

REGULAR MEETING

FEBRUARY 21, 2006

A Regular Meeting of the Arcadia City Council was held on February 21, 2006 at 6:00 p.m. in Room D of the Way Building at 23 N. Polk Avenue. Councilmembers attending were: Heine, Johnson, Fazzone, Goodman and Whitlock. Also in attendance were: Administrator Strube, Attorney Holloman, Marshal Lee, Fire Chief Blosser, Special Projects Coordinator Hewett, Public Works Supervisor Reed, Systems Supervisor Lewis and Ms. Way. Recorder Baumann was ill.

Mayor Heine called the meeting to order.

The Invocation was given by Council Member Whitlock.

Pledge of Allegiance to the Flag.

Ordinance No.918 was presented for second reading Goodman moved to waive the rules and read the proposed ordinance by title only, seconded by Whitlock and carried.

ORDINANCE NO 918

AN ORDINANCE OF THE CITY OF ARCADIA, AMENDING THE CITY OF ARCADIA POLICE OFFICERS' AND FIREFIGHTERS' RETIREMENT SYSTEM, ADOPTED PURSUANT TO ORDINANCE NO. 897, AS SUBSEQUENTLY AMENDED; AMENDING SECTION 1, DEFINITIONS; AMENDING SECTION 3, BOARD OF TRUSTEES; AMENDING SECTION 10, OPTIONAL FORMS OF BENEFITS; AMENDING SECTION 16, DISTRIBUTION OF BENEFITS; AMENDING SECTION 24, DIRECT TRANSFERS OF ELIGIBLE ROLLOVER DISTRIBUTIONS; AMENDING SECTION 28, DEFERRED RETIREMENT OPTION PLAN; ADDING SECTION 29, REEMPLOYMENT AFTER RETIREMENT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE.

Goodman then moved to approve proposed Ordinance No. 918 on second reading, seconded by Fazzone. Mayor Heine called for comments from the Public, there were none. The motion carried on roll call vote: Ayes: Whitlock, Fazzone, Johnson, Goodman, and Heine. Nays: None.

Marshal Lee presented a report of Police Fines and Forfeitures for the month of January 2006 indicating fines of \$2,345.89 and Radios \$12.50.

Administrator Strube stated that it was felt the City should have a water and sewer rate study and recommended that the City solicit proposals from Consultants to make a rate study. The last was done in the mid 80's. Whitlock moved to authorize advertising for consultants to conduct a water and sewer rate study, seconded by Johnson and carried.

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The Arcadia Rodeo Association requests support from the City of Arcadia to submit a grant application to the Enterprise Florida Inc. Rural Infrastructure Fund. The purpose is to seek funding for a feasibility study to determine if a new rodeo facility is economically feasible. Since the rodeo is of economic value to the City, a rodeo facility is part of the long term recovery Program and a unit of government must sponsor this study it is recommended the City sponsor the study. The Rodeo Association has agreed to pay all costs involved in the grant application. Whitlock moved for the City to sponsor the Rodeo Association grant application at no cost to the City, seconded by Johnson and carried.

A proposed Letter of Agreement with Historic Property Associates, Inc. for the historic building survey and development of architectural design guidelines in the City's Historic District was presented. Administrator Strube reminded Council this \$30,000.00 was from a Grant for this purpose. Fazzone moved to authorize Administrator Strube to sign the Letter of Agreement, seconded by Goodman and carried.

County Administrator Coffee was present and reviewed DeSoto County's proposed impact fees. Each Council Member had been given a copy of the proposed county impact fee schedule, however Mr. Coffee advised the Council this had been revised downward. The County Commissioners will have a Public Hearing on February 28, 2006 at 6:30 P.M. The Council was encouraged to be present as this is a complicated issue. Administrator Strube stated the County was doing a good job putting this issue before the public and they are well tuned into a lot of the concerns we have raised.

The soliciting of a consultant for proposals to conduct an impact fee study for the City was discussed. Since the County and School Board have consultants in place it was agreed to delay and maybe use the same consultants.

The Planning and Zoning Board at their meeting on February 14, 2006 recommended the following:

1. That the request of Kathy Gamiotea of Dees Realty to rezone the South 10 feet of Lot 12 and all of Lot 14, Block A, Mills Addition be amended by the Board to "Rezone Lots 1 thru 18 both inclusive and adjacent alleyways, Block A, Mills Addition from One Family Dwelling R-1B to Residential-Professional-Business RPB District. Also that a joint Public Hearing be set at 6:00 P.M. April 4, 2006. Fazzone moved to accept the recommendation and set the Joint Public Hearing at 6:00 P.M. or as soon as possible thereafter on April 4, 2006, seconded by Whitlock and carried.
2. That the request of Scott Hartley to build a single family residence on Lot 28, Block F, Ridgewood Subdivision be granted pursuant to City Code Section 110-11 "Authority to grant exceptions for existing platted lots." Goodman moved to accept the recommendation and grant the exception by Resolution No. 2006-2 seconded by Whitlock and carried.

