

**CITY OF BELLEVIEW
REGULAR COMMISSION MEETING
AGENDA**

**BELLEVIEW CITY HALL
COMMISSION CHAMBERS**

May 15, 2012
6:00 PM

Mayor CHRISTINE K. DOBKOWSKI
Seat 1 MICHAEL J. GOLDMAN
Seat 2 GARY W. ERNST
Seat 3 WILMA C. LOAR
Seat 4 ROBERT "BO" SMITH

INVOCATION AND PLEDGE

COMMISSIONER SMITH

AGENDA ITEMS

This Meeting Was Properly Noticed PD

1. APPROVAL OF MINUTES: 5/1/2012 Regular Meeting (Pg. 2)
2. PUBLIC HEARING: Final Reading: Ordinance 2012-05 W/S Impact Fees (Pg. 5)
3. RESOLUTION: 12-02 Police Officers' Special Duty Pay (Pg. 19)
4. PROCLAMATION: Florida Bar – Pledge of Civility (Pg. 22)
5. PUBLIC REQUESTS: a) Richard Dennis – Belleview Rookie All-Star Team Fundraiser (Pg. 25)
b) Mike Barthlow – Belleview High School Softball Team (Pg. 27)
c) Anita Anderson – Belleview Mural Trail Project (Pg. 28)
6. UNSCHEDULED AUDIENCE (Pg. 31)
7. DEPARTMENTAL TOPICS: (Pg. 32)
 - A) PUBLIC WORKS
 - B) INFORMATION TECHNOLOGY
 - C) DEVELOPMENT SERVICES: Community Redevelopment Area (CRA) (Pg. 33)
 - D) POLICE: Surplus Property (Pg. 34)
 - E) LEGAL
 - F) ADMINISTRATION – Update on the Insurance Claims (Pg. 36)
8. COMMISSION COMMENTS
 - A) Commissioner Goldman
 - B) Commissioner Ernst
 - C) Commissioner Loar
 - D) Commissioner Smith
 - E) Mayor Dobkowski: 1) Evans Property on Hwy 441 (Pg. 38)
2) 4-10 hr. Work Week Schedule

CITY OF BELLEVIEW
PARTICIPATION/DISCUSSION TOPIC FORM

DATE OF MEETING: **May 15, 2012**

APPROVAL OF MINUTES: **5/1/12 Regular Meeting**

PRESENTING PARTY: **Mayor Dobkowski**

ATTACHMENTS: **Minutes**

STAFF RECOMMENDATION: **Approve Minutes or Approve As Amended**

**THE COMMISSION RESERVES THE RIGHT TO POSTPONE ANY DECISION ON
AUDIENCE, OR WALK-IN REQUESTS UNTIL SUFFICIENT TIME HAS BEEN
ALLOWED FOR REVIEW OF DOCUMENTATION**

**CITY OF BELLEVIEW
COMMISSION MEETING MINUTES**

BELLEVIEW CITY HALL
COMMISSION CHAMBERS

Mayor CHRISTINE K. DOBKOWSKI
Seat 1 MICHAEL J. GOLDMAN
Seat 2 GARY W. ERNST
Seat 3 WILMA C. LOAR
Seat 4 ROBERT "BO" SMITH

May 1, 2012
6:00 PM

PRESENT: MAYOR DOBKOWSKI; COMMISSIONERS: ERNST; GOLDMAN; LOAR;
SMITH; PWD MONROE; CHIEF STRICKLAND; ATTORNEY LANDT;
DEPUTY CITY CLERK DeGENNARO
ABSENT: CLERK/ADMINISTRATOR McKAMEY; IT COORDINATOR TOWNE;
DEVELOPMENT SERVICES DIRECTOR SHRUM

1. **APPROVAL OF MINUTES:** 4/17/2012 Regular Meeting

Motion made by Commissioner Goldman to adopt the Minutes; seconded by Commissioner Smith. The motion was unanimously approved by roll call vote.

2. **PUBLIC HEARING:** Final Reading: a) Ordinance 2012-04 Belleview Library
Mayor Dobkowski read title only of Ordinance 2012-04. No member of the public had any comments.

Motion made by Commissioner Goldman to adopt Ordinance 2012-04; seconded by Commissioner Loar. The motion was unanimously approved by roll call vote.

3. **PUBLIC HEARING:** First Reading: Ordinance 2012-05 W/S Impact Fees
Mayor Dobkowski read title only of Ordinance 2012-05. No member of the public had any comments.

Motion made by Commissioner Goldman to approve First Reading of Ordinance 2012-05; seconded by Commissioner Smith. The motion was unanimously approved by roll call vote.

4. **PROCLAMATION:** Silver Springs Shores Elks Club 25th Anniversary
Mayor Dobkowski read the proclamation declaring the week of May 7, 2012 as Silver Springs Shores Elks Lodge #2730 Week in the City of Belleview.

5. **UNSCHEDULED AUDIENCE:** N/A

6. **DEPARTMENTAL TOPICS:**

A)PUBLIC WORKS DEPARTMENT: Ford of Ocala Developers Agreement

Motion to approve the Developer's Agreement made by Commissioner Goldman; seconded by Commissioner Ernst. The motion was unanimously approved by roll call vote.

5/1/2012 Commission Meeting
Pg. 2 of 2

B) INFORMATION TECHNOLOGY: Absent

C) DEVELOPMENT SERVICES: Community Redevelopment Area (CRA)
Pulled from the Agenda

D) POLICE: Chief Strickland discussed donating their 2008 police car which had 100,000 miles to the Center Hill Police Department. Attorney Landt will review the process.

E) LEGAL: N/A

F)ADMINISTRATION: Thursday was the National Day of Prayer

6. **COMMISSION COMMENTS:**

A.)Commissioner Goldman: discussed: a) Business tax
b) 4 - 10 hour day work week
c) EDC process

B.) Commissioner Ernst: stated the Police Memorial was scheduled for 5/18 in Ocala

C.) Commissioner Loar: N/A

D.) Commissioner Smith: N/A

E.) Mayor Dobkowski: Appointment – 1)Code Enforcement Board: Nina Nadeau
Motion made by Commissioner Loar to approve the appointment to the Code Enforcement Board; seconded by Commissioner Goldman. The motion was unanimously approved by roll call vote.

