

**AGENDA MINUTES
CITY COUNCIL
CITY OF ARCADIA
TUESDAY, APRIL 18, 2017
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 CALL TO ORDER AND ROLL CALL

Deputy Mayor Simons gave the invocation which was followed by the pledge of allegiance. The Mayor called the meeting to order at approximately 6:00 p.m. and the following members and staff were present:

Arcadia City Council

Mayor Judy Wertz-Strickland
Deputy Mayor Jaccarie D. Simons
Councilmember S. Delshay Turner

Councilmember Susan Coker
Councilmember Robert W. Heine, Jr.

Arcadia City Staff

City Administrator Terry Stewart
City Clerk Penny Delaney
City Attorney T.J. Wohl
Finance Director Beth Carsten

Jeff Schmucker – Central Florida Regional Planning
Council
Marshal Matthew Anderson

PRESENTATIONS

Agenda Item 1 – Proclamation – Youth Week

Mayor Wertz-Strickland presented Troy Hughes on behalf of the Arcadia Elks Lodge 1524 with a proclamation recognizing April 29, 2017 through May 5, 2017 as Youth Week. Mr. Hughes advised that the Arcadia Elks Lodge 1524 had sent over one hundred (100) kids to youth camp in Umatilla, Florida which is run by the Elks Club and rated one of the highest youth camps in the country. He further advised they are trying to send thirty (30) kids this year free of charge. He thanked the City Council for recognizing Youth Week through the proclamation.

Agenda Item 2 – Proclamation – Aviation Appreciation Month in Florida

Mayor Wertz-Strickland read a proclamation recognizing Aviation Appreciation Month in Florida and due to no one being in attendance from the Florida Airports Council to receive the proclamation; the City Clerk will forward it to the appropriate entity.

Agenda Item 3 – Friends of Arcadia Airport, Inc.

George Chase, President of Friends of Arcadia Airport, Inc. provided a year end update and photographs for the fourth year. A copy of this presentation is on file in the City Clerk's office.

CONSENT AGENDA

Agenda Item 4 – City Council Regular Meeting Minutes for April 4, 2017

Agenda Item 5 – Special Event Permit – Arcadia Main Street Program (AMSP) Partnership Banquet

Agenda Item 6 – Special Event Permit – Coastal Conservation Association Peace River Kids Fishing Clinic

Agenda Item 7 – Scarecrows on Oak – Arcadia Main Street

Agenda Item 8 – Heritage Festival – Arcadia Main Street

Agenda Item 9 – Decorate a Pole – Arcadia Main Street

Agenda Item 10- Holiday Open House and Wine Walk – Arcadia Main Street

Councilmember Coker made a motion to approve Agenda Items 4, 6, 7, 8 and 9 and to pull Agenda Item 5 and Agenda Item 10 for discussion due to the requests for street closures and Deputy Mayor Simons seconded the motion. No discussion followed and it was unanimously, 5/0, approved. Mayor Wertz-Strickland asked the new administrative assistant of Main Street, Sadie Winter, to step to the podium. Councilmember Coker stated that the Council had dealt with many special event permits with different timings to close the streets and she wondered if the Council should set a standard time for such. Ms. Winter advised the event was not going to be as large as originally planned so the street will not need to be shut down. City Administrator Stewart asked Ms. Winter if she was officially withdrawing the request to shut down the street and she confirmed that she was doing so. Councilmember Coker made a motion to accept Agenda Item 5 with the modification of withdrawing the street closure and Councilmember Heine seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

Regarding Agenda Item 10, Councilmember Coker advised it was the same issue relating to the street closure requested at 4:30 p.m. and again suggesting possibly having an acceptable time to close down the roads. Ms. Winter asked if she could get with the president and the board and get back with Council. Mayor Wertz-Strickland pointed out that this would be the third year that such had been done and Councilmember Coker stated that they are dealing with more events which is why she was questioning the time. After referring to a previous request to close a street, City Administrator Stewart advised that staff had put together a special events ordinance which is being reviewed by City Attorney Wohl which will come back to Council for their approval. He further stated that he felt the ordinance would have language that would be beneficial in guiding them along in accomplishing such. He understood Councilmember Coker's concern, but respectfully offered to not set a definite time and stated that he felt it should be looked at on an individual basis to see if it benefits the local businesses. Councilmember Coker made a motion to table the Arcadia Holiday Open House and Wine Walk to the next meeting, but the motion died for lack of a second. Councilmember Heine made a motion to approve Arcadia Main Street

