting was adjourned at 7:50 PM

ATTEST:

Sandi McKamey, MMC, CPM
City Clerk/Administrator