

**AGENDA MINUTES
CITY COUNCIL
CITY OF ARCADIA
TUESDAY, APRIL 19, 2016
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

Rev. Thomas Simmons 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 Susan Coker
Deputy Mayor Frierson
Councilmember S. Delshay Turner

Councilmember Judy Wertz-Strickland
Councilmember Joseph E. Fink

Arcadia City Staff

City Administrator Terry Stewart
City Clerk Penny Delaney
City Attorney T.J. Wohl

Human Resource Manager Linda Lowe
Finance Director Beth Carsten
Marshal Matt Anderson

PRESENTATION

Agenda Item 1 – Certificate of Completion of the “IEMO III: The Leadership Challenge” to Councilmember Wertz-Strickland

Mayor Coker presented Councilmember Wertz-Strickland with a Certificate of Completion of the “IEMO III: The Leadership Challenge.”

Agenda Item 2 – Proclamation – Day of Prayer

Mayor Coker presented Rev. Brian Russell, President of the DeSoto County Ministerial Association, Rev. Bill Teng and Rev. Thomas Simmons with the Proclamation for the Day of Prayer. Rev. Russell expressed his appreciation for the Day of Prayer proclamation and invited everyone to attend the Day of Prayer at the County Commissioner’s Chambers on May 5, 2016 at noon.

Agenda Item 3 – Proclamation – Youth Week

Mayor Coker presented Judy Ricci, Exalted Ruler of the Elks Lodge 1524, with the proclamation for Youth Week.

Agenda Item 4 – Proclamation – Aviation Appreciation Month in Florida

Mayor Coker presented the proclamation regarding Aviation Appreciation Month in Florida. No one was in attendance to receive the proclamation and the Mayor advised it would be mailed to the appropriate party.

Agenda Item 5 – Aviation City Update

George Chase of Friends of Arcadia Airport provided an update regarding Aviation City. County Commissioner Bob Miller addressed the Council and stated that what Friends of Arcadia Airport had accomplished was phenomenal and he advised that he had become a member of the board last year. He encouraged people to support the airport and pointed out how local businesses depend on it.

Agenda Item 6 – Volunteer Proposal

Connie Bateman and Emily Morris presented a volunteer proposal to the Council for volunteers to coordinate special events for the community. Ms. Morris advised they had come before Council back in October regarding doing movies and music on Main Street to attract individuals to stay in Arcadia rather than traveling out of town for entertainment. She requested permission to plan for next season and schedule events for October 2016 through March 2017. Ms. Morris stated they had checked with Main Street and Team Arcadia to avoid events they may have already planned and she proposed the second Saturday of the month at 6:00 p.m. She advised they had met with businesses who are interested in sponsoring the copyright fee associated with the movies. She stated that individuals are interested in sponsoring advertisement and she suggested having service organizations such as churches, schools and boosters of organizations to sign up to run the concessions. She went into more detail and expressed a desire to maintain contact with the City possibly under the Parks and Recreation Department. Ms. Morris stated that once permission was granted, they would need the park to be maintained and possibly have sponsors to give money for copyright fees for an internal account line wherein if someone gives money, it goes to the City to submit money for copyright fees, and not held by any volunteers. Connie Bateman stated this was an issue of economics and they wanted to provide something for the community which would include positive publicity for the City of Arcadia. Mayor Coker asked who would provide the projector and sound system and Ms. Morris replied that Mark Anderson would be the individual to provide the sound system and she stated that she would provide the projector. Mayor Coker then asked who would provide the marketing and advertising and Mrs. Bateman advised that would be done through donations. Since it was requested to be placed under the City's insurance umbrella, Mayor Coker asked City Attorney Wohl if that was a possibility. Mr. Wohl advised it was a possibility and their agent would need to be contacted to determine if they could provide a rider for special events.