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Holiday Open House and Wine Walk and Deputy Mayor Simons seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

ACTION ITEMS

Agenda Item 11 – Request to Continue Saturday Night Lights Event

Councilmember Coker made a motion to approve the Saturday Night Lights events and Deputy Mayor Simons seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

Agenda Item 12 – Ordinance 1021 – Request for Rezoning of Parcel #31-37-25-0016-5060-0012 – Second and Final Reading

Jeff Schmucker of Central Florida Regional Planning Council advised this was an application for a change in zoning for a piece of property of approximately 0.14 acres from B-1 (Neighborhood Commercial Business) to R-1C (Single Family Residential) located at 1104 E. Maple Street. He stated that the purpose was to ensure zoning consistency with the future land use on the property as well as allowing the property owner to utilize the structure on the property as a single family residence. Mr. Schmucker reviewed the proposing zoning map and stated the property had a future land use as low density residential and an existing zoning of B-1 which is inconsistent with the future land use. He advised that the structure on the site is also non-conforming and currently can only be used as commercial. He stated the proposed zoning of R-1C would be consistent with the existing future land use of low density residential and consistent with the surrounding neighborhood and by bringing it into the R-1C residential zoning, the structure on the site would then become a conforming structure for the owner to use as a single family residence. Councilmember Heine made a motion to read Ordinance 1021 by title only and Councilmember Coker seconded the motion. No discussion followed and it was unanimously, 5/0, approved. At this time, the City Clerk read Ordinance 1021 by title only. City Attorney Wohl stated that since this was the second reading of Ordinance 1021, it was a public hearing and if anyone wanted to testify or comment on the issue, they should do so now and no one responded. Councilmember Coker made a motion to approve Ordinance 1021 on second and final reading and Councilmember Turner seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

Agenda Item 13 – Vacation of Right-of-Way Application by Gary Frierson

Mayor Wertz-Strickland advised this item was being pulled.

Agenda Item 14 – Donation of Old Police Unit

Marshal Matthew Anderson informed the City Council that this was one of the units that was deadlined last year which had been donated either by Collier or Lee County. He advised that the correction officer that works with the inmate crew had put in a request due to a shortage of cars at the prison. He stated they had left everything in the car minus the radio. City

Administrator Stewart asked if the Council had designated it as surplus and Marshal Anderson did not think so and Finance Director Carsten stated that it had not been designated as surplus. City Administrator apologized to Council and stated he had made the assumption that it had been done, otherwise he would have placed it on the agenda as a surplus, but it could be cured by voting to designate it as surplus and then vote to donate it. Deputy Mayor Simons made a motion to designate the retired 2006 Ford Crown Victoria, VIN #2FAHP71WX7X131240 as surplus and to donate it to the Department of Corrections with light bar and cage all intact and Councilmember Turner seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

Agenda Item 15 – Vote to Determine Approval for the Software as a Service Agreement with FATHOM

City Administrator Stewart advised this was an item that had been brought to City Council for some months now. He stated he had met with each Council Member on an individual basis, numerous e-mails had been sent and a workshop had been held regarding the issue. He further advised that Council had allowed staff to move forward and to bring a recommendation back to them for approval. City Administrator Stewart advised this agenda item was to authorize a contractual relationship with the FATHOM Company for the software as a service agreement. He advised that representatives from FATHOM were in the audience, Jason Bethke, President of the company, and the local representative, Eddie Quinn, to answer any questions Council may have. Mr. Stewart stated this would provide several benefits to the City of Arcadia. He advised every water meter within the City would be changed out in this program with new meters that have the newest and most up to date technology that will enable the City to receive hourly information from the meter about usage. He also advised that on a daily basis, the City will be able to track and understand issues such as water loss. Mr. Stewart explained that replacement of the meters will enable staff to identify any location that is currently non-metered, areas where there is a meter present but not currently working and those not in the billing system. He assured Council that staff would run up against those not in the billing system, but would provide recommendations to Council as to how to handle it after he has spoken with the City Attorney. He advised that along with the software, the customer service program will allow the customer seven (7) different ways to pay their bill. He informed Council that the customer service window would still be maintained; staff would remain on board and still have plenty of responsibilities to deal with. Mr. Stewart stated that he felt staff had been exceedingly thorough in bringing it through a moderate pace to enable Council to learn all that it needed to learn, to ask the questions Council needed to ask, to inform the public through workshops and to best inform and advise everyone about what the City was trying to accomplish.