2)Mayor met with Debbie Dennis concerning the Enterprise Zone;
Meeting set for May 8th with the PWD and the owners of the 441 property;
Meeting set for May 9th with Reverend Damon to discuss the Asber subdivision grant application;

3)Mayor Dobkowski stated Marion County approved the Sports Complex Agreement.

Meeting Adjourned at 6:15 PM

Attest:

Margaret DeGennaro, MMC, CPS
Deputy City Clerk

CITY OF BELLEVIEW

PARTICIPATION/DISCUSSION TOPIC FORUM

DATE OF MEETING	May 15, 2012
EXPLANATION OF AGENDA ITEM	Final Reading: Ordinance 2012-05: Impact Fee Ordinance
PRESENTING PARTY	Dennis Monroe, Public Works Director/Attorney Fred Landt
BACKGROUND/EXPLANATION	Suggested Changes as a result of Commission requests regarding imposing and calculating of system development charges; providing for an alternate method of calculation for commercial uses/ providing for criteria for comparison;
ATTACHMENTS	Ordinance 2012-05
RECOMMENDED ACTIONS	Motion to adopt Ordinance 2012-05

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ORDINANCE 2012- 05

AN ORDINANCE AMENDING ARTICLE III, SECTION 86-82 REGARDING IMPOSING AND CALCULATING OF SYSTEM DEVELOPMENT CHARGES; PROVIDING FOR AN ALTERNATED METHOD OF CALCULATION FOR COMMERCIAL USES; PROVIDING CRITERIA FOR COMPARISON; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission has previously provided in Article III, Section 86-82(d) for system development charges in accordance with a Schedule of Anticipated Wastewater Flows set forth in Appendix B, table 3 G; and

WHEREAS, the City Commission has determined that it is in the best interest of the Citizens of the City of Belleview to amend Article III, Section 86-82(b) of the City Code of Ordinances regarding imposing system development charges for non-residential uses, as set forth herein-below.

NOW THEREFORE, BE IT ORDAINED by the City Commission of the City of Belleview, Florida, that Article III, Section 86-82 of the City Code of Ordinances regarding calculation of system development charges is hereby amended to read as follows, to wit:

“ARTICLE III. SYSTEM DEVELOPMENT CHARGE

Sec. 86-82. System development charge imposed.

(a) *Imposition of charge.* There is imposed a system development charge, based on the equitable portion of the cost of financing the replacement or expansion of the city's sewer and water facilities based upon the highest daily flow anticipated from the buildings responsible for the daily impact of demands on the existing and future city facilities and financing of the water and sewer system.

(b) *Time of charge.* For buildings located inside the corporate limits of the city at or after the date of adoption of this article, the obligation for payment shall occur at any time between the application for a building permit and before the certificate of occupancy is issued for all buildings. For buildings located outside the corporate limits of the city at the date of adoption of this article, the obligation for payment shall occur at the time of application for connection to the city's water and/or sewer services. Letters of water and/or sewer availability to other government jurisdictions will not be issued until system development charges have been paid. For all multifamily residential units, commercial/industrial units and all other users, obligation for payment for water service shall occur when the building permit is issued.

(c) **Amount of system development charge.** The amount of system development charge shall be based upon the rate established for such charges. Current rates are set forth in Appendix B, Table G of this code. Said rates may be amended by Resolution of the City Commission.

(d) **Calculation system development charges.** The system development charges shall be calculated by multiplying the rate in effect at the time of calculation times the highest day’s use (highest day’s volume of waste water flow) anticipated from each unit (*Rate x Volume = Charge*).

(e) **Anticipated Flows.** The following schedule shall be used to establish anticipated flows, unless established by alternate method, as provided in subsection (g) herein-below:

Schedule of Anticipated Flows (“Flow Chart”)

Residential Units – Single or Multi-Family (per dwelling unit)

Up to 1,200 sq ft floor space area	290 gpd
1,201 to 2,000 sq ft floor space area	330 gpd
Over 2,000 sq ft floor space area	450 gpd

Commercial Units:

Based on Building Use, minimum.....150 gpd

Airports, Bus Terminals, Train Station, Port and Dock Facilities

Per Passenger	4 gpd
Plus Per employee per 8 hour shift	15 gpd

Automotive –

(Auto Body, Component Installation, Detail/Vehicle Washing, Gas Stations, Repair Shops including ATV, Golf Cart) – minimum.....	250 gpd
Plus: Repair.....	100 gpd/bay
Plus: Detail with vehicle washing.....	100 gpd/bay
Plus: Auto Body Repair	200 gpd/bay

Bars/Cocktail Lounge, with no food..... 20 gpd/person capacity
Plus – add for each individual element under food service as appropriate

Banquet Rooms..... 20 gpd/person capacity

Bowling Alley – no food service or bar.....50 gpd/lane
Plus – add for each individual element under food service as appropriate

Barber Shop 75 gpd/service chair

Beauty Shop, Nail/Pedicure Salons	75 gpd/service chair
Car Wash	300 gpd/bay
Churches, Assembly Halls, Theater, Arena, Auditoriums:	
No Food Service	3 gpd/person capacity
With Food Service	5 gpd/person capacity
Clubs* – excluding irrigation:	
Country/Golf Clubs.....	25 gpd/member
Swimming Club/ Pools	25 gpd/member
Lodge/Fraternal Organizations	10 gpd/member
Health Club/Spa.....	25 gpd/member
*Additional Fees for Coffee Shop/Restaurant/Lounge..	25gpd Plus amenities
Convenience Store without gas pumps.....	0.15 gpd/sq ft of building
*Plus Additional Fees for Food Operations.....	per individual element
Convenience Store with gas pumps	900 gpd
*Plus Additional Fees for Food Operations/Other amenities per individual element	
Drive-in Theater.....	10 gpd/car space
Food Service Operations:	
Ordinary Restaurant.....	10 gpd/person capacity
24 hour/day restaurant.....	60 gpd/person capacity
Coffee Shop	20 gpd/person capacity
Single Service Articles.....	20 gpd/person capacity
Bar/Cocktail Lounge.....	20 gpd/person capacity
Drive-in Restaurant.....	50 gpd/car space
Carry-Out Only:	
Per 100 sq ft floor space.....	50 gpd
Plus: Per employee per 8 hour shift	15 gpd
Institutions.....	5 gpd/meal
Food Outlets.....	10 gpd/sq ft of floor space
(excluding deli's, bakery, or meat department)	
Plus: Add for deli per 100 sq ft floor space	40 gpd
Plus: Add for bakery per 100 sq ft floor space	40 gpd
Plus: Add for meat dept per 100 sq ft floor space.....	75 gpd
Plus: Add per water closet	200 gpd
Factories:	
No showers/No Industrial Waste	15 gpd/employee/shift
Showers/No Industrial Waste	25 gpd/employee/shift
With Cafeteria: Add.....	4 gpd/employee/shift