Mrs. Bateman stated this was strictly for the City of Arcadia and for them to get all the publicity. Deputy Mayor Frierson commended the volunteers for all the work that had gone into it and she felt it would be nothing but good for the City. She suggested they try it for a while to see what the attendance is and the issues are. Deputy Mayor Frierson then made a motion to go forward with it. City Attorney Wohl stated he felt they should identify the dates and Ms. Morris stated the dates would be October 8, 2016, November 12, 2016, December 10, 2016, January 14, 2017, February 11, 2017 and March 11, 2017. City Attorney Wohl suggested approving it on principal, but have the volunteers get with staff regarding working out the other issues and possibly come back for final approval once everything has been worked out. Mrs. Bateman asked for guidance from City Administrator Stewart regarding what would need to be worked out. City Administrator Stewart stated that if it was the desire of the Council to authorize this proposal, he and staff would work together with the volunteers to make it work based upon Council's direction. He surmised that a formative meeting be required to determine what would need to be done, who would be in charge of what, who has what responsibilities and how much of staff's time would be required to accomplish the matter and he stated his response would be contingent on what the Council's decision is. Deputy Mayor Frierson amended her motion to put this into play with City Attorney Wohl's suggestion and City Administrator Stewart getting together with staff. Councilmember Turner seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

CONSENT AGENDA

Agenda Item 7 – City Council Minutes for Meeting on April 5, 2016

Agenda Item 8- City of Arcadia Municipal Airport February Report

Councilmember Fink made a motion to approve Consent Agenda Items 7 and 8 as presented and Councilmember Wertz-Strickland seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

ACTION ITEMS

Agenda Item 9 – Ordinance No. 1013 – Amending Two (2) Parcels of Land (Parcel Number 25-37-24-0012-0220-0120 and Parcel Number 25-37-24-0012-0220-0125) totaling 0.5 acres located at 102 North Brevard Avenue and 110 North Brevard Avenue from the Zoning of City P-1 (Professional Office) to City B-3 (General Business Commercial District) – Second and Final Reading

Councilmember Fink made a motion to have the ordinance read by title only and Councilmember Wertz-Strickland seconded the motion. No discussion followed and it was unanimously, 5/0, approved. Mayor Coker instructed the City Clerk to read Ordinance No. 1013 by title only and the City Clerk did so.

Jeff Schmucker of the Central Florida Regional Planning Council provided an overview of the agenda item for Council. Mr. Schmucker advised it was a rezoning of two (2) parcels of land located at 102 and 110 North Brevard Avenue and the applicant was Turner Realty on

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behalf of the property owners who are Robert McFee and Elizabeth McFee and William P. Avard. He advised the request was to change the two (2) parcels from the current zoning of P-1 (Professional Office) to City B-3 (General Business Commercial District) and the intent was to help develop a retail business on the site. Mr. Schmucker stated the existing land uses around the site are P-1 and business so the rezoning to B-3 would be consistent with the comprehensive plan and the character of the area. He advised he did not see any impacts, but would look at transportation circulation of the site when the development plan comes in and the potential use of the site does not pose any negative impacts on City water, utilities or solid waste pick up. He further advised there were no recreation or school impacts. City Administrator Stewart asked Mr. Schmucker to explain why this had been in the pipe line a little longer than normal. Mr. Schmucker explained the northern most parcel had come before the Planning and Zoning Board initially back in February and at that time; the smaller piece that sits at the intersection of 70 and 17 was assumed to already be zoned B-3. He advised that unfortunately the property appraiser's office listed the zoning as B-3 and he stressed that the property appraiser is not the official holder of the zoning for the City of Arcadia. He explained that to give the due process and to go through the proper channels, the applicants were requested to go back to the Planning and Zoning Board in March to bring the re-zoning of that property as well from P-1 to B-3. City Administrator Stewart pointed out that fortunately it was caught in process and the issue was identified. He reinforced to anyone purchasing property, to check with the City on the zoning and not rely on the property appraiser's site because sometimes the zoning does not match.

There was no public discussion. Councilmember Fink made a motion to close the Public Hearing on the ordinance and Councilmember Wertz-Strickland seconded the motion. No discussion followed and it was unanimously, 5/0, approved. Councilmember Fink made a motion to approve Ordinance 1013 as presented and Councilmember Wertz-Strickland seconded the motion. Mayor Coker instructed the City Clerk to take a roll call vote and the following are the results of said roll call: Councilmember Turner voted in the affirmative, Deputy Mayor Frierson voted in the affirmative, Mayor Coker voted in the affirmative, Councilmember Fink voted in the affirmative and Councilmember Wertz-Strickland voted in the affirmative. No discussion followed and it was unanimously, 5/0, approved.

