



CITY OF BELLEVUE REGULAR COMMISSION MEETING AGENDA

BELLEVUE CITY HALL
Commission Room

October 1, 2019
6:00 PM

Mayor CHRISTINE K. DOBKOWSKI
Seat 1 MICHAEL J. GOLDMAN
Seat 2 GARY W. ERNST
Seat 3 RONALD T. LIVSEY
Seat 4 ROBERT "BO" SMITH

MOMENT OF SILENCE/PLEDGE OF ALLEGIANCE - COMMISSIONER

1. PUBLIC HEARING: FINAL READING
 - a. Final Public Hearing: Ordinance 2019-19 Animal Control
2. PUBLIC HEARING: FIRST READING
 - a. First Public Hearing: Ord 2019-20 Solid Waste Residential Amendment
3. SCHEDULED/UNSCHEDULED AUDIENCE COMMENTS:
 - a. Scheduled Audience: Topic Not on the Agenda
4. OTHER CITY BUSINESS/DEPARTMENT UPDATES:
 - a. City Clerk: Updates
 - b. Development Services: Updates
 - c. Finance: Banking Services Change
 - d. Public Works: Surplus Equipment
 - e. Police Department: Updates
 - f. Information Technology: Updates
 - g. Legal: Updates
 - h. City Administrator: Updates
5. COMMISSION UPDATES:
 - a. Seat 1 - Michael J. Goldman
 - b. Seat 2 - Gary W. Ernst
 - c. Seat 3 - Ronald T. Livsey
 - d. Seat 4 - Robert "Bo" Smith
 - e. Mayor - Christine K. Dobkowski

In accordance with the Americans with Disabilities Act, persons needing assistance in any of these proceedings should contact the City Clerk's Office at least 48 hours prior to the meeting: 5343 SE Abshier Blvd. Belleview, FL 34420 (352-245-7021 Ext. 2109)

CITY OF BELLEVIEW

COMMISSION MEETING MINUTES

BELLEVIEW CITY HALL
Commission Room

October 1, 2019
6:00 PM

Mayor CHRISTINE K. DOBKOWSKI
Seat 1 MICHAEL J. GOLDMAN
Seat 2 GARY W. ERNST
Seat 3 RONALD T. LIVSEY
Seat 4 ROBERT "BO" SMITH

1. PUBLIC HEARING: FINAL READING

a. Final Public Hearing: Ordinance 2019-19 Animal Control

Mayor Dobkowski read title only of Ordinance 2019-19 and DSD Chancey stated at the August 20, 2019 Commission meeting, the Board directed staff to revise the City's Animal Control Ordinance to mirror Marion County's recently adopted ordinance, with the exception of the retail pet store regulations. The significant items of change are as follows:

Sec 18-50 Mandatory Microchipping and health certificate is included in this ordinance

Sec. 18-53(g) Tethering

Sec. 18-58 Location of sale of dogs and cats of breeder pre-registration

Sec. 18-60 Community Cat Initiative

Sec. 18-70 Dogs and cats on residential property

Public Comments: Mayor called: 1) Cindy Polcyn

Ms. Polcyn discussed Puppy Mills and Breeders. Puppy Mill dogs were over bred, mistreated and unhealthy. They live in cages 24 -7 and they exist to make more and more puppies.

Commissioner Smith stated if we change our ordinance, then a pet store could be owned by a reputable breeder. Ms. Polcyn stated breeders sell from their home and they don't need a pet store. They have nothing to hide. Commissioner Smith stated in the ordinance it clarifies that they have to show proof where the puppies come from and Ms. Polcyn stated that was not sufficient.

2) Pattie Reed: was not in the audience.

3) Breanne Wilson stated as a pet shop owner, she objected to Section 18-58 Location of sale of dogs and cats Subsection c-6. They have developed relationships with breeders that go back 25 years and they are priceless. This list is protected by Chapter 688 of the Florida Statute-Uniform Trade Secrets Act. I urge you to reconsider this section of the ordinance. Also, as owners of a pet store, we have rights that need to be protected.

4) Jennifer French Tracey stated she feels bad about the pet store. Their store is clean and she doesn't think they have done anything wrong.

