

**MINUTES
CITY COUNCIL WORKSHOP
CITY OF ARCADIA
TUESDAY, MARCH 20, 2012
5:00 PM**

CALL TO ORDER, ROLL CALL

The workshop session was called to order at approximately 5:00 PM.

Arcadia City Council

Mayor Keith Keene
Deputy Mayor Alice Frierson
Councilman Robert Heine

Councilman Joseph E. Fink
Councilman Robert Allen

Arcadia City Staff

City Administrator Dr. Lawrence Miller
Assistant City Administrator Judi Jankosky
City Recorder Virginia S. Haas
City Attorney Bill Galvano
City Attorney Leslie Gladfelter

DISCUSSION:

1. Wrecker and Towing Services – establishing minimum qualifications and procedures for wrecker and towing service companies.

Attorney Gladfelter reported that the City is currently utilizing Florida Administrative Code (FAC) which is used by Florida Highway Patrol and the City could review and adapt that to the City. She covered six items: 1) What department will oversee the process 2) Where will the towing companies be located, only in DeSoto County and 3) Will you want the FHP requirements for background checks and inspections 4) How do you want to implement the automatic rotation list. 5) Removal of a service from the list and 6) Forms can be adapted by the City as needed.

Attorney Gladfelter responded to Councilman Fink that FAC 15(b) was not adopted in its entirety by the County Ordinance it is only referenced. Mr. Joe Purcell, Able Wrecker and Road Services, noted that the Police Department should never have gone to a bid for wrecker services as it needed to be an Ordinance. He continued that now the County sets the maximum rates and he requested that a committee govern the rotation schedule so that there is a fair governing board.

Marshal Lee pointed out that in a rotation schedule you must watch for excessive charging and mitigate any problems from citizens being overcharged. Marshal Lee responded to Mayor Keene that each situation is different in the rotation procedure as calls come in and when the service actually performs a tow the next service moves to the top of the list. Councilman Fink noted that the City has a fiduciary agreement to control excessive towing fees. Attorney Galvano explained that the City could adopt the County Ordinance, enforce the Florida Statutes and include remedies for excessive towing fees. Councilman Heine stated he does not see appointing a committee to oversee this process. Attorney Galvano agreed that an Ordinance is enforced by the

City Council. Mr. Purcell stated that his service was pulled from rotation for no reason and that he should have received a letter prior to being removed from the rotation. Mr. Darryl Suggs stated that his contract is still valid with the City and passed his copy of the contract and minutes to the City Recorder. There was discussion regarding whether the Council made a motion to the request for proposal. Attorney Gladfelter stated that it appears from the minutes no motion was made. Marshal Lee requested what he should do at this time. Attorney Galvano replied that the RPF for towing services should begin while the City Council is drafting the ordinance. Councilman Fink added that no one is to be dropped from rotation except through approval of Council. Commissioner Allen suggested extending Mr. Sugg's contract. Attorney Galvano responded there may be bigger issues to discuss. The Council directed Attorney Galvano to draft an ordinance utilizing the County regulations to include specifics for Council to handle dropped services.

PUBLIC COMMENTS

COUNCIL MEMBER COMMENTS

ADJOURN

Having no further business, the workshop was adjourned at 6:00 PM.

APPROVED THIS 3rd DAY OF APRIL 2012

By:



Keith Keene, Mayor

ATTEST:



Virginia S. Haas, CMC
City Recorder