Councilmember Heine made a motion to approve the software as a service agreement with FATHOM in the amount of One and 75/100 Dollar (\$1.75) per managed account per month and Two and 58/100 Dollars (\$2.58) per managed account per month for managed services, revenue management and customer care, both amounts to be annually adjusted based upon the CPI factor for the region as published by the US Department of Labor and Councilmember Turner seconded the motion. Councilmember Coker asked how long it would take to implement it and City Administrator Stewart advised there were two (2) pieces to the implementation and

one (1) is the change-out of the meters which could be accomplished between six (6) months to a year. Mr. Bethke advised he expected it to be done by the end of the year. City Administrator Stewart stated the implementation of the software can begin concurrently with the installation of the meters and the meter accounts that are installed can begin to be serviced by the software as soon as the software is up and running. Mr. Bethke stated that they expect to start the software implementation in May, if Council approves it, and he expected it would take approximately four (4) months to put it in place. Councilmember Heine asked if it would be more costly as technology changes and City Administrator Stewart advised all new software advances were included in the cost of the contract. Deputy Mayor Simons asked for confirmation that the only possible increase in cost that the City would incur would be if there was a change in the CPI factor. Mr. Bethke confirmed such and added that if more people moved to town, such would change it also. Councilmember Coker asked if the City would be renting the software package or buying it and Mr. Bethke said the contract was as a service so the software and billing is provided as a service. Mr. Stewart stated that the City did not own the software, but will be licensed to use the software. Councilmember Coker asked if down the road, they did not want to continue, where the City would stand. Mr. Stewart stated that if they did not want to continue with the service, they have the right not to continue with it and they have one hundred eighty (180) days to transfer to a different platform, but the data would always remain the City's and would be returned in a usable format. Councilmember Coker asked how it would be paid and Mr. Stewart advised the money to make the payments would come from the revenue that is gained through the utility system. No discussion followed and it was unanimously, 5/0, approved.

Agenda Item 16 –Resolution 2017-11 – Financing for FATHOM Equipment Purchase

Finance Director Carsten advised FATHOM had come forward with a lease option through their company which is FATHOM Capital and she stated staff had shopped with local banks that the City does business with and while they were competitive and responsive, in the end, the best leasing option was with FATHOM for a ten (10) year lease. She explained that after five (5) years, the City will be able to pay it off with no penalty. She informed the Council that the rate will be two point four two one five percent (2.4215%) with monthly payments which will bring the payment down a little bit over time. Mr. Stewart added that a part of the borrowing contains a contingency of ten percent (10%). He advised the number of meters will be an estimate and there is no way to know how many locations will either not have meters or not be found on the books. He explained the contingency is there so the City will not have to come back and borrow more money and have to go through all of this again. He further explained that if the City does not spend said money, it does not come out of the available funds but remains as an unused portion and will not count against the City. Ms. Carsten advised the amount of the contingency was Two Hundred Thirty-Six Thousand and 00/100 Dollars (\$236,000.00). Deputy Mayor Simons asked where the down payment funds would be taken from and Ms. Carsten advised it would be taken from the water and sewer reserves of which there is approximately Four Million and 00/100 Dollars (\$4,000,000.00) and Mr. Stewart stated this would not harm the fund and it would remain healthy. Councilmember Heine asked if City crews would be installing the meters and Mr. Stewart advised that FATHOM would hire theirs

contractors to install the meters (local when possible). Deputy Mayor Simons made a motion to adopt Resolution 2017-11 authorizing the execution and delivery of a Master Equipment Lease/Purchase Agreement with FATHOM Capital for the acquisition, purchase, financing and leasing of certain equipment consisting of water meters/AMI in the amount of Two Million One Hundred Thirty-Four Thousand Four Hundred Seventy and 00/100 Dollars (\$2,134,470.00) and Councilmember Turner seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

COMMENTS FROM DEPARTMENTS

Marshal Anderson stated he was there to address any concerns the Council or the public may have. Jackie Scogin, a City resident, asked what could be done about individuals in her neighborhood urinating in their yard and after much discussion, Marshal Anderson advised there was no law that addressed public urination, but there was a law addressing indecent exposure and he stated he would take care of it tomorrow. Marshal Anderson provided the Council with discs for their individual viewing which provided footage of body camera incidents and he explained the episodes. After his explanation of the incidents and concerns of people who live in areas where this takes place, he asked for help in establishing ways to handle such. After further discussion, City Administrator Stewart stated he had spoken with Jeff Schmucker of the Central Florida Regional Planning Council regarding increasing the distances of alcohol establishments from churches, schools and government buildings and will be getting with the City Attorney regarding addressing ordinances which deals with such.