5) Lily Baron, President of SPCA in Ocala, Florida stated to please adopt the full Marion County ordinance. It is a really good ordinance. Commissioner Livsey asked how she liked our three additions which includes pet stores selling breeder's puppies. Ms. Baron stated she doesn't agree with it at all. A good breeder will let you in their home any time. The SPCA has dealt with the Wilsons and they got a large number of complaints. Commissioner Smith stated we have to do our own research and he was glad Ms. Baron come forward. There were mixed reviews on the limitation of animals in the homes

in the County. Ms. Baron stated it is 15 in the County. If you have 15 dogs or more you need to get a kennel license. The City of Belleview was the only municipality that has not signed on with Marion County's ordinance. It is a great ordinance.

Commissioner Smith stated we got a document stating that the Wilsons had 11 cases called in over the past few years. Ms. Baron stated the SPCA and animal control were the only ones that could deal with them. The issue is if animal control came to your shop, you let them in.

Commissioner Goldman stated it is a good ordinance and doesn't understand why we wouldn't adopt it; thank you.

6) Adel stated they have a small business in Ocala and her son holds fund raisers to help the animal shelters. Another pet store would be another puppy mill. Don't allow puppy mills.

Commissioner Smith stated your target was to put people out of business.

7) Lisa Roman stated the Wilson are no longer breeding. Have they provided any documents on the dogs they sell?

8) Pat Lunardelli stated do the right thing. As a kid there were mean people who were abusers. In the puppy mills many abuses you can't see. The mills have become a controversial issue across the country. It is up to us to stop the puppy mills. Boycott the puppy stores and buy from shelters.

9) Linda Daniels stated read the papers I just handed you. People treated their animals in a horrible manner.

10) Nancy Bankston stated we don't understand why you won't accept the Marion County ordinance. No one should sell puppies from a puppy mills. Puppy mill animals are in horrible condition. You have a puppy mill selling puppies here in Belleview.

Commissioner Livsey stated we have accepted the Marion County ordinance with some additions. Now the debate should be on our 3 additions.

11) Erica McClain stated she cares for 11 puppies and their mom. The County has bigger issues with the dumped dogs.

12) Denita Webber stated she got a Miniature Pincer for her son. Then they bred the dog and it was her choice who would get one of her dogs. That equals a quality breeder.

13) Sandra Shaw discussed her rescue dog that went through two surgeries and survived.

14) Kim Pruitt stated the reason there is no retail puppy stores is because of the puppy mills. There was up to 20 complaints and animal control wasn't allowed on their property.

15) Jeff Salmon stated open your eyes: greed is what this is all about.

Mayor Dobkowski stated the consensus was people don't want puppies from puppy mills sold in pet stores in Belleview. Add an amendment for the sale of puppies in the city of Belleview stating any puppies from mills will be prohibited. Need a definition of a puppy mill.

Commissioner Smith stated Mr. Salmon was the first one to bring up the concern for other businesses. We investigate on our own and that was why we have many meetings. He spoke with a Dalmatian breeder today who was employed by Purina. The breeder gave him a lot of information re: puppy mills in the City limits.

Commissioner Smith made a Motion to adopt the Marion County ordinance with the exception of not 15 pets but 4 pets and using our tethering law with full supervision; the microchip was already in the ordinance: Seconded by Commissioner Livsey. Mayor Dobkowski stated tethering in the County was for only a short time. That was the only difference.

Commissioner Livsey stated it was a sensitive subject so get rid of the hard feelings and do what we can do legally. How do you know when the store uses a puppy mill? They could be buying from a good breeder. We don't have puppy mills in the city. We can't control what happens so you need to go to the state. He talked to Dennis Baxley and discussed the puppy mills. They have some problems with puppy mills as well but that is where you need to go.

Commissioner Ernst stated we have the right to make the ordinance and uphold it. Need to adopt Marion County's ordinance and move on. Leave the State alone and take care of Belleview.

Commissioner Goldman stated section 18-16 getting rid of everything but the limitation of the dogs and Pet stores nonconforming use. Commissioner Smith stated nobody was being grandfathering in for anything; make that a part of the Motion.

Attorney Landt stated only allow pet stores to exhaust their current inventory. The nonconforming use; they will go out of Business and they have not had notice. Commissioner Smith stated to leave out nonconforming use and go with the County's ordinance. Attorney Landt stated so we don't have a liability issues, three Commissioners don't want to adopt the ordinance on the agenda but Marion County's ordinance needs to give adequate notice to people because their property rights will be affected. The Commissioners could withdraw their new motion.

