

0340

REGULAR MEETING
And
JOINT PUBLIC HEARING

APRIL 4, 2006

A Regular Meeting of the Arcadia City Council and Joint Public Hearing with the Planning and Zoning Board was held on April 4, 2006 at 6:00 p.m. in Room D of the Way Building at 23 N. Polk Avenue. Councilmembers attending were: Heine, Johnson, Goodman, Whitlock, and Fazzone. Planning and Zoning Board Members attending were: Summers, Sawyer, McLure and Brown. Absent Planning and Zoning Board Members were: Smith and Fain. Also in attendance were: Administrator Strube, Attorney Holloman, Police Officer Evans, Fire Chief Blosser, Public Works Supervisor Reed, Parks and Recreation Supervisor Waters, Special Projects Coordinator Hewett, Ms. Way and Recorder Baumann.

Mayor Heine called the meeting to order.

The Invocation was given by Council Member Goodman.

Pledge of Allegiance to the Flag.

The minutes of the Work Session of March 21, 2006 and Regular meeting of March 21, 2006 were adopted on motion of Johnson; seconded by Whitlock and carried.

Mayor Heine called the Joint Public Hearing of the Council and the Planning and Zoning Board to order and stated the purpose of the joint public hearing as advertised is to provide citizens an opportunity for input regarding the request to re-zone Lots 1 thru 18, both inclusive and adjacent alleyways all being in Block A, Mills Addition to Arcadia from One Family Dwelling R-1B District to Residential-Professional Business RPB District. Petitioner Kathy Gamiotea was present. Attorney Holloman addressed the Council and the Planning and Zoning Board Members stating that the rezoning request is a quasi-judicial matter. Attorney Holloman asked Council and the Planning and Zoning Board if anyone had received any written or verbal correspondence or done a site visit. No one had anything to report. Recorder Baumann submitted proof of publication in the Arcadian dated March 3, 2006 and reported that notices were sent by certified mail to nineteen (19) property owners within 300 feet of the property. One letter was returned undeliverable. No letters of support or objection were received. Mayor Heine called for the petitioner to speak, no one spoke. Mayor Heine then called for objections from the floor, there were none. Mayor Heine asked if there were any concerns from the Planning and Zoning Board or the Council, there were none. Planning and Zoning Board Chairman Summers then stated that the Planning and Zoning Board recommends approval. Fazzone then moved to re-zone Lots 1 thru 18, both inclusive and adjacent alleyways all being in Block A, Mills Addition to Arcadia from One Family Dwelling R-1B District to Residential-Professional Business RPB District; seconded by Goodman and carried.

Proposed Ordinance No. 921 was presented on first reading. Each Councilmember had previously been given a copy for study. Whitlock moved to waive the rules and read the proposed ordinance by title only; seconded by Fazzone and carried.

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ORDINANCE NO. 921

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF ARCADIA, FLORIDA, TO REZONE LOTS 1 THROUGH 18, BOTH INCLUSIVE AND ALL ADJACENT ALLEYWAYS, ALL BEING IN BLOCK A, MILLS ADDITION TO ARCADIA FROM ONE FAMILY DWELLING R-1B TO RESIDENTIAL-PROFESSIONAL BUSINESS RPB DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Fazzone then moved to adopt Ordinance No. 921 on first reading; seconded by Goodman. Mayor Heine called for comments from the public, there were none. The motion carried on roll call vote. Ayes: Johnson, Fazzone, Goodman, Whitlock, and Heine. Nays: None.

The Joint Public Hearing was closed.

Mayor Heine reconvened the regular meeting.

Proposed Ordinance No. 919 was presented on second reading. Goodman moved to waive the rules and read the proposed ordinance by title only; seconded by Whitlock and carried.

ORDINANCE NO. 919

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 6, BENEFIT AMOUNTS AND ELIGIBILITY; AMENDING SECTION 7, PRE-RETIREMENT DEATH; AMENDING SECTION 8, DISABILITY; AMENDING SECTION 9 VESTING; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISION; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.

Johnson then moved to approve Ordinance No. 919 on second reading; seconded by Whitlock. Mayor Heine called for comments from the public, there were none. The motion carried on roll call vote. Ayes: Johnson, Fazzone, Whitlock, Goodman, and Heine. Nays: None.