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RESOLUTION NO. 2006-2

A RESOLUTION GRANTING AN EXCEPTION IN
ZONING LAWS TO SCOTT HARTLEY TO
CONSTRUCT A RESIDENCE ON LOT 28, BLOCK F,
RIDGEWOOD SUBDIVISION AND SETTING FORTH
CONDITIONS

WHEREAS, Scott Hartley is the owner of Lot 28, Block F, Ridgewood Subdivision and would like to build a house on the lot, however, it will not meet today's regulations, and

WHEREAS, this Subdivision was platted prior to the present zoning regulations, and

WHEREAS, Section 110.11 of the City Code permits the Board of adjustment to recommend an exception be granted for existing platted lots, and

WHEREAS, the Planning and Zoning Board acting as the Board of Adjustment recommended to the City Council that an exception be granted to permit the building of an affordable house.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Arcadia, Florida that Scott Hartley be granted an exception to build a house on Lot 28, Block F, Ridgewood Subdivision as permitted by Code Section 110-11.

BE IT FURTHER RESOLVED that this approval is granted subject to the following:

1. All yard set-backs, Section 110.9, and other City Zoning Code requirements being met.
2. All other City, County, and State regulations being met.

PASSED BY THE CITY COUNCIL OF THE CITY OF ARCADIA, FLORIDA,
in Regular Session the 21st day of February 2006.

/s/ ROBERT W. HEINE
ROBERT W. HEINE
MAYOR

ATTEST:

/s/ RACHELLE M. BAUMANN
RACHELLE M. BAUMANN, CMC
CITY RECORDER

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(Planning and Zoning Board Recommendations Continued)

3. That City Code Chapter 110-707(a) "Number and location of access points "be amended to provide that section be changed from " at least 15 feet from all side or rear property lines" to "a width equal to the side yard set back excluding the apron and not to exceed the property line." Whitlock moved to accept the recommendation and amend City Code Chapter 110-707(a) "Number and location of access points" to read "a width equal to the side yard setback excluding the apron and not to exceed the property line," seconded by by Fazzone and carried.

The February 2006 Mobile Home Park report was presented.

The January 2006 Airport Report was presented.

Fire Chief Blosser presented a proposal for ambulance billing and collection services. EMS Consultants, LTD are presently providing the EMS Software and are proposing to provide ambulance billing and collection services for a monthly fee of 8% of all funds collected by their firm. When asked Chief Blosser assured Council this would also be helpful when the City and County EMS merge. Fazzone moved to contract with EMS Consultants as per Billing Service Agreement, (copy was given to each Council Member) seconded by Goodman and carried. Chief Blosser reported than an ISO inspection had just been completed and all appeared to be in order. The loss of the water tower was a concern however with the proposed ground storage water tank plans in place, it was felt this was not a problem.

Fire Chief Blosser stated the Fire Department wanted to have a Golf Tournament on April 7, 2006 and requested that the Greens Fees be waived for this event. Goodman moved to waive the Golf Course Greens fees for the Fire Department fund raiser on April 7, 2006, seconded by Whitlock and carried.

Mayor Heine asked when the old water tank would be removed. Administrator Strube explained that the contractor to replace the elevated tank with a ground storage tank would remove the tower lost in Charley. He stated that FEMA and the State have granted approval for a replacement. The City has been working to change to a ground storage tank instead of the elevated tank. He stated that we have everything we need except for FEMA and the State to modify the scope of work and scheme of projects for a ground storage tank. In the mean time Administrator Strube recommends the administrator be authorized to sign a Specific Authorization with Boyle Engineering Corporation for professional services to replace the hurricane destroyed west elevated water storage tank with a 250,000 gallon ground storage tank. Engineering fees in an amount not to exceed \$137,845.00. Fazzone moved to authorize Administrator Strube to sign the Specific Authorization No. 45 with Boyle Engineering Corporation for professional engineering services to replace the west elevated water storage tank with a 250,000 gallon ground

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storage tank with engineering fees not to exceed \$137,845.00 seconded by Whitlock and carried.

A proposed third amendment to consent order between Florida Department of Environmental Protection and the City regarding the City's Wastewater Treatment Facility was presented. Administrator Strube explained this is an extension of the December 2005 deadlines for a number of things to be completed. Each Council Member had copies with their agenda's. As a result of Charley the City began working to extend the deadlines. DEP understood and has been working with the City for this amendment to extend the deadlines to December 2007. Whitlock moved to authorize the Administrator to sign the proposed Third amendment to the consent order extending the deadlines to December 2007, seconded by Johnson and carried. Administrator Strube complimented Julie Karleskint of Boyle Engineering on the excellent job she has done working with the City and D.E.P.

Another project is a part of the consent order for Specific Authorization No. 47 to capture a FEMA funded project we were able to get on our Wastewater Collection System under damages from the hurricanes and also for repairs to the systems - \$200,000, for assessment of damages and \$700,000 for repairs. This will implement these repairs with FEMA, also the million dollar appropriation we received from the Legislature for wastewater plant improvements. Johnson moved to authorization Administrator Strube to sign the Specific Authorization No. 47 with Boyle Engineering Corporation for professional engineering services to repair the City's Wastewater Collection system damaged during the 2004 hurricane season as approved and funded by FEMA and a legislative appropriation through FDEP to replace/repair the Wastewater Collection system in accordance with the requirements of amendment three to the FDEP consent order at a fee cost not to exceed \$140,000.00, seconded by Whitlock and carried.

Mr. Adam Corwin, General Manager of Triton Water Technologies appeared before the Council with a slide presentation showing a water meter upgrade to a radio-read meter. Administrator Strube stated we have been working with them for the past 4 or 5 months. This radio-read system was used with excellent success when the FEMA PARK was established. Since our present direct read meters require an employee for reading on a daily basis and all the radio-read meters can be read in 4 hours it is anticipated an annual savings of approximately \$18,000.00 It is estimated that 85% of our existing meters are more than 5 years old and do not register accurately. Forrest Pines was equipped with the touch read however you still have to have some contact with the meter. With the radio read you just ride by and the reading is recorded in the radio transmitter. Mr. Corwin explained they would supply Neptune water meters and R900 radio-read technology for 3,256 existing services, make the necessary transfer of all information, supply necessary Neptune meter reading equipment and provide on-site system training upon completion. Neptune will warranty the water meters for 10 years and will warranty the R900 radio

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unit and battery for 20 years. Triton agreed to implement this turn-key project for a cost of \$1,175,000.00 on a lease purchase agreement with interest at 4.195%. If agreed to in March 2006 they expect to be substantially complete by August 15, 2006. Monthly payments of approximately \$12,000.00 will be made. The first payment would be due in October 2006. Mr. Corwin stated they will have weekly meetings with City Staff and provide monthly updates to the City Council. Also they will donate \$3,000.00 to "Take Stock In Children." When asked, Administrator Strube recommended the Council consider changing to the radio-read to save employee time and provide a more accurate accounting of water used. Several Council members had questions answered by Mr. Corwin. After further discussion Fazzone moved to authorize the Mayor to sign the contract after it is determined if a lower rate of interest could be obtained, seconded by Whitlock and unanimously carried.

Mrs. Genie Martin of the Beautification Committee urged the Council to follow up on the enforcement to clean up Arcadia. Since a Special Master was appointed there has been only one case brought before the Master. She talked to the City Marshal who stated most were starting to comply.

Council Member Goodman stated she had some suggestions for Council consideration for the meeting of February 21, 2006. She handed out a typed paper with the following:

1. Would like to have City/County Fire Merger update each meeting.
2. Minutes from previous meetings presented at next meeting.
3. Plan for replacing City Administrator upon his retirement.
4. Email accounts for City Council Members.

Dr. Johnson stated that he would also like to see follow up procedures on actions taken care of and what has not been taken care of.

Mayor Heine stated that he had requested forms for an evaluation of the City Administrator and wanted to suggest each council member fill out their evaluation and have a committee of outsiders review and report to the City Council. Other members of the Council felt each member should complete their own and then discuss it with the Administrator as has been done in the past. Whitlock stated he had done his evaluation and sat down with the Administrator yesterday for a discussion. It was agreed each would do their own evaluation.

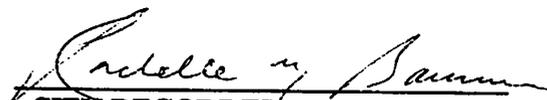
Councilmember Goodman stated she had made some suggestions and asked if they need to be made in the form of a motion. Mayor Heine said a motion was not needed. Goodman asked if she could expect the suggested items she presented to be on the agenda for the next regular meeting. She was assured they would appear on the next agenda. Administrator Strube stated he and Mr. Coffee had been working on the merger

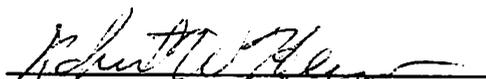
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and the present status is Mr. Coffee is working in an Inter-Local Agreement which was confirmed by Mr. Coffee with a possible two weeks for a draft. Goodman reiterated that was fine but she thinks it should be open and updated so she can answer when people ask. Administrator stated he and Mr. Coffee would provide a Joint Status report.

Administrator Strube gave each Council Member an agenda for the February 28, 2006 Public Hearing.

There being no further business the meeting was adjourned.


CITY RECORDER


PRESIDENT