

**AGENDA MINUTES
CITY COUNCIL
CITY OF ARCADIA
TUESDAY, JANUARY 3, 2017
6:00 P.M.**

The following minutes reflect action items of the City Council of the City of Arcadia. For a verbatim copy of the minutes, you may contact City Administration to obtain a copy of the recorded meeting.

INVOCATION, PLEDGE CALL TO ORDER AND ROLL CALL

Deputy Mayor Simons gave the invocation which was followed by the pledge of allegiance. The Mayor called the meeting to order at approximately 6:00 p.m. and the following members and staff were present:

Arcadia City Council

Mayor Judy Wertz-Strickland
Deputy Mayor Jaccarie D. Simons
Councilmember Susan Coker

Councilmember Robert W. Heine, Jr.
Councilmember S. Delshay Turner

Arcadia City Staff

City Administrator Terry Stewart
City Clerk Penny Delaney

City Attorney T.J. Wohl
Marshal Matthew Anderson

CONSENT AGENDA

Agenda Item 1 – City Council Minutes for December 20, 2016

Councilmember Coker made a motion to approve the Consent Agenda for December 20, 2016 and Councilmember Heine seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

ACTION ITEMS

Agenda Item 2 – Recommendation for a City Initiated Code Change

City Administrator Stewart advised that this was a request to authorize staff to proceed with putting together a recommended code change. He stated it was not a request to change the code tonight. He stated it would require time on part of the Central Florida Regional Planning Council and its staff members and in order to proceed, he wanted to ensure Council was comfortable with such. He explained that one (1) entity was requesting the change and currently there were no provisions in the code to allow staff to authorize the request. Mr. Stewart stated that an organization, The Twelve Tribes, wanted to open a deli across the street from City Hall

and they were requesting a second floor on the inside with a balcony on the outside over the sidewalk to serve their patrons. He advised that Oak Street Deli has tables outside, but nothing actually authorizes it. Mr. Stewart felt it would be good to enable it for the City to allow the restaurants to add character and flavor to how they serve the community, but without regulations, it could turn into people doing things that are unacceptable. While there have been no problems reported with the Oak Street Deli, he thought it should be addressed to allow for regulations and he recommended that Council authorize it. Deputy Mayor Simons stated that he thought it was a good idea to provide a different type of dining experience and he asked what standards and regulations would be in place to not inconvenience someone with a possible handicap as such relates to a right-of-way. Mr. Stewart explained that was the exact reason regulations should be in place. Mayor Wertz-Strickland stated that if Council should allow it, provisions would be needed in the code to regulate it. City Administrator Stewart advised that in speaking with Jeff Schmucker of Central Florida Regional Planning Council, Mr. Schmucker advised they have developed regulations of this type in other communities that they represent so they are familiar with such. Councilmember Heine made a motion to direct City staff to begin work on a City initiated code change permitting balconies over City right-of-ways and outdoor dining on or over City right-of-ways and Councilmember Coker seconded the motion. No discussion followed and it was unanimously, 5/0, approved. City Administrator Stewart stated he would contact Mr. Schmucker to advise of Council's action and will attempt to get a timeline of when it would come back to Council. He recommended a workshop before it is addressed at a Council meeting so that any questions could be answered.

COMMENTS FROM DEPARTMENTS

Marshal Anderson apologized that the department's monthly report had not been provided to the Council and explained that his staff had been handling the Florida Department of Law Enforcement's mandate to process records and that he would provide it at the next meeting. Regarding the December 24th Christmas event, he advised it was incident free with an estimate of between two hundred (200) and two hundred fifty (250) in attendance. Marshal Anderson stated that the department tries to be more involved with community activities and he appreciated the organization for inviting the department to participate. He further advised that New Year's Eve was quiet and peaceful.

City Attorney Wohl advised he had spoken with the City Administrator and it was decided that Mr. Wohl would get with the City Clerk regarding scheduling times to meet with each Council Member individually, especially the newly elected members, to provide updates regarding open cases with the City. He also advised he would be scheduling the public records / sunshine law workshop.

City Administrator Stewart complimented Marshal Anderson and the Arcadia Police Department for the way community policing is handled. He stated that he has had the opportunity to observe a number of communities and it works as well here as any place he has seen which in part is due to the officers walking the walk and talking the talk. He further stated that another thing that makes the difference is they are inclusive of the entire community.

