

**AGENDA MINUTES
CITY COUNCIL
CITY OF ARCADIA
TUESDAY, FEBRUARY 17, 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.

CALL TO ORDER, INVOCATION, PLEDGE & ROLL CALL

The Mayor called the meeting to order at approximately 6:00 p.m. and she stated that back in 2014 the City Council passed a resolution regarding decorum in meetings. She advised that copies were placed on the table for the public to review if they so chose. The Mayor called Tom Lowe forward to give the invocation. The following members and staff were present:

Arcadia City Council

Mayor Judy Wertz-Strickland
Deputy Mayor Frierson
Councilmember Joseph E. Fink

Councilmember Susan Coker
Councilmember S. Delshay Turner

Arcadia City Staff

Interim City Administrator Beth Carsten
City Clerk Penny Delaney
Human Resource Manager Linda Lowe

PRESENTATIONS

Agenda Item 1 - Guy LaBree Proclamation

Mayor Wertz-Strickland presented Pat LaBree with a proclamation honoring her husband, Guy LaBree for his many accomplishments.

Agenda Item 2 - Vietnam Traveling Wall

Mayor Wertz-Strickland asked Lee Gallagher, the DeSoto County Veterans Service Officer, to come forward. Mr. Gallagher advised that he represented Veteran Services for the DeSoto County Board of County Commissioners and the Vietnam Traveling Memorial Wall Committee. He stated that the committee had met for approximately two (2) years to bring the traveling memorial to the community and he further stated that they would like to recognize individuals that volunteered their services who are employed with the City of Arcadia. He asked Tim Martin, the co-chairman of the committee, to come forward to help him make the presentations to the following individuals: Beth Carsten, Ashley Killmon, Steve Underwood,

James Lawrence, Shannon Smith, Glenn Peebles, Arthur Brady, Jonathan Richardson, John Twohig, Daniel Sellers, Mike Kotzker, City of Arcadia Golf Course, City of Arcadia, Councilmember Susan Coker, Patrolman Robert McVey, and the Arcadia Police Department. Mr. Gallagher thanked in Interim City Administrator for all that she did to assist them.

Agenda Item 3 - Eagle Vistas LLC

Councilmember Fink stated that at the workshop meeting, the City Council had a consensus that the presentations would go to the airport advisory board first and then come back to Council. He stated he was confused as to why Eagle Vistas was coming before them now. Mayor Wertz-Strickland stated that Mrs. Berry had contacted Beth and herself and asked if they could come before the Council and just do a presentation on their company without presenting numbers or anything. Councilmember Fink stated that he was at a loss, but if everyone finds it alright, fine. Deputy Mayor Frierson stated that she felt the public might be interested in what they had to say and that was one reason she agreed to it after the meeting. She further stated that it does not stop the Berry's from going before the committee at all and they will be contacted by the committee regarding when they would like to meet with them. Mayor Wertz-Strickland agreed with Deputy Mayor Frierson because the public was there at that time and if the airport committee would like to speak with them, the committee would need to contact the Berry's. The Berry's proceeded with the presentation and afterward thanked Council for their time. No questions were asked by the public.

CONSENT AGENDA

Agenda Item 4 – Mauldin & Jenkins Audit Engagement Letter for Year Ending September 30, 2014

Agenda Item 5 – City Council Minutes for February 3, 2015

Agenda Item 6 – Special Event Permit – Car & Bike Show – Spring Fest 15

Agenda Item 7 – Air-Cadia Flowage and Hangar Rent Report for January 2015

Councilmember Coker made a motion to approve the consent agenda with some minor changes and Councilmember Fink seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

ACTION ITEMS

Agenda Item 8 – Certificate of Appropriateness – 121 E. Pine Street

The City Planner advised that this property was in the historical district and had been approved by the Historical Preservation Board. He stated the owner was requesting to replace a deck. He further stated that the owner had met all the qualifications and the board recommended approval by City Council. Councilmember Fink made a motion to approve the Certificate of Appropriateness and Councilmember Coker seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

Agenda Item 9 – Certificate of Appropriateness – 111 N. Hernando Avenue

The City Planner advised that this property was in the historical district and had been approved by the Historical Preservation Board. He stated the owner was requesting to replace a shed on his property. He further stated the Historical Preservation Committee recommended approval by City Council. Councilmember Fink made a motion to approve the Certificate of Appropriateness and Councilmember Coker seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

Agenda Item 10 – Certificate of Appropriateness – 608 E. Magnolia Street

The City Planner advised that this property was in the historical district and had been approved by the Historical Preservation Board. He stated the owner was requesting to replace a shed in the back area of the owner's property. He further stated that the Historical Preservation Board recommended approval by City Council. Councilmember Fink made a motion to approve the Certificate of Appropriateness and Councilmember Coker seconded the motion. Mayor Wertz-Strickland advised that since the property is hers, she would abstain from voting on this item. No discussion followed and it was unanimously, 4/0, approved.