Agenda Item 10 – Tourist and Development Tax Committee Appointment

Councilmember Fink advised that two (2) members were required as opposed to one (1) member and one (1) alternate. He further advised the County Commission Resolution 2014-87 specifically states that there are two (2) representatives of the City. After discussion, Councilmember Fink made a motion for Mayor Susan Coker and Councilmember Wertz-Strickland be the City's appointees to the Tourist and Development Council of DeSoto County and Deputy Mayor Frierson seconded the motion. No discussion followed and it was unanimously, 5/0, approved. City Administrator Stewart advised he would prepare a letter to the Board of County Commissioners advising them of the appointments to the board and provide a copy of the minutes of this meeting. Councilmember Fink advised they would both be considered voting members according to the resolution.

Agenda Item 11 – Personnel Policy Manual

City Administrator Stewart reminded Council that this had been presented to them two (2) weeks ago and they had had it for almost a month and staff wanted to ensure they had provided plenty of time for Council to review it. He advised Human Resource Manager Linda Lowe would provide a presentation and would not go into excruciating detail, but wanted to ensure Council knew what staff was doing and why. Human Resource Manager Linda Lowe expressed her appreciation to Council for their time taken in reviewing the manual. She explained the recommended changes had come from the City's labor attorney based on changes to the labor law. She further explained other changes were to remove conflicts within the manual, modifications for better operations of the City and to make a part of the policy manual items that were intended to be made a part, but were never actually included. Mrs. Lowe stated the significant items being changed were changes to the Drug-Free Workplace Policy (made by the Labor Attorney), on-call and sick leave accumulation. She explained that what was accumulated and what was paid out are two (2) different matters. She advised they are proposing for employees to be allowed to accumulate sick leave with no end cap, but paying out the sick leave would be at twenty-five percent (25%) with a cap of two hundred forty (240) hours. Doris Twohig, a County resident, advised their son was a City employee and had experienced a medical issue during which he was off of work for an extended time and due to his accumulation of sick leave, he was able to continue to pay his bills. She stated it acted as an insurance policy.

Councilmember Wertz-Strickland made a motion to approve the policy as presented and Councilmember Fink seconded the motion. No discussion followed and it was unanimously, 5/0, approved. Mayor Coker stated that the manual was comprehensive and thanked staff for the work performed on it.

Agenda Item 12 – RFQ Airport

City Administrator Stewart advised Finance Director Beth Carsten would be making the presentation and would point out what is being done differently from what was done last time and will be asking for Council's approval to put it out on the street and get started on it. Finance Director Beth Carsten advised that she and another staff member had attended a conference that dealt strictly with Requests for Qualifications (RFQ) which differs from other bids and requests for proposals (RFP). She advised that there are additional forms for the new bid process and there are different ways to perform the evaluation and as an example, explained that with an RFQ the lower bidder is not what is looked at, but rather the qualifications with the negotiations to come later. Ms. Carsten pointed out that there was a misspelling on page six (6) that would be corrected and asked if Council sees other changes, to please bring it to their attention. Councilmember Wertz-Strickland made a motion to authorize staff to move forward to put it on the street and Councilmember Fink seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

Agenda Item 13 – Request to Purchase City Parcel No. 30-37-25-0A00-1270-0000

City Administrator Stewart advised that he had not received contact from any of the parties involved indicating they either wanted to continue to go forward or to withdraw, no one had withdrawn their interest in the parcel, and he did not have anything that had been presented to him that indicates the parties have reached an agreement. Gary Frierson advised met with Mr. Fiorini once and the conversation did not go anywhere. He stated he was still interested in purchasing the property however the Council sees fit to sell it. City Attorney Wohl commented that, as a reminder, municipalities are authorized to dispose of the surplus real property in any manner they see fit provided it is in the best interest of the City. He then stated that whatever Council decides, he recommended the motion direct a resolution be drafted for approval at the next meeting as to how Council chooses to dispose of the property, if they chose to do so at all. Councilmember Wertz-Strickland made a motion to sell the property to Gary Frierson for Seventy-Five Hundred and 00/100 Dollars (\$7500.00) and him pay all the closing costs and Councilmember Turner seconded the motion.