Mr. Stewart then addressed the fuel dispenser at the airport. He advised that it had been delivered and it should be installed and operable no later than Friday. Due to it operating intermittently, Eagle Vistas had requested that they be allowed to use a fuel truck and they were supposed to fill it from the City's fuel tank so that it could be tracked. After the City was made aware that if they could not pump their fuel, it might affect their aviation business; Eagle Vistas were authorized to take direct deliveries to the fuel truck if necessary so they could service their aircraft. Mr. Stewart advised they had received a reliable report that Eagle Vistas was observed filling airboats and aircraft out of their fuel truck which is something that is beyond the framework of the contract and such would require an authorization. Staff has requested Eagle Vistas to provide how they will track the fuel sales.

City Administrator Stewart advised that he had contacted the Senior Advisors regarding the strategic plan and they were hoping to review such in March. He further stated that he had enjoyed working with the Council for another year and acknowledged the new Council Members engaging and stepping up to the plate regarding what needs to be done.

PUBLIC

Tim Parker of Hole Montes stated he wanted to discuss the selection process regarding the airport consultant and expressed concern regarding issues such as 1) where the key staff members of Hanson were (he indicated many were no longer with Hanson); 2) the lack of discussion by the Council either after the presentations or during the City Council meeting and he stated it seemed that something may have gone on before; 3) taking a look at Lee County Port Authority and how they handle their process without scoring beforehand; 4) the request for qualifications was submitted May 23, 2016 during which Blake Swafford was not employed with Hanson and he questioned how he was included in the package without any type of explanation or change after the fact; and 5) Councilmember Turner's comment regarding how he felt Hanson had done a great job in the past, but Mr. Parker pointed out that the firm had changed a lot since the 2010 selection process. He wrapped it up by suggesting Council take this as a learning tool and to try and refine the process in the future and Hole Montes would be available to serve the City in the future if they would like.

Jackie Scogin, a City resident, expressed her pleasure that Council was looking at changing the ordinance for outside dining and she felt it would be fantastic.

City Administrator Stewart addressed comments made by Tim Parker. He stated that to ignore the inference that the City Council had operated outside of the bounds of the Sunshine Law would be ignoring a very inappropriate comment. He told Mr. Parker that in his conversations with City Council following their decision, it was clear to him that those who voted in favor of the opposition were affected by a comment by the project manager. He further told Mr. Parker that if he had factual information that there was an inappropriate action in violation of the Sunshine Law then he needed to step up and say it. Mr. Stewart stated that the City Council had looked at the difference as submitted by the selection advisory committee and two (2) Council Members had voted in favor of Mr. Parker's organization because of the recommendation from the selection advisory committee. He further stated that in his individual

conversations with the Council Members who voted for the opposition, it was the prior experience that they had with Hanson and the fact that there was not a great deal of separation between the two (2) of them based upon the analysis done by the selection advisory committee.

MAYOR AND COUNCIL REPORTS

Deputy Mayor Simons and Councilmember Coker wished everyone a happy new year. Mayor Wertz-Strickland advised that the Florida Mayors Association was sponsoring an essay contest for seventh graders. She stated she had contacted a teacher with a request to submit it to her students to determine if anyone would like to participate in the program and the teacher responded that there was an interest. Mayor Wertz-Strickland informed the Council that the essays would be submitted to the Florida Mayors Association and gift cards would be provided to students of essays selected by the association.

She then advised that in March, she would be traveling to Tallahassee with the advocacy group to speak to Senators and Representatives. She also advised that in May, there was a scholarship program set up by the Ridge League of Cities for high school students. Mayor Wertz-Strickland then announced that in October they would have a mock City Council meeting which would consist of ninth graders and some of the participants may be some of the same students as when they had the last mock meeting which included seventh graders. She advised that the Supervisor of Elections would be involved as well and they would schedule a qualifying date, have two (2) days to politic, and then the Supervisor of Elections will bring a voting machine and have the ninth grade vote. She then wished everyone a happy new year.

ADJOURN

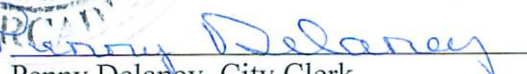
Councilmember Coker made a motion to adjourn and Councilmember Turner seconded the motion. No discussion followed and it was unanimously, 5/0, approved. Having no further business at this time, the meeting was adjourned at approximately 6:40 P.M.

ADOPTED THIS 17 DAY OF January, 2018.⁷

By:


 Judy Wertz-Strickland, Mayor




 Penny Delaney, City Clerk