Agenda Item 11 – Approval of Advertisement and Profile for City Administrator

The Interim City Administrator advised that the most recent City Administrator Profile had been provided in the Council's packets, as well as the advertisement. She advised Mr. Bressner had approved both of them, but had a couple of suggestions with the first suggestion having to do with the language regarding the City Administrator keeping Council informed of any employee terminations. She stated that since what was in the manual did not mirror what was in our Code, Mr. Bressner suggested to change it in the manual and then add it in so that it will mirror the Code and state the City Administrator will keep Council informed of employee terminations. Council was in agreement.

Ms. Carsten shared that Mr. Bressner stated with our track record with administrator searches, his other suggestion was that it might be a good idea to state, both in the advertisement and the profile, that the City is being assisted by the Senior Advisors. Mr. Bressner suggested a link to their website to give it a little bit more credibility.

Ms. Carsten stated that she is asking for approval of both the advertisement and the administrator profile to go forward as it is unless there were changes. Regarding residency, Councilmember Fink stated that he had talked to two (2) local realtors and was told that housing stock is scarce, but not non-existent. He suggested having it read that "Residency within the City of Arcadia is desired, and not required." After further discussion, it was decided that it should read "Residency within the City of Arcadia is desired and not required. It is required that within six (6) months of appointment, the City Administrator live in DeSoto County." Councilmember Fink made a motion to adopt as amended and Councilmember Coker seconded the motion. Deputy Mayor Frierson asked what happens if they can't find a home within six (6) months and Councilmember Fink stated that it was not a contract. The City Attorney advised that it would

be built into the employment agreement and the provision could be extended if necessary. Ms. Carsten asked if the motion included the other two issues and she was advised that it did include them.

Lee Ehrlich of 27 SW 17th Place, Cape Coral, Florida, stated that having a board member that doesn't live in the area will invite controversy down the line because every step that person makes is going to be tempered with the detractor saying what do they care, they don't live in the area, etc. No discussion followed and it was unanimously, 5/0, approved.

Agenda Item 12 – Video Surveillance for City Garage

The Interim City Administrator advised that there had been theft issues that involved a trailer, a lawnmower, a leaf blower, a weed eater to the tune of approximately \$5,000.00, along with continuing issues of break-ins, siphoning of fuel and stealing of things. She stated that Steve Underwood had looked into getting surveillance equipment and after three (3) bids, they had come up with the equipment which was referenced in the packets which will allow the gates to have surveillance, as well as where all the equipment is, both inside and outside of the shop. She advised the cost would be \$3,800.00 and asked for approval to move forward with the purchase of the equipment. Councilmember Coker asked if it would be monitored by a company or in-house and Steve Underwood advised it would be in-house. Deputy Mayor Frierson asked how many cameras would be included and Mr. Underwood advised that it would include approximately seven (7) with additional cameras provided if needed. He explained it was HD and would be monitored on a DVR and the tapes would run at least thirty (30) days. Mr. Underwood pointed out that if there was one theft, similar to the most recent, and the police department could recover it, it would pay for itself in one theft. Council was advised that the \$3,800.00 covered the seven (7) cameras, installation, and the monitoring equipment. Deputy Mayor Frierson asked what the budget looked like and Ms. Carsten advised that they had the money to do this. Ms. Carsten stated they can't afford to let their equipment be stolen. Mr. Underwood stated there was a lot of equipment at the City Garage to include mowers, trailers, trucks, sanitation trucks, weed eaters, blowers, etc. Councilmember Fink asked if they would see the difference in this and a non-passive system. Ms. Carsten asked if he was referring to an alarm system and he stated that he was. Councilmember Coker felt that was a good idea to see what their options were, possibly to include both visual and monitoring. After further discussion, it was decided that staff would investigate other options to include an alarm system. Mr. Underwood stated that they had such at the Smith-Brown Gym and the sensors would be ripped off and once that happened, they could not reset the system. Mr. Underwood reminded Council that if they went with a monitoring system, there would be a monthly fee. Councilmember Fink stated that he would like to know what it would cost for the monitoring and the alarm. Mr. Underwood stated that he would get with the companies to determine same.