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Proposed Ordinance No. 920 was presented on second reading. Fazzone moved to waive the rules and read the proposed ordinance by title only; seconded by Goodman and carried.

ORDINANCE NO. 920
AN ORDINANCE AMENDING THE ARCADIA CITY CODE
PERTAINING TO THE NUMBER AND LOCATION OF ACCESS
POINTS LOCATED ON A STREET BY PROVIDING FOR THE
AMENDMENT OF SECTION 110-107 (a), OF THE CODE OF
ORDINANCES OF THE CITY OF ARCADIA; REPEALING ALL
ORDINANCES IN CONFLICT; PROVIDING SEVERABILITY;
PROVIDING FOR EFFECTIVE DATE.

Fazzone then moved to approve Ordinance No. 920 on second reading; seconded by Whitlock. Mayor Heine called for comments from the public, there were none. The motion carried on roll call vote. Ayes: Johnson, Fazzone, Whitlock, Goodman, and Heine. Nays: None.

Mayor Heine presented a proclamation to DeSoto County School Superintendent Adrian Cline as an expression to Mr. Cline for his many years of dedicated service to our children and community. Fazzone moved to endorse this action; seconded by Johnson and carried.

Administrator Strube addressed Council regarding the need to establish an inspection fee for inspections other than fire inspections. He noted that currently a very low (\$5.00) permit fee is charged for fences, curb cuts, driveway aprons etc. Fazzone then moved to adopt Resolution No. 2006-6 setting an inspection fee of \$25.00 for inspections other than fire; seconded by Johnson and carried.

RESOLUTION NO. 2006- 6

A RESOLUTION SETTING INSPECTION FEES

WHEREAS, in order to promote public health, safety and welfare, all businesses and residences should be inspected, based on proposed use, for compliance with City Codes, and

WHEREAS, increased demands have been placed on the City's Inspection Resources by requirements for both business and non business facility inspections, and

WHEREAS, permit and inspection fees were established a good many years ago, and

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(Resolution 2006-6 continued)

WHEREAS, due to increased personnel costs to provide inspections, the City Council of the City of Arcadia, Florida deems it to be in the best interest of its citizens to pass these increased costs on to the applicant, and

WHEREAS, it is understood that fire inspections are in addition to these inspection fees.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Arcadia, Florida that in addition to prescribed permit fees there shall be an inspection fee other than for fire of \$25.00 for the following:

Fence
Curb Cut
Driveway Apron/Right-of-way
Culvert
Keeping of Farm Animals or Fowl
and Other miscellaneous inspections

No occupational license, where required, will be issued until the facility is in compliance with all applicable regulations.

PASSED BY THE CITY COUNCIL OF THE CITY OF ARCADIA, FLORIDA,
in Regular Session the 4th day of April.

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

ATTEST:

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

Gloria Kendrick and Charlene Edwards representing Redland Christian Migrant Association (RCMA) addressed Council to request that Council modify RCMA's existing lease of property at the Smith Brown Complex. Council granted approval on September

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6, 2005 for the construction of a new child care facility in proximity to their currently leased facility at the Smith Brown Complex. The current lease has a 60 day termination clause which needs to be modified to accommodate a longer term as requested by their funding source. Attorney Holloman recommends that the current lease be amended for a thirty (30) year term from the date of the amendment for the Smith Brown Complex South Side as defined in the previous lease. Whitlock moved to authorize the Mayor to sign a new lease agreement with RCMA for thirty (30) years; seconded by Fazzone and carried.

The Police Activity Report for the month of March 2006 was presented.

A report of Code Violations for the month of March 2006 was presented.

The Recorder's report of Revenues and Expenditures for the month of February 2006 was presented.

Steve Weeks Grant Administrator addressed Council and presented a "Draft Assessment" report he received from the State Department of Community Affairs regarding the City's Evaluation and Appraisal Report (EAR).

Mr. Weeks then reported that he is still seeking new contractors in order to move forward with housing construction and rehab using Community Development Block Grant Funds (CDBG).

Administrator Strube then presented Council with a "Draft" of the Interlocal Agreement between the City and DeSoto County regarding the Merger of the City Fire Department with the County's Fire Department.

Johnson moved to replace the Work Session scheduled for April 18, 2006 at 5:00 PM to further develop a plan for replacing the City Administrator upon his retirement with a Work Session to discuss the Interlocal Agreement between the City and County regarding the fire merger; seconded by Goodman and carried.