Councilmember Fink stated that what Council had asked at the last meeting in discussing this was that the two (2) parties who were interested at that time to come before Council at this meeting and they have a disclaimer, not having any interest in this particular thing. He stated it was his understanding that since that time, there is a third party that is interested. Councilmember Fink suggested this was not in the best interest of the City and it would add an appearance of impropriety considering that one (1) of their members' husband is the person they are selling it to and not dealing with the other two (2) issues that have been brought before the interested parties. He stated he could not support it under any circumstances and he asked that they consider withdrawing the motion and that it either be put to sealed bid or auction and let the parties be the parties that deal with it. Councilmember Wertz-Strickland stated that while she respected Councilmember Fink's thoughts about the situation, she felt Council had been going over this since before she was placed on the Council. She felt they had reviewed it, received two (2) different appraisals and had received legal advice from the City Attorney and she stated she wanted her motion to stand as it was because the City needed a bigger tax base. Councilmember Fink stated that he wanted to divest the City of this property, but they were talking about increasing dramatically the marketability of a property of the spouse of a member of this board while there are two (2) other people who are involved and interested in this property. He stated this should never have been brought to this board because it puts them at a distinctive disadvantage to put Council in the position to either do this and disrespect the City or a member of this board. He again requested it be reconsidered and stated it would quadruple the property. Mayor Coker did not feel that having Deputy Mayor Frierson on the board was a factor on the Council's decision and she stated that Mr. Fiorini was present at the last meeting, but not at this one. Upon looking at the map, she stated it wholly affects Gary Frierson and whether it increases his value of property tremendously or not, she did not feel it was an issue in approving or not approving his request.

Mayor Coker asked if there was any public comment or if there was anyone in the audience who wanted to purchase the property. At this time, Lorenzo Dixon asked if any council members or the Mayor had had a discussion with Mr. Frierson as individuals about the purchase

of the property, such as polling the Council, and if so, he thought it would be a good idea to disclose it. Mayor Coker stated she had spoken with Mr. Frierson and it had nothing to do with polling or giving an opinion or even Mr. Frierson knowing how she would vote on the matter. City Attorney Wohl stated that when their firm that represents private individuals who are going before public boards for land use purposes, they make it a point to set up meetings with each of the voting board members to explain the situation and ask if they have any questions. He stated it was very common to sit down and explain the issues. Mayor Coker stated that she was available to anyone in the public for anyone who may have a concern or question about something.

City Administrator Stewart stated to Dr. Dixon that from the context of his question, it appeared he may be concerned with someone being a conduit. Mr. Stewart stated that he had the most contact with each of the council members and assured Dr. Dixon that he was very well aware of what the requirements are for public officials in the State of Florida and he would never violate those ethical tenants. He stated there are two (2) individuals, other than Mr. Frierson, who have expressed an interest; Mr. Fiorini and an individual who asked about the property. He stated he told him when the meeting would be and that Council would discuss it and determine what its course of action would be. He revealed that the individual was Roosevelt Isaac and Mr. Roosevelt never contacted him further about the matter or indicate that he would or would not be at the meeting. At this time, the Council voted and it was 3/1 approved with Councilmember Fink casting the dissenting vote and Deputy Mayor Frierson abstaining from the vote. City Attorney Wohl advised he would bring back a resolution regarding such for the next meeting. After some discussion, Councilmember Wertz-Strickland amended her motion to include the resolution on this particular item and Councilmember Turner seconded the amended motion. No discussion followed and it was 3/1 approved with Councilmember Fink casting the dissenting vote and Deputy Mayor Frierson abstaining from the vote.

COMMENTS FROM DEPARTMENTS

Marshal Anderson stated he was there to address any concerns the Council or the public may have and there were none. He then provided an update on a subject that has been addressed on two (2) or three (3) occasions. He explained that once the department had received their body cameras, there were problems reported on Alabama Avenue regarding illegal parking of cars, loud music and in a predominately residential neighborhood. Marshal Anderson advised that on Easter Sunday, his officers were at the location again and were able to capture different views on the issues that the neighbors had complained about and how the officers were attempting to correct the issues. He provided a DVD of the recording to each council member.

City Attorney Wohl advised he had nothing to report.

Finance Director Beth Carsten presented the monthly finance report and advised revenues were at 60.1% and expenditures were at 38.6%. Deputy Mayor Frierson stated the whole City staff needed to be recognized. She further stated it appeared they will come within budget, barring a catastrophe, including the police department, and felt the staff had done a fantastic job.

Ms. Carsten advised the directors and department heads had done a great job and recognized Mr. Stewart's leadership and his support of the directors and departments.

Ms. Carsten then provided an update regarding the investment policy that Council adopted in February. She advised that within the policy primary objectives were set forth which were safety of principal, maintenance of liquