

**AGENDA MINUTES
CITY COUNCIL
CITY OF ARCADIA
TUESDAY, FEBRUARY 3, 2015
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 OF ALLEGIANCE

Pastor Alexander of Elizabeth Baptist Church gave the invocation which was followed by the Pledge of Allegiance.

CALL TO ORDER & ROLL CALL

The Mayor called the meeting to order at approximately 6:00 p.m. with the following members and staff present:

Arcadia City Council

Mayor Judy Wertz-Strickland
Councilmember Susan Coker
Councilmember Joseph E. Fink

Deputy Mayor Frierson
Councilmember S. Delshay Turner

Arcadia City Staff

Interim City Administrator Beth Carsten
City Planner Carl McQuay sitting in for City Clerk in her absence
Lt. Gary Evans

CONSENT AGENDA

Agenda Item 1 - City Council Minutes for January 20, 2015

Agenda Item 2 – Special Event Permit – Coastal Conservation Association Peace River Chapter Kids Fishing Clinic at Lake Katherine

Councilmember Fink moved to approve Items 1 and 2 as presented and Councilmember Coker seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

ACTION ITEMS

Agenda Item 3 – Ridge League Representation

Juan Otero addressed the Council and stated that he was attending the meeting on behalf of the Ridge League of Cities and they were asking if one of the Council Members would be

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interested in joining as a board member. Councilmember Fink stated that as the Mayor represents the City at the Florida League of Cities, he suggested that she take the duty on. Mr. Otero thanked the Council for their time and welcomed the Mayor to the Ridge League of Cities. Councilmember Fink made a motion to appoint Mayor Wertz-Strickland to the Ridge League of Cities and Councilmember Turner seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

Agenda Item 4 – Various Committees Update

The Interim City Administrator advised that at the last meeting, Council discussed the various committees that needed new representatives for. She further advised that Councilmember Turner was appointed to the Charlotte Harbor National Estuary Program, Councilmember Coker was appointed to the Drug-Free DeSoto Coalition, Councilmember Fink and Deputy Mayor Frierson was appointed to Economic and Tourism Development Council, and Mayor Wertz-Strickland was appointed to the Florida League of Cities. Ms. Carsten stated that representation was still needed for the Central Florida Regional Planning Council and advised that Councilmember Fink had volunteered to serve on that Council if City Council is in agreement to it and she also advised that representation was still needed for Tobacco Free Partnership of DeSoto County. Councilmember Coker made a motion to nominate Councilmember Fink for the position of Central Florida Regional Planning Council and Councilmember Turner seconded the motion. No discussion followed and it was unanimously, 5/0, approved. Councilmember Fink made a motion that Councilmember Turner be the representative on the Tobacco Free Partnership and Councilmember Coker seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

Agenda Item 5 – Livestock Market Update

The Interim City Administrator advised County Administrator Mandy Hines has offered their Road and Bridge staff and equipment to do the demolition for the livestock market. She stated that would take care of the labor and equipment to demolish it and the City would be responsible for hauling off everything to the dump and pay the dump fees. She advised the City and County have really been working together on a lot of different things and she felt this was a good thing for the City because it would lower the expense and it would take the City in the direction of working with the County. Councilmember Fink made a motion to have the Interim City Administrator be given permission to have the County demolish the remaining livestock market on Highway 17 and Deputy Mayor Frierson seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

Agenda Item 6 – Livestock Market Request for Use – Tom Brett

The City Planner advised that Mr. Brett was not in attendance, but it was his request to use the pole barn. Mr. McQuay advised that Mr. Brett had brought this before Council last year and at the time Council required him to come back with an estimate for insurance and he has done so. Mr. McQuay stated Mr. Brett is offering to maintain the property for the City for the use of the pole barn to store his hay. The City Planner advised that he had spoke with the Public

Works Director and it would save the City approximately \$300.00 - \$500.00 a month with an estimated savings of \$15,000.00 for the five (5) months of the summer that he would store the hay there. Councilmember Coker stated that she would still like to wait until they have the inventory of the City and get the demolishing done before they decide what the best use of their properties are and that includes the livestock market. Mayor Wertz-Strickland and Councilmember Fink agreed that they should wait. Councilmember Coker made a motion to decline Mr. Brett's offer at this time and Councilmember Fink seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

Agenda Item 7 – Resolution 2012-15 Regarding Water / Sewer Rates

Councilmember Fink stated that in Resolution 2012-15, page two (2), it states, "...BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF ARCADIA, FLORIDA, that the rates as stated above will be automatically increased annually at a rate of 3% and shall become effective October 1 of each year and will be reflected on the October billings...". He stated if you refer to Resolution 2012-14, first page, Section 5, it states, "...That the garbage and trash collection rates as stated above will be automatically increased annually at a rate of 2% and shall become effective October 1 of each year and will be reflected on the October billings." Councilmember Fink stated that in his mind the need for additional revenue is sometimes necessary, but he did not believe the need for revenue should last in perpetuity. He felt that an annual review was a much more logical way to look at it. He suggested they change the wording of the first resolution to "...BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF ARCADIA, FLORIDA, that annually staff will recommend through presentation of need between July 1st and September 30th the possible increase/decrease of water and sewer rates. Any increase/decrease will occur only upon majority vote of the council during the stated timeframe, shall become effective October 1 of the year of the adoption and will be reflected on the October billings...". He stated the reason he chose those dates was because it would allow staff to come back in an orderly fashion during the budget process and allow them to make a recommendation to us as to whether water rates and sewer rates should be increased or whether they should actually be decreased or if they should remain the same. He felt the staff report was key rather than just having an automatic increase. He then suggested they adopt the same basic language in the garbage one as well because every year it's going up two percent (2%).

Mayor Wertz-Strickland advised the State had recommended staying with some sort of an increase to stay above the bond covenant and to be able to produce enough money to pay the bond covenant. Deputy Mayor Frierson stated that the resolution was not done without research and facts and it was not meant to go on forever, but to bring the water department up to where it should be. Deputy Mayor Frierson stated that the three percent (3%) was less than was recommended by the rate study, but it was a rate that the Council felt, at that time, was something the public could afford rather than one big rate increase at one time. She stated that she felt they were on the road to getting the water department in a good place and to stop this or to hinder it in any way, they're going to back up. She advised that for the first time when they had a problem in Bridle Path, there was money in the R&R to take care of it. She stated that for years the general fund subsidized the water department and it's no longer doing that because they can't afford to do that anymore. Mayor Wertz-Strickland felt they should get through another

audit before they take a look at lowering the rates. Deputy Mayor Frierson advised that our wells are very old and at some point in the near future, this issue will need to be addressed by Council and what will they do with those expenses. She re-emphasized that this can be re-addressed when the water department is in a better condition. The City Attorney stated that his recommendation would be to allow the rate study increase to go on a little longer.

Mayor Wertz-Strickland asked for a motion regarding the water and sewer rates brought forward by Councilmember Fink. Deputy Mayor Frierson made a motion to leave the resolution as it stands and Councilmember Coker seconded the motion. No discussion followed and it was 4/1, approved, with Councilmember Fink casting the dissenting vote.

Agenda Item 8 – City Administrator Search Update

The Interim City Administrator advised that the surveys had been received by all council members and forwarded to Mr. Bressner. She stated that he and City staff have been working on a draft profile for Council's review and they are looking at a possible workshop for Monday, February 9, 2015. Ms. Carsten stated that Mr. Bressner will be attending by phone. It was agreed upon that the meeting would be scheduled for 5:00 p.m. Ms. Carsten stated that the only issue is if he is not able to get everything together regarding the rating, but if that is the case, she will notify everyone, but Mr. Bressner is pushing for Monday, February 9, 2015. The City Attorney asked if his attendance was requested and he was advised that it was not. Councilmember Fink made a motion to have a manager workshop meeting at 5:00 p.m. on February 9, 2015 and Councilmember Coker seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

COMMENTS FROM DEPARTMENTS

Lieutenant Evans addressed Council and advised Marshal Anderson was not able to attend. He stated that Council has the Arcadia Police Department report and asked if they had any questions. He then asked if anyone from the general public had any questions for the police department. Deputy Mayor Frierson asked what happened to the speed indicator sign on Oak Street because it disappeared. Lieutenant Evans advised those were the County's signs and they are used when a citizen calls and recommends they be placed in their neighborhoods. He further advised that they are rotated around to different areas. Lieutenant Evans advised Council that they had located one of DeSoto County's most wanted that day. He stated they had been trying to apprehend him for a couple of months. He informed Council the suspect had almost run over three of their officers two weeks ago and Friday he was pursued through a neighborhood, but it had to be called off due to the number of people in the area. He stated that with the assistance of the US Marshal Task Force, they were able to locate him and place him in jail without anyone getting hurt. Lieutenant Evans stated it was a good effort with all the departments coming together.