COMMENTS FROM DEPARTMENTS

The City Marshal advised it had been a busy month. He stated a serious felon had been arrested through a reward. Regarding the City Garage theft, he advised there was no physical evidence except the lock being cut and tire tracks. He stated video cameras would have helped

tremendously. He pointed out that an indoor motion sensor style alarm system would be going off a lot due to rodents. He asked if there were any concerns or questions from the Council or the public and there were none. The City Marshal advised that the City Attorney had contacted him regarding the issue that was brought up at the last Council meeting when he was sick regarding vehicles parking on sidewalks. He indicated the person that had brought it up at the last meeting was in attendance at this meeting and told him that if he would like to come by the police department, he will explain why it was handled the way that it was.

The City Attorney advised that he had nothing to report.

The Finance Director advised that she had provided Council with a copy of the financials for the month and reviewed same. She further advised for the most part, the departments are staying within their budgets with the exception of a few departments due to chemicals and issues/repairs at the wastewater treatment plant. She stated the audit report will be presented at the March 17th meeting. Ms. Carsten asked if there were any questions regarding the finances and there were none.

Ms. Carsten, as Interim City Administrator, then advised there had been a workshop regarding the employee manual and it was agreed that the language that Council had reviewed had been agreed to adopt with the addition of the word "written" in three (3) different places. Councilmember Fink made a motion to accept the language as presented with the additions of "written" in three (3) places and Councilmember Coker seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

Ms. Carsten then addressed the issue of contracting with the employment attorney to go through the manual and update language, compliance with state and federal laws regarding health insurance, etc., with staff directing and being a part of it, and with a limit of Four Thousand Dollars (\$4,000.00). Councilmember Fink made a motion to same with a cap to be Four Thousand Dollars (\$4,000.00) and staff to come back to Council if it exceeds the Four Thousand Dollars (\$4,000.00) and Councilmember Turner seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

Ms. Carsten then updated Council on the downtown program. She advised the City will be working with the Antique Association regarding the fair next week and the construction company will ensure they have the proper safety mechanisms.

She then advised that the Bridle Path project is proceeding well. She stated the water and sewer part is nearing completion and at that time, they will proceed with the laying of the stormwater pipes, paving, etc.

Ms. Carsten announced that the demolition of the livestock market took place today and the livestock market is now down. She advised the County had provided the labor and the equipment. She further advised Robert Womack of Womack Sanitation contacted the WCA landfill and they agreed to waive the tipping fees and the refuse will be hauled away by Womack Sanitation who have agreed to reduce their hauling fees. She stated that the County employees

deserve a lot of praise because they thought of it and got with the City staff. Councilmember Fink stated that he felt they should consider giving Mr. Womack a proclamation for what he has done for the City of Arcadia. Ms. Carsten asked if there was anyone else Council wanted to consider giving a proclamation to and Council felt the County and the Landfill should be recognized as well.

Ms. Carsten advised that she is still working on the property listings.

PUBLIC

A.J. Berndt, Supervisor of the Water Treatment Plant introduced Lee Ehrlich, CEO of Ghost Pros Corp. He advised that he had been approached by Mr. Ehrlich who wants to come to the water plant for one night regarding rumors of ghosts, etc. Mr. Ehrlich explained what his company does and stated that he would like to propose to bring in a team to check out the water plant, with no disclosure and no cost. He advised the report will be written and presented to Council. No discussion followed.

Janie Watson of 803 W. Imogene, Arcadia, Florida, spoke regarding the benches in the downtown area that are in need of repair. She asked if anything could be done and also made reference to the replacement of the plates on said benches. Councilmember Fink stated that preventative maintenance used to be done. Ms. Carsten advised that she would look into it.

MAYOR AND COUNCIL REPORTS

None

ADJOURN

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

ADOPTED THIS 3rd DAY OF March, 2015.

By:

Judy Wertz Strickland
Judy Wertz-Strickland, Mayor



Penny Delaney
Penny Delaney, City Clerk

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Judy Wertz-Strickland, hereby disclose that on February 17, 20 2015.

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Abstained from vote on Certificate of Appropriateness for property located at 608 E. Magnolia Street, Arcadia, Florida due to said property being my own.

Date Filed

2-17-15

Signature

Judy Wertz-Strickland

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.