Commissioner Goldman stated they had 2 meetings to know that the City could go in that direction. Attorney Landt stated Due Process would go right to the store and Commissioner Goldman stated due process was established.

Attorney Landt stated we can adopt Marion County's ordinance the way it is. There is no transfer of business in the County's ordinance. No one can open a pet store as well.

Commissioner Smith withdrew his motion; Commissioner Livsey accepted the Friendly Amendment. Commissioner Livsey made a motion to adopt the Ordinance that was in today's Agenda. Motion failed for lack of a second.

Mayor Dobkowski stated to advertise the County's Ordinance with the 4 pets and schedule for first reading.

2. PUBLIC HEARING: FIRST READING

a. First Public Hearing: Ord 2019-20 Solid Waste Residential Amendment

Mayor Dobkowski read title only of Ordinance 2019-20 Solid Waste Residential Amendment. Sandi McKamey, City Administrator, stated the City advertised for the residential solid waste collection and disposal.

This proposed ordinance amends the recently adopted ordinance by:

Defining the days of residential collection in the agreement rather than the code.

Deleted the requirement for the residential hauler to collect screening and sludge from the wastewater treatment facility.

Mayor Dobkowski stated this is a public hearing and asked if anyone in the audience had any comments. No one came forward. Motion made by Commissioner Goldman to approve First Reading of Ordinance 2019-20 Residential Solid waste Collection Amendment; Seconded by Commissioner Smith. Motion was approved as presented by roll call vote. Ayes: Dobkowski, Ernst, Goldman, Livsey, Smith.

3. SCHEDULED/UNSCHEDULED AUDIENCE COMMENTS:

a. Scheduled Audience: Topic Not on the Agenda

Don Harrell requested to be on the agenda to discuss internet cafes but he was not present.

4. OTHER CITY BUSINESS/DEPARTMENT UPDATES:

- a. **City Clerk: Updates**
- b. **Development Services: Updates**
- c. **Finance: Banking Services Change**

Finance Director Strausbaugh stated the City was informed that the merger of our current bank with a credit union will take place sooner than anticipated. The City placed a request for banking services and received two proposals, one from CenterState and one from Regions. The Review Committee selected CenterState and was requesting Commission approval to proceed.

Mayor Dobkowski stated this was a public hearing and asked if anyone in the audience had any comments. No one came forward.

Motion made by Commissioner Smith to approve the recommendation to award the City's banking services to CenterState and proceed with obtaining all of the final documents for review and approval.; Seconded by Commissioner Ernst. Motion was approved as presented by roll call vote. Ayes: Dobkowski, Ernst, Goldman, Livsey, Smith.

d. Public Works: Surplus Equipment

PWD Phillips stated the Public Works Department has a large trailer for transporting the City's rubber tires backhoe. The trailer has not been used during his time of employment with the City. The backhoe was driven to required locations within the City and the trailer was used to transport the backhoe for repair. Mayor Dobkowski stated this is a public hearing and asked if anyone in the audience had any comments. No one came forward.

Motion made by Commissioner Goldman to approve declaring the trailer surplus and authorization to transport it to Weeks Auction for sale; Seconded by Commissioner Smith. Motion was approved as presented by roll call vote. Ayes: Dobkowski, Ernst, Goldman, Livsey, Smith.

- e. **Police Department: N/A**
- f. **Information Technology: Absent**
- g. **Legal: Updates N/A**
- h. **City Administrator: Updates**

City Administrator McKamey stated the Joint City County Commission Meeting is scheduled for October 30, 2019 at 9:00 AM in the Ocala Public Library Headquarters. Staff was working to put together an agenda.

5. COMMISSION UPDATES:

- a. **Seat 1 - Michael J. Goldman N/A**
- b. **Seat 2 - Gary W. Ernst N/A**
- c. **Seat 3 - Ronald T. Livsey N/A**
- d. **Seat 4 - Robert "Bo" Smith**
 - 1) Thanked everyone working on the Animal Control ordinance.
 - 2) Safety Meeting: there is a new group of employees on this committee.
- e. **Mayor - Christine K. Dobkowski N/A**

Meeting was adjourned at 7:19 PM

Attest:


Margaret DeGennaro MMC, CPS
City Clerk