The City Attorney advised he had nothing to report.

The Interim City Administrator updated Council on the downtown construction regarding the LAP project. She stated it had been going well and they are now getting ready to deal with the water issues, the irrigation and start putting the concrete down. She advised that it looks like they may have to repair some of the road when they're done on Manatee due to some of the same issues that they ran into on Bridle Path with some of the infrastructure and road crumbling. She further advised that it wouldn't be near the expense that it is at Bridle Path and they are working with the County and trying to figure out if there is any money that can be used for that.

She then advised Council that they have some big issues coming up with the airport with the contract running out on April 1, 2015. She stated she would like to schedule a workshop so staff could bring some of the issues to them. She advised the RFP ends on February 6, 2015 so hopefully they will be able to present what they have and possibly other options that Council may want to see. It was agreed that the workshop would be scheduled for February 12, 2015 at 5:00 p.m.

Ms. Carsten also advised that the next issue that she wanted to discuss was the employee manual. She reminded Council that there had been issues at the end of the prior administrator's tenure and Council had directed her to get an attorney to review it. She advised that she had copies for disbursement with the changes that the attorney had made. It was agreed that a workshop would be held on February 17, 2015 at 5:00 p.m. prior to the regular Council meeting on same date. The City Attorney asked if the attorney would be attending and he was advised that he would not be. He then suggested in lieu of that to have a deadline for Council to submit questions and to have them answered at the workshop. Ms. Carsten asked if she could have questions by next Thursday or Friday.

Ms. Carsten stated she needed direction regarding the baseball fields at the JimSpace Park and where the adult field is. She stated she would like to revisit the whole way they handle the leases regarding control of same. She asked if Council would approve for her, Mr. Wohl, Steve Underwood and Mike Cross to meet next week to get to a point that they could bring back a proposed lease to Council. It was the general consensus of the Council for staff to meet with the appropriate entities to move forward. Devin LaCava of 2673 SE Brown Street, Arcadia, Florida, asked if the tennis courts could be added into that consideration. He stated he was wondering who maintains the courts and wondered if the City would ever consider leasing them or moving the control of them to the school system to be maintained. He stated he was one of the high school coaches for the tennis team and the last time they were resurfaced was after the hurricanes. He left his contact information.

Ms. Carsten announced the audit had been officially completed. She stated it was filed with the State on December 31, 2014 and the digital copy had been taken to the printer. She advised they should have printed copies next week and it will be placed online. She informed Council that it was filed on time to the Auditor General. Mayor Wertz-Strickland asked if there was anything from the audit that the Council might need to know. Ms. Carsten stated that if they would like her to schedule someone from the auditor's office to come and speak with them to answer any questions, she could give an update on that if they would like. Mayor Wertz-

Strickland stated that she thought it would be a good idea to have an update provided by Ms. Carsten.

PUBLIC

Robert Blank of 330 Fortuna Road, Arcadia, Florida, advised that he is experiencing problems with vehicles blocking the sidewalks in our City. He uses a scooter and walks his dog both in the morning and afternoon. He advised that when he is on the scooter, he can't legally drive on the streets to avoid blocked areas of the sidewalk and he doesn't walk on the grass for fear of falling down from unlevel ground. He stated that he was told by the City Marshal that the landowner has the right to park his vehicle in the driveway and the Code has to state that the property owner cannot block the sidewalk even if it does overlap the property owner's driveway. The Code does not make exception for owner's driveways. He stated he has copies of the letter and the Code and pictures of cars blocking the sidewalk. Councilmember Fink stated that the Code seems clear that no one is supposed to be blocking the sidewalk. The City Attorney stated that he would get with the City Marshall tomorrow to get it figured out.

MAYOR AND COUNCIL MATTERS

Councilmember Coker asked how the City inventory was going and Ms. Carsten advised that she's reviewed the property appraiser records and is now working on locating the leases. Councilmember Coker then asked if they had received a price for the phase one (1) and phase two (2) of the livestock market and Ms. Carsten advised that she had not received a response yet.

Mayor Wertz-Strickland announced that she and Councilmember Coker had attended the meeting in Jacksonville and stated it was very informative.

ADJOURN

Having no further business at this time, Councilmember Coker made a motion to adjourn and Councilmember Fink seconded the motion. The meeting was adjourned at approximately

7:15 PM.

ADOPTED THIS 17th DAY OF February, 2015.

By:


 Judy Wertz-Strickland, Mayor




 Penny Delaney, City Clerk