City Attorney stated he had nothing to report.

Finance Director Carsten advised that as of April 5, 2017, the revenues were at fifty-eight point one percent (58.1%) and the expenses were at thirty-six point two percent (36.2%). Regarding the investment update, One Thousand Four Hundred Thirty-Four and 91/100 Dollars (\$1,434.91) in interest had been earned for a total for this fiscal year of Six Thousand Three Hundred Forty-Four and 71/100 Dollars (\$6,344.71). Ms. Carsten informed the Council that the budget process had started that week with the forms being sent out to the departments.

City Administrator Stewart addressed an email from the Peace River Shopper regarding the graduation keepsake publication for DeSoto High School and asked if Council wished to publish the advertisement again. He advised the fee was One Hundred Seventy-Five and 00/100 Dollars (\$175.00) and while it fell within his approval range, since it was on behalf of the Council, he asked if they wished to publish the advertisement again. It was the general consensus of the Council to do so.

He advised the sand filter project was coming along nicely and should be finished by the end of the week. After speaking with Utilities Director A.J. Berndt, Mr. Stewart stated that the water quality is more superior and the use of chemicals is being reduced.

Regarding pothole repairs, City Administrator Stewart informed the Council that staff was approaching two hundred (200) tons of asphalt that has been used. He advised the project

had run out of money, but he was working with the Finance Director to identify where funds could be accessed to continue the program.

He then addressed the CDBG grant application for Lincoln Avenue regarding the utility replacement. He stated the City had used Guardian Services which had done work for the City in the past. Mr. Stewart advised he had been notified that the City had been denied funding due to not being ranked high enough. He further advised one hundred (100) points had been lost because of a letter from the engineer that was to be addressed to the chief elected official in the community, but it was addressed to him (the City Administrator). Upon review, he stated there was an email from the consultant that identified that the letter was supposed to come from the engineer to the chief elected official. Mr. Stewart advised he would accept responsibility for having missed it, but he also stated that the City's consultant, who is the subject matter expert, failed to identify it as well. He assured Council the mistake will not be made again and they will apply for it again next year if Council is willing to do so. He explained that as a part of the application, Council approved the expenditure of funds for the design for the project and that part remains valid so it will not be an expenditure in the coming year.

PUBLIC

None

MAYOR AND COUNCIL REPORTS

Councilmember Coker shared that at the Central Florida Regional Planning Council meeting last week, there was a concern about Florida's draught and she suggested being careful with the use of everyone's water.

Deputy Mayor Simons informed Council that on April 19, 2017, the President and Officers of the Florida Memorial University from Miami will be in town regarding the National Alumni Association establishing an alumni chapter here in Arcadia. He stated there would be a dinner at the Turner Center from 7:00 p.m. until 10:00 p.m. and the public and elected officials were invited to attend.

Councilmember Coker asked Marshal Anderson if the Bridging the Gap event was still scheduled to be held on Thursday. Marshal Anderson confirmed that it would be held Thursday night at 6:00 p.m. in the City Council Chambers. He stated it would be an open forum and the Sheriff would join in on the conversation as well.

Mayor Wertz-Strickland stated that she had attended the County Commissioner's meeting last Thursday night and they provided devices to the City Council which the County will be disbursing regarding mosquito control. She also stated that the County Commissioners had praised the City regarding the paving that was taking place.

She also referred to the numerous bills that had been introduced into Tallahassee and stated that the legislature is busy dealing with such. She suggested individuals familiarize themselves with said bills.

ADJOURN

Councilmember Heine made a motion to adjourn and Councilmember Coker seconded the motion. No discussion followed and it was unanimously, 5/0, approved. Having no further business at this time, the meeting was adjourned at approximately 7:45 P.M.

ADOPTED THIS 2nd DAY OF May, 2017.

ATTEST:

By:



Judy Wertz-Strickland, Mayor



Penny Delaney, City Clerk