County Administrator Coffee addressed Council and stated that due to the tremendous growth the County will receive in taxes, it may not be necessary for the City to implement a Municipal Service Benefit Unit (MSBU) tax. He noted that the City would receive credit from the County in tax revenue as if the MSBU had been implemented.

The March 2006 report of Arcadia Golf Course receipts and number of play was presented. Construction on the Pro Shop and Club House is about 85% complete. It was noted that several tournaments are scheduled for May and June which are usually the "slow" time at the course.

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Administrator Strube addressed Council regarding a proposed lease for equipment at the golf course. This lease would replace the current lease that is up on the equipment. The lease would be for four (4) years and it appears that the revenue received at the golf course are sufficient to justify the lease. Fazzone moved to authorize staff to enter into a four (4) year lease for golf course mowing equipment; seconded by Johnson and carried.

Administrator Strube then addressed Council to present Specific Authorization No. 48 with Boyle Engineering Corporation for General Consulting Services in the amount of \$25,000.00. Administrator Strube stated that it has been over a year since the last "general services" agreement was signed and he anticipates that most of this will be used on issues with the Water Treatment Plant. Whitlock moved to authorize the Mayor to sign Specific Authorization No. 48 with Boyle Engineering Corporation for General Consulting Services in the amount of \$25,000.00; seconded by Fazzone and carried.

Jerald Newberry, President of the DeSoto County Historical Society, Inc. addressed Council to report that the Society has been awarded a \$10,000.00 grant from the state for architectural services for the John Morgan Ingram House. Mr. Newberry thanked Steve Weeks for accompanying the members to Tallahassee noting that without Steve's assistance their request may not have been approved.

Goodman asked the Council to consider a Community Redevelopment Agency (CRA). Melissa Sanders with the DeSoto County Grant Department addressed Council and stated that one of FEMA's recommendations was that a CRA be created. The CRA would focus on areas considered slum or blighted. Ms. Sanders reported that the Florida Redevelopment Association has agreed to send a representative to Arcadia to give a presentation on what a CRA is and how to establish one. Goodman stated that we do have areas in the City that were blighted before the Hurricanes of 2004 and she would like to investigate this option by having someone give a presentation to Council. Whitlock stated that CRA's have been discussed before and that they have advantages and disadvantages. Administrator Strube noted that tax increment funding is usually the best means to fund a CRA, however the level of growth in the City's tax base is nil. He would like to see some other source of funding and stated that we could explore this option again. Ms. Sanders will see if a representative from the Florida Redevelopment Association would be available for a work session on Tuesday, June 6, 2006 from 4:00 PM until 6:00 PM.

Council then discussed the summer meeting schedule noting that usually during the months of June, July and August they only meet once a month. Council then decided to meet on the 3rd Tuesday during the months of June, July, and August.

Johnson reported that he attended Legislative Action Days in Tallahassee and he presented all Members with a card from the Florida League of Cities urging support of several House and Senate Bills. Johnson then reported that he was invited to attend a

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meeting of the City of Gainesville Beautification Committee noting that he was very impressed with their origination. The Gainesville Beautification Committee seeks funding from grants and private donations and they take a section of the city at a time to work on.

Special Projects Coordinator Hewett addressed Council to report that the City will be getting nineteen (19) new "antique" lights to go around Lake Katherine. The Department of Transportation will pay for the lights and installation and he anticipates that they will be in place by August 2006.

Mr. Hewett then reported that Fire Station No. 2 is ready for a final punch list and he hopes to get the "certificate of occupancy" by next week.

The Second Annual Rods and Wings Show at the Arcadia Airport was a success with over seventy-two (72) planes on display.

Mr. Hewett also reported that the Butler Building at the Arcadia Airport has been completed, construction on Mr. Minnear's hanger is moving forward as is the FAA Hanger. Mr. Hewett reported that he and County Administrator Coffee are working to get all permit fees for construction of City facilities waived.

Mayor Heine inquired on the status of re-building Wood Point Park to which Administrator Strube stated that the City has not seen any permits for re-building. Mr. Hewett reported that he spoke with the owners two (2) months ago and they plan to demolish all of the existing building and re-build possibly beginning in June or July 2006.

There being no further business the meeting was adjourned.


CITY RECORDER


PRESIDENT