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Golf Course/Driving Range 100 gpd/water closet
 Plus: Add for Food Service or other Amenities

Hospitals:

No resident personnel200 gpd/bed
 With resident personnel250 gpd/bed

Hotels/Motels* 100/gpd/unit

*Plus: Add for Coffee Shop/Restaurant/Loungeper individual element

Regular 100 gpd/room

Resort hotels/camps/cottages200 gpd/room

*Plus: Add for self service laundry facilities750 gpd/machine

Laundromat400 gpd/machine

Miscellaneous:

Youth/Recreation Camps40 gpd/camper

Labor Camps 50 gpd/occupant

Mobile Home Park (per unit)..... See Residential

Nursing/boarding homes, rest homes/adult congregate living.... 100 gpd/person

Offices:

General Business Office 15 gpd/employee/8 hr shift

Or: per 100 sq ft of floor space15 gpd

Whichever is greater

Tattoo parlor/Tanning Salon 15 gpd/employee/8 hr shift

Or: per 100 sq ft of floor space15 gpd

Whichever is greater

Dentist Office:

Per Wet Service Chair200 gpd

Plus: Per Non-Wet Service Chair50 gpd

Doctor/Physical/Massage Therapy/Acupuncture Therapy 250 gpd/practitioner

Plus: Add Per Employee/8 hour shift15 gpd

Veterinary Clinic, per practitioner250 gpd

Plus: Add per employee/8 hour shift15 gpd

Plus: Add per kennel, stall, cage, grooming station20 gpd

Parks:

Recreational 100 gpd/water closet

Stadiums, frontons, ball parks, etc 4 gpd/person capacity

Recreation Vehicle Parks (Tourist/Recreational Vehicles)

With Central Toilet Facilities50 gpd/space

With Individual Sewer Connection75 gpd/space

Retail Business:

See Shopping Centers, Department Stores, Stores/Retail Establishments

Schools:

Boarding.....	75 gpd/pupil/staff
Elementary	12 gpd/pupil/staff
Middle/High Schools	16 gpd/pupil/staff
Day Care	12 gpd/child/staff

Shopping Centers/Department Stores/Retail Establishments:

Without Food Service/Laundries	0.15 gpd/sq ft of bldg
Plus: Add for Restaurant/Coffee Shop/Lounge	per individual element

Game Rooms/Pool Halls:

Without Food Service/Laundries	0.15 gpd/sq ft of bldg
Plus: Add for Restaurant/Coffee Shop/Lounge	per individual element

Service Station:See Automotive

Swimming Pools (Public)10 gpd/swimmer

Warehouses/Industrial Sites:

Office Warehouse – per employee/8 hr shift	15 gpd
Or: per 100 sq ft of floor space	10 gpd
Whichever is greater	
Warehouses – no showers or volatile storage	100 gpd/water closet
Warehouses – showers, no volatile storage	200 gpd/water closet
Light Industrial Parks/Buildings	15gpd/employee

(f) Uses not Specifically Identified/Minimum Fee. For any commercial, industrial, agricultural and other non-residential establishments which are not specifically identified in the Schedule of Anticipated Flows, the system development charge will be based on 0.15 gpd/sq. ft. of floor area, with the minimum fee to be not less than of 150 gpd.

(g) Alternate Calculation of Initial System Development Charges. Commercial, industrial, agricultural and other non-residential users may request an alternate calculation of system development charges, based upon proof of anticipated flows that are substantially different from that presumed in the Schedule of Anticipated Flows.

a. Proof of anticipated flows less than that established by the Schedule of Anticipated Flows shall be based upon at least one (1) years data from a substantially identical facility. The determination of whether a facility is “substantially identical” shall be based upon the following criteria, together

with such other factors as may from time to time be necessary to make a fair and equitable comparison:

(1) Substantially identical facilities must conduct the same business or activity; and

(2) Substantially identical facilities must be similar in size and/or capacity; and

(3) Substantially identical facilities must utilize the same or similar methods of operation or service.

(h) *Actual Flows Exceeding Initial Anticipated Flows.* Should actual flows for water and/or sewer system development fees exceeded the initial amount calculated and charged, by ten percent (10%) on three (3) occasions within any three (3) month period, then notice shall be sent to the holder of the subject utility account, by U. S. Mail, at the address provided for the water and sewer billing.

(1) The Notice shall include the following statement:

'On at least three (3) occasions within the last three (3) months, the actual usage of water and/or sewer, at the above referenced property, has exceeded the amount used in calculating system development charges by at least ten (10) percent. Section 86-82 of the Belleview City Code provides that in such circumstances, system development charges (impact fees) may be recomputed and additional charges imposed. This is Formal Notice that if the actual usage exceeds the amount used in calculating your system development charges by at least ten (10) percent, on three (3) occasions, within the next three (3) months, System Development Charges for the subject property will be recomputed and additional system development charges will be imposed, pursuant to Sec. 86-82 of the City of Belleview, City Code.'

(2) It is the specific intent of the City that prior to recomputing or recalculating system development charges pursuant to Section 86-82 of the City Code, the City shall notify the account holder as set forth herein. The City encourages the account holder to implement conservation measures, if possible, to limit usage to the original allocations.

(3) Posting said notice to the U. S. mail shall fulfill this obligation of notice by the City.

(4) Said additional system development charges shall be due and payable within thirty days of notice to the owner, unless subject to installment payments, pursuant to Sec. 86-82 of the City Code.

(5) The Public Works Department shall prepare a suitable example of the above calculation to aid in understanding this policy. Said examples shall be available to staff and the public.”

(i) *Change of Use/Owner - Re-computation of System Development Charges.* If the nature of a commercial, industrial, agricultural and other non-residential establishments changes, whether by change by an existing owner or by sale to a new owner, the City shall have the right to re-compute the water and/or sewer system development charges at the current rate based upon the current nature of the establishment or current usage.

(1) The city shall deduct from any recomputed or adjusted system development charges, provided for in this subsection (e), the amount of any water and/or sewer system flows previously paid for by the establishment or the flows which would have been paid for had the establishment not been exempt. Any difference between the amount of such greater flows and flows previously paid for (for exempted amount) shall become immediately due. Such additional system development charges which remain unpaid or time payment arrangements have not been established after 30 days from notice to the owner, shall become a lien on the real property and improvements, where such usage exists. The city reserves the right to disconnect said establishment from said water and/or sewer system and such lien amounts shall have the same priority and dignity as a tax upon the property.

(2) In no event shall the City be required to reimburse system development charges for a change of use resulting in a lesser demand upon the capacity of the water or sewer systems.

(j) *Director of Public Works Authority to Negotiate.* For any commercial, industrial, agricultural and other non-residential establishments for which there exists certain unusual conditions or circumstances, or there exists a dispute over the anticipated flows, the Public Works Director shall have the authority to negotiate an initial impact fee and then monitor the usage of said establishment.

(k) *Highest Day's Use.* Nothing contained herein shall be construed to prevent the City from recalculating system development charges based upon actual highest day's use, as provided for in this Chapter.

(l) *Escalation of system development charges.* The system development charges imposed by this section are based upon many variable factors. Two of the major factors are as follows: First, the current cost of construction for water distribution and treatment systems, and sewer collection and treatment systems; second, the theory regarding treatment facilities and the relative degree of the treatment system's sophistication prescribed by the state department of health and the state department of environmental protection. Therefore, the schedule of system development charges set forth in this section shall automatically escalate in

accordance with increases in the utility construction index published in the Engineering News Record magazine (ENR), the Twenty Cities' Construction Cost Index.

(1) The city shall automatically adjust the system development charges set forth in appendix B, table 3 G. upward, annually. Said upward adjustment shall be based upon the Twenty Cities Utility Construction Cost Index, on an annual basis.

(2) The automatic escalation provided for in this subsection (m) shall be equal to the percentage difference between Twenty Cities Utility Construction Cost Index for the previous year, as compared with the year in review.

(3) Should the Twenty Cities Utility Construction Cost Index for the previous year as compared with the year in review not increase, then there shall be no automatic escalation for such years.

(4) Should the construction costs index for the previous year as compared with the year in review, increase in a year following a decline in the construction cost index, then the city may take the previous decline into consideration, rather than establishing an automatic increase equal to the increase in the Twenty Cities' Construction Cost Index.

(m) *Commission to Adjust Rates and Flows.* The City Commission may adjust the rates and flows set forth herein from time-time by resolution.

(n) *Installment payments.* The city staff may approve, as provided hereinafter, the payment of system development charges (charged pursuant to this section) by installment payments for amounts less than \$10,000.00; installment payment of system development charges in the amount of \$10,000.00 or more may be approved by the city commission. The applicant must execute the city's written agreement for installment payments, setting forth the terms of any installment payment arrangements granted hereunder. All installment payment arrangement shall only be approved upon a showing of good cause and upon the following terms:

(1) **Minimum fees payable by installment payments.** There is no minimum system development charge payable by installment payment.

(2) **Initial payment required.** Twenty percent of the system development charges payable to the city shall be paid as a down payment, immediately upon notification from the city of the total system development charge. The city shall not grant any request for installment payment until the 20 percent down payment has been paid in full.

(3) Late charge. A late charge of five percent of the scheduled monthly payment amount shall be added to all payments made 15 days after the due date.

(4) Maximum term. The remainder of the system development charge must be paid in equal monthly installments over a maximum period of 60 months.

(5) Promissory note and mortgage required. All installment payments for system development charges in excess of \$25,000.00 shall be conditioned upon the owner of the subject property executing a promissory note and a mortgage on the real property serviced and any improvements thereon and any parcel of real property appurtenant thereto. All such mortgages shall be a first mortgage or existing mortgage(s) must be subordinated, at the owner's expense, to the lien of the city. The owner of the property and all interested parties shall execute and deliver the note and mortgage to the city, and pay all other amounts owed to the city under this section, prior to connecting to the city water or sewer system.

(6) Title certification. Prior to accepting any promissory note or mortgage, the owner of the real property serviced and any improvements thereon and any parcel of real property appurtenant thereto shall, at their own expense, provide the city certification, by a title insurance company or from the owner's attorney, licensed to practice law in the State of Florida, as follows:

a. Establishing that the owner of the subject property holds marketable (as determined according to applicable title standards adopted by the Florida Bar), record fee simple title to the property, and is the sole owner of and has good right, title to and authority to mortgage the property, acceptable to the city in the exercise of its sole discretion;

b. Establishing that there is access for ingress and egress to the property, which is either owned, or held as an easement, by the owner of the property;

c. Disclosing all mortgages, liens and encumbrances on the property. Such certification must establish, to the satisfaction of the city in the exercise of its sole discretion and judgment, that the owner can grant to the city a mortgage, superior to all claims or liens, which will permit the city to acquire marketable title to the property upon the acquisition of the property by the city;

d. Certification is also required from the owner's attorney admitted to practice in the state, a title insurance company

doing business in the county, or the county tax collector, that all due taxes have been paid at the time application is made; and

e. The city may require that all certifications required herein be updated through the date of closing.

(7) Title insurance when note and mortgage are required. When a promissory note and mortgage are required, the owner shall, at their expense, and in addition to any other requirements set forth in this section, provide to the city, at least ten days before closing, a title insurance commitment (with legible copies of instruments listed as exceptions attached thereto), and after closing, a mortgagee's policy of title insurance. Such title insurance commitment shall be issued by a Florida licensed title insurer agreeing to insure the city, upon recording of the mortgage to the city, a mortgagee's policy of title insurance in the amount of the mortgage, insuring the city's mortgage on the property, subject only to liens, encumbrances, exceptions or qualifications acceptable to the city in the exercise of its sole discretion or those to be subordinated by the lienor or mortgagee(s) prior to the recording of the city's mortgage, and further guaranteeing the marketability of such title upon acquisition of the property by the city. At the closing, the owner shall provide the city with proof of payment of the premium for such title insurance.

(8) Form of documents. All documents, including but not limited to agreements, notes, mortgages and certifications pursuant to the provisions of this section shall be subject to the approval of the city attorney as to form, sufficiency and substance. Liens against real property shall be executed in a manner permitting the recording of such liens by the city clerk in the public records of Marion County, Florida.

(9) Payment of expenses and application fee. The owner/obligor shall pay all costs and expenses, including recording fees, documentary stamp taxes and intangible taxes associated with the note or mortgage, reasonable attorney's fees incurred by the city in connection with the transaction, and an application fee of \$25.00. The application fee provided for herein may be amended by resolution of the city commission, which shall be kept on file in the city clerk's office.

(10) Interest charged. The unpaid balance of the system development charge shall accrue interest at the rate of 12 percent per annum.

(11) Monthly administrative charge. The owner/obligor shall pay, in addition to the monthly installment payments pursuant to this subsection, a monthly administrative charge in the amount of \$5.00 per month. Said clerk's administrative charge may be amended by resolution of the city

commission, which shall be kept on file in the city clerk's office.

(12) Billing. The city financial officer shall the bill the monthly installments to the customer along with the monthly utility statement for the subject property.

(13) Nonpayment. The nonpayment of any payment due under an installment payment arrangement regarding system development charges shall be considered a delinquency not only of such impact fees, but also a delinquency in payment for city utilities, for which the city may discontinue water and sewer service to the subject property.

(14) Availability for new and existing buildings. The election to make installment payments upon system development charges shall be available regarding existing buildings and for new construction.

(15) Acceleration upon default or failure to pay. Should obligor default in making payment of any monthly installment for 30 days, the city may declare the entire balance due hereunder, together with accrued interest, to be immediately due and payable.

(16) Forfeiture of partial payment upon abandonment. Upon notice by the city of a default pursuant to subsection (14) above, should obligor fail to pay the entire amount due within 60 days of the city's notice being posted to the U.S. mail, addressed to the obligor at the address set forth herein below and if the obligor has vacated the subject premises, then the city may elect to declare that all payments made under this installment agreement be forfeited by obligor and remain the property of the city, in accordance with the city's system development charges ordinance. The parties hereto agree that the damage to city for default under this agreement upon abandonment and the damage to city for reservation of capacity in the city's system(s) for abandoned property is difficult or impossible to calculate and that such forfeiture of any partial payment, as liquidated damages upon default, is fair and equitable to both. The city will send notice of such forfeiture by U.S. mail, addressed to the obligor at the address set forth herein below.

(17) Satisfaction of debt upon forfeiture. Upon city's election for forfeiture, pursuant to subsection 15 herein above, the city shall satisfy any obligation owed to the city by obligor, including any promissory note or mortgage given by the applicant to secure payment of such impact fee. The city will send such satisfaction of mortgage by U.S. mail, to the obligor at the address set forth herein below.

(18) No credit for payments forfeited. No person, including the applicant, shall receive any credit towards impact fees for the subject property or any other property for forfeited fees.

(o) Fire suppression systems. There is imposed a system development charge, based on the equitable portion of the cost of financing the replacement or expansion of the city's sewer and water facilities, based upon the impact of demands on the existing city facilities and financing of the water system, for the availability of water to supply fire suppression systems as established by resolution of the city commission and on file in the city clerk's office. The fire suppression system fees set forth in appendix "B", table 3, "public works fees" shall be paid by all persons connecting to the city water system for the purpose of fire suppression."

BE IT FURTHER ORDAINED by the City Commission of the City of Belleview, Florida that Sections of this ordinance may be renumbered or re-lettered to accomplish such intention; and that the word "ordinance" may be changed to "section", "article" or other appropriate designation.

This Ordinance shall become effective immediately upon adoption.

CERTIFICATE OF ADOPTION AND APPROVAL

The above and foregoing ordinance was duly read and approved upon First Reading by a 5-0 vote of the City Commission of the City of Belleview, Florida, at a Regular Meeting held on May 1, 2012. Said ordinance was duly read, passed, and adopted upon Final Reading by a _____ vote of the City Commission of the City of Belleview, Florida at a Public Hearing held on _____, 2012.

CHRISTINE K. DOBKOWSKI
Mayor/Commissioner

Attest:

SANDI McKAMEY, MMC, CPM
City Clerk/Administrator

APPROVED AS TO FORM AND LEGALITY:

FREDERICK E. LANDT, III
City Attorney

CERTIFICATE OF ADVERTISING

I HEREBY CERTIFY that foregoing Ordinance was advertised for a Public Hearing in the _____ edition of the _____ in accordance with Florida Statutes.

Margaret DeGennaro, MMC, CPS
Deputy City Clerk

CITY OF BELLEVIEW

PARTICIPATION/DISCUSSION TOPIC FORUM

DATE OF MEETING	May 15, 2012
EXPLANATION OF AGENDA ITEM	Resolution 12-02: Police Officers' Special Duty Pay
PRESENTING PARTY	Chief Strickland
BACKGROUND/EXPLANATION	This Resolution would bring PD's General Orders and the City's Fee Schedule up to date
ATTACHMENTS	Resolution 12-02
RECOMMENDED ACTIONS	Motion to approve Resolution 12-02

THE COMMISSION RESERVES THE RIGHT TO POSTPONE ANY DECISION ON AUDIENCE, OR WALK-IN REQUESTS UNTIL SUFFICIENT TIME HAS BEEN ALLOWED FOR REVIEW OF DOCUMENTATION

042512FL

RESOLUTION 12-02

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF BELLEVIEW, FLORIDA, AMENDING SPECIAL DUTY PAY FOR OFF DUTY OFFICERS; PROVIDING FOR MINIMUM HOURS; AMENDING APPENDIX B. SECTION 3. TABLE 1 – H. POLICE SERVICE FEES REGARDING THE FEE FOR SPECIAL DUTY OFFICERS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of Belleview, Florida has established certain fees for Police Services and related activities; and

WHEREAS, the City of Belleview has set forth such fees in Appendix B, Section 3, Table 1-H of the City Code; and

WHEREAS, the City Code provides that the rates and fees established in Appendix B may be amended from time to time by resolution of the City Commission; and

WHEREAS, after Public Hearing, the City Commission of the City of Belleview has determined that it is in the best interest of the public welfare to amend the fees for the services of Special Duty Officers of the Belleview Police Department and to provide for a minimum charge of two (2) hours, as set forth below and to revise the fee schedule accordingly.

NOW, THEREFORE, BE IT RESOLVED that the City Commission of Belleview, Florida hereby amends its Police Service Fee for the services of Special Duty Officers to 39.50 per hour, \$35.00 of which shall be paid to the officer and \$4.50 of which shall reimburse the City for administrative costs associated with such services.

BE IT FURTHER RESOLVED by the City Commission of Belleview, Florida that a minimum of two (2) hours shall be charged for the Police Service Fee for the services of Special Duty Officers.

BE IT FURTHER RESOLVED that the City Commission of Belleview, Florida hereby amends Appendix B, Section 3, Table 1-H – Special Duty Pay, of the City Code, as follows:

H. Police Service Fees:

Special Duty Pay:

Per hour, per officer\$39.50

Two hour minimum charge

EFFECTIVE DATE. This Resolution shall take effect immediately upon adoption by the City Commission of the City of Belleview, Florida.

PASSED AND RESOLVED by a _____ vote of the City Commission of the City of Belleview, Florida on the _____ day of _____, 2012.

CITY OF BELLEVIEW

CHRISTINE K. DOBKOWSKI
Mayor/Commissioner

SANDI MCKAMEY, MMC, CPM
City Clerk/Administrator

APPROVED AS TO FORM AND LEGALITY:

FREDERICK E. LANDT, 111
City Attorney

CERTIFICATE OF ADVERTISING

I HEREBY CERTIFY that foregoing Resolution was advertised for a Public Hearing in the _____ edition of the Voice of South Marion.

MARGARET DeGENNARO, MMC, CPS
Deputy City Clerk

CITY OF BELLEVIEW**PARTICIPATION/DISCUSSION TOPIC FORM**

DATE OF MEETING: May 15, 2012

AGENDA ITEM: **PROCLAMATION: Florida Bar -
Pledge of Civility**

PRESENTING PARTY: Mayor Dobkowski

BACKGROUND/EXPLANATION: Proclamation To Declare the month of May as
Civility Month in the COB

ATTACHMENTS: Proclamation

RECOMMENDED ACTION: Present Proclamation

**THE COMMISSION RESERVES THE RIGHT TO POSTPONE ANY DECISION ON
AUDIENCE, OR WALK-IN REQUESTS UNTIL SUFFICIENT TIME HAS BEEN
ALLOWED FOR REVIEW OF DOCUMENTATION**



CITY, COUNTY AND LOCAL GOVERNMENT LAW SECTION

www.locgov.org

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Bradenton
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Ft. Myers
(239) 321-7056

Nancy Stuparich
Tampa
(786) 246-0635

Ex-Officio Members:

All Past Chairs

PROGRAM ADMINISTRATOR:

Ricky D. Libbert
The Florida Bar
rilibbert@flabar.org

April 13, 2012

Re: Proclamation and Pledge of Civility for the Month of May

Dear Madam/Sir:

The attorneys of the City, County and Local Government Law Section of The Florida Bar ask your local government to join with other cities and counties throughout the State of Florida in proclaiming May as "Civility Month."

Civil discourse is a cornerstone of American democracy and is a vital ingredient to successful local governance. The attorneys of the City, County and Local Government Law Section of The Florida Bar ask you to renew the pledge of public conduct that your local government may have adopted in prior years.

A sample proclamation is enclosed for your use. We are asking all local governments in Florida to adopt such a proclamation to help to uplift the tone and conduct in public meetings throughout the State. We join with our public officials in urging all citizens to exercise civility toward each other throughout the year as they participate in Florida's democratic process.

If you choose to adopt the proclamation, please send us a copy to: Ricky Libbert, The Florida Bar, 651, E. Jefferson St., Tallahassee, Florida 32399-2300, rilibbert@floridabar.org

Thank you for your attention to this important matter and for your dedicated public service.

Sincerely,

Kenneth A. Tinkler
Chair

Enclosure

KLCTh1.doc

PROCLAMATION

WHEREAS, the open exchange of public discourse is essential to the democratic system of government; and

WHEREAS, as a cornerstone of democracy, Americans have observed certain rules of behavior generally known as civility; and

WHEREAS, civility, derived from the Latin words “civitas” meaning city and “civis” meaning citizen, is behavior worthy of citizens living in a community or in common with others; and

WHEREAS, displays of anger, rudeness, ridicule, impatience, and a lack of respect and personal attacks detract from the open exchange of ideas, prevent fair discussion of the issues, and can discourage individuals from participation in government; and

WHEREAS, civility can assist in reaching consensus on diverse issues and allow for mutually respectful ongoing relationships; and

WHEREAS, civility can uplift our daily life and make it more pleasant to live in an organized society; and

WHEREAS, the City, County and Local Government Law Section of the Florida Bar urges the adoption of a pledge of civility by all citizens in the State of Florida; and

NOW THEREFORE, I, CHRISTINE DOBKOWSKI, Mayor/Commissioner of the City of Belleview, Florida, on behalf of the Commission of the City of Belleview, Florida do proclaim the month of May as

Civility Month in the City of Belleview

and call upon all citizens to exercise civility toward each other.

PROCLAIMED this 15th day of May, 2012.

Christine Dobkowski
Mayor/Commissioner

ATTEST:

Sandi McKamey, MMC, CPM
City Clerk/Administrator

CITY OF BELLEVIEW**PARTICIPATION/DISCUSSION TOPIC FORM**

DATE OF MEETING: May 15, 2012

AGENDA ITEM: Richard Dennis – Belleview Rookie All-Star Fundraiser

REQUESTING PARTY: Richard Dennis

BACKGROUND/EXPLANATION: Asking to hold fund raiser at City Hall parking lot on 5/26/12

ATTACHMENTS: Get on the Agenda form

RECOMMENDED ACTION: Motion to Approve/deny the request

THE COMMISSION RESERVES THE RIGHT TO POSTPONE ANY DECISION ON AUDIENCE, OR WALK-IN REQUESTS UNTIL SUFFICIENT TIME HAS BEEN ALLOWED FOR REVIEW OF DOCUMENTATION

Peggy DeGennaro

From: Clerk's Office [Administrator@bellevuefl.org]
Sent: Thursday, May 03, 2012 4:25 PM
To: Peggy DeGennaro
Subject: Get On The Agenda - Richard

SharePoint Tasks List: Get On The Agenda
<http://departments.bellevuefl.org/gov/Lists/Get%20On%20The%20Agenda>

[Clerk's Office](#)

Richard has been added

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First Name:	Richard
Last Name:	Dennis
Contact Phone Number:	352-408-7907
E-mail Address:	Richard.9410@hotmail.com
Subject of Topic:	Belleview Rookie All-star Fundraiser
Description: Include Date of Event:	Commission we would like to use the Chamber of Commerce parking lot to hold a car wash and also sell chicken dinners in efforts to raise money for the Belleview Rookie league boys 7-8 year old all-star team. we would need access to the water on May 26th 2012. Thank you for your time
Commission Meeting Date:	5/15/2012
Name of Person Attending Meeting:	Richard Dennis

Last Modified 5/3/2012 4:27 PM by (unknown)

CITY OF BELLEVIEW**PARTICIPATION/DISCUSSION TOPIC FORM**

DATE OF MEETING: May 15, 2012

AGENDA ITEM: Mike Barthlow – Belleview High School Softball Team

REQUESTING PARTY: Mayor Dobkowski

BACKGROUND/EXPLANATION: Asking the City to honor the Softball Team if they Win the State Championship

ATTACHMENTS: N/A

RECOMMENDED ACTION: Motion to Approve/deny the request

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CITY OF BELLEVIEW**PARTICIPATION/DISCUSSION TOPIC FORM**

DATE OF MEETING: May 15, 2012

AGENDA ITEM: Anita Anderson – Belleview Mural Trail Project

REQUESTING PARTY: Anita Anderson/Mary Trowbridge

BACKGROUND/EXPLANATION: Asking to place the City on a Mural Trail

ATTACHMENTS: 2 Get on the Agenda forms

RECOMMENDED ACTION: Motion to Approve/deny the request

THE COMMISSION RESERVES THE RIGHT TO POSTPONE ANY DECISION ON AUDIENCE, OR WALK-IN REQUESTS UNTIL SUFFICIENT TIME HAS BEEN ALLOWED FOR REVIEW OF DOCUMENTATION

Peggy DeGennaro

From: Clerk's Office [Administrator@bellevuefl.org]
Sent: Wednesday, May 02, 2012 12:15 PM
To: Peggy DeGennaro
Subject: Get On The Agenda - Anita

SharePoint Tasks List: Get On The Agenda
<http://departments.bellevuefl.org/gov/Lists/Get%20On%20The%20Agenda>

[Clerk's Office](#)

Anita has been added

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First Name:	Anita
Last Name:	Anderson
Contact Phone Number:	352-687-2667
E-mail Address:	nitasmail32111@yahoo.com
Subject of Topic:	Belleview Mural Trail Project
Description: Include Date of Event:	Painting Florida Historical related murals on business walls. immediately
Commission Meeting Date:	5/15/2012
Name of Person Attending Meeting:	Anita Anderson, Mary Troubridge, Donna Damato, Pat Duane, Diana Harris

Last Modified 5/2/2012 12:17 PM by (unknown)

Peggy DeGennaro

From: Clerk's Office [Administrator@bellevuefl.org]
Sent: Thursday, May 03, 2012 12:30 AM
To: Peggy DeGennaro
Subject: Get On The Agenda - Mary

SharePoint Tasks List: Get On The Agenda
<http://departments.bellevuefl.org/gov/Lists/Get%20On%20The%20Agenda>

[Clerk's Office](#)

Mary has been added

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First Name:	Mary
Last Name:	Trowbridge
Contact Phone Number:	(352) 216-2340
E-mail Address:	mtrowbridge@embarqmail.com
Subject of Topic:	Proposal for "Bellevue Trail of Murals Project"
Description: Include Date of Event:	<p>This is a proposal to partner with the City of Bellevue to design and paint appropriate professional quality murals on buildings throughout Bellevue on selected and approved buildings.</p> <p>The "Mural Artists of Bellevue" include Anita Anderson, Patricia Hewitt Duane, Diana Lee Harris, and myself, Mary Trowbridge. Examples of our work can be seen on Magnolia Hall, All About Art, and on the north side of Almeida Plaza. We are award-winning artists and members of Gallery East and All About Art. Gallery East and All About Art will function as our artistic sponsors.</p> <p>We strive to put Bellevue on the map in a positive way, and to inspire pride in the citizens of Bellevue, and to turn Bellevue into a destination for tourists.</p>
Commission Meeting Date:	5/15/2012
Name of Person Attending Meeting:	Mary Trowbridge, Anita Anderson, Patricia Duane, Diana Harris, Donna Damato

Last Modified 5/3/2012 12:32 AM by (unknown)

CITY OF BELLEVIEW**PARTICIPATION/DISCUSSION TOPIC FORM****DATE OF MEETING:****May 15, 2012****AGENDA ITEM:****UNSCHEDULED AUDIENCE**

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**CITY OF BELLEVIEW
PARTICIPATION/DISCUSSION TOPIC FORM**

DATE OF MEETING: May 15, 2012
AGENDA ITEM:

DEPARTMENTAL TOPICS

COMMISSION COMMENTS

- | | |
|---|--|
| 1. Public Works: Dennis Monroe | 1. Commissioner Michael J. Goldman |
| 2. Information Technology: Kevin Towne | 2. Commissioner Gary W. Ernst |
| 3. Development Services: Jeff Shrum
Community Redevelopment Area (Pg. 33) | 3. Commissioner Wilma C. Loar |
| 4. Police: Lee Strickland
Surplus Property (Pg. 34) | 4. Commissioner Robert “Bo” Smith |
| 5. Legal: Fred Landt | 5. Mayor Christine K. Dobkowski
a) Evans Property (Pg. 38)
b) Discussion: 4-10 hr. Work Week Schedule |
| 6. Administration: Sandi McKamey
Insurance Claims Update (Pg. 36) | |

MEETING DATES

Monday	5/14	8:30 am	Cancelled - Site Plan Meeting
Tuesday	5/15	6:00 pm	Commission Meeting
Wednesday	5/17	9:00 am	Safety Committee Meeting
Tuesday	5/22	5:30 pm	Cancelled - Code Enforcement Board Meeting
Wednesday	5/23	9:00 am	Personnel Committee Meeting
Monday	5/28	8:30 am	Memorial Day Holiday

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CITY OF BELLEVIEW

PARTICIPATION/DISCUSSION TOPIC FORUM

DATE OF MEETING	5/15/12
EXPLANATION OF AGENDA ITEM	Discussion: Community Redevelopment Area (CRA)
PRESENTING PARTY	Development Services
BACKGROUND/EXPLANATION	This agenda item is intended to provide an overview of the CRA process. Staff will present a power point presentation at the meeting covering the CRA process, types, of CRA's and potential locations for CRA designations. Staff will be requesting direction to proceed or not proceed with further exploration of designating a CRA.
ATTACHMENTS	Power Point presentation will be reviewed at the meeting
RECOMMENDED ACTIONS	Direct staff to proceed or not proceed with further exploration for a designated CRA within the City.

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CITY OF BELLEVIEW**PARTICIPATION/DISCUSSION TOPIC FORM**

DATE OF MEETING: May 15, 2012

AGENDA ITEM: Surplus Property

REQUESTING PARTY: Chief Strickland

BACKGROUND/EXPLANATION: Declare Items As Surplus so they can be disposed of

ATTACHMENTS: Property List

RECOMMENDED ACTION: Motion to Declare the property on the list as surplus

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BELLEVIEW POLICE DEPARTMENT

5350 S.E. 110th St., Belleview, Fl. 34420
LEE STRICKLAND · CHIEF OF POLICE

May 9, 2012

The Belleview Police Department would like to have the below listed property declared surplus so that it may be disposed of.

1. 2003 Ford Crown Victoria 2FAFP71WX3X179130 Veh 131
2. 50" Mitsubishi projector screen TV working condition
3. 26" Magnavox TV not working
4. 13 Office chairs disrepair
5. 5 office desk or parts of disrepair
6. 1 metal 5 drawer file cabinet
7. 14 metal 4 drawer file cabinets
8. 2 metal 2 drawer file cabinets
9. 1 metal file drawer on wheels
10. 1 computer desk
11. 2 metal cash drawers
12. 1 metal printer caddy on wheels.

Terry Holland
Terry Holland
Lieutenant

CITY OF BELLEVIEW**PARTICIPATION/DISCUSSION TOPIC FORM**

DATE OF MEETING: May 15, 2012

AGENDA ITEM: Administration – Insurance Claims

REQUESTING PARTY: Clerk McKamey

BACKGROUND/EXPLANATION: Update on the insurance claims

ATTACHMENTS: List of Insurance Claims

RECOMMENDED ACTION: N/A

THE COMMISSION RESERVES THE RIGHT TO POSTPONE ANY DECISION ON AUDIENCE, OR WALK-IN REQUESTS UNTIL SUFFICIENT TIME HAS BEEN ALLOWED FOR REVIEW OF DOCUMENTATION

INSURANCE CLAIMS

(Property, Liability, Auto, Pollution, Public Officials,
Employment Practices and Worker's Compensation)

2011/2012 FY

Updated 05/08/2012

October

<u>Claim Date</u>	<u>Type of Claim</u>	<u>Description</u>	<u>Insurance Carrier</u>	<u>City</u>	<u>Action Taken</u>	<u>Deductible</u>	<u>Notes:</u>
1. 10/4/2011	Auto	Cracked windshield to Police Cruiser, cause unknown			Paid	\$ -	
2. 10/4/2011	Liability	Water damage to home			Denied	\$ -	
3. 10/4/2011	Worker's Comp.	Slip and fall. Employee stepped on a doormat, mat slipped out from under the employee's feet and he fell.			N/A	\$ -	No medical treatment required
4. 10/23/2011	Auto	Public Works vehicle rear ended while at a stop light			Paid	\$ 1,000.00	Insurance carrier negotiated settlement
5. 10/24/2011	Worker's Comp.	Slip and fall. Employee was stepping out of back of truck, footing slipped on bumper, he fell to the ground and hit head.			N/A	\$ -	No medical treatment required
6. 10/31/2011	Worker's Comp.	Possible blood borne pathogens exposure. Suspect spit on side of Officer's face, neck and ear.			Paid	\$ -	Was evaluated and released by care facility

November

7. 11/1/2011	Worker's Comp.	Sprained wrist. While using chain saw, blade caught in tree, limb was cut and could not hold saw any longer, twisting wrist.			N/A	\$ -	No medical treatment required
8. 11/15/2011	Worker's Comp.	Chemicals in face. While working on pump, line popped off and sprayed chlorine in face.			N/A	\$ -	No medical treatment required
9. 11/29/2011	Liability	Violation of due process rights claim regarding utility disconnect			Denied	\$ -	

December

10. 12/14/2011	Worker's Comp.	Contusion to finger. While working on vehicle, spring came out hitting finger.			N/A	\$ -	No medical treatment required
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January

11. 1/3/2012	Liability	Violation of due process rights claim regarding utility disconnect			Denied	\$ -	
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February

12. 2/13/2012	Property	Damaged fire hydrant by citizen			Pending		
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March

None

April

13. 4/10/2012	Worker's Comp.	Back strain. While working under vehicle on creeper, felt back pull and had pain.			Open		On light duty for back strain, treatment ongoing.
14. 4/11/2012	Liability	Injury at Sports Complex, ripped earlobe on basketball hoop/net			Denied	\$ -	
15. 4/16/2012	Liability	Sewer back up due to power outage causing overflow in residence			Pending		Back-up resolved and damages corrected. Waiting on info. from homeowner to complete and close.
16. 4/17/2012	Liability	Paint overspray on vehicle while employee painting, vehicle on City property			Closed	\$ 75.00	

May

CITY OF BELLEVIEW**PARTICIPATION/DISCUSSION TOPIC FORM**

DATE OF MEETING: May 15, 2012

AGENDA ITEM: Evans Property on Hwy 441

REQUESTING PARTY: Mayor Dobkowski

BACKGROUND/EXPLANATION: Evans Property Purchase

ATTACHMENTS: N/A

RECOMMENDED ACTION:

- a) Motion to Approve Having an Appraisal Done on the Property; if approved
- b) Motion to Appoint a Negotiator to Meet with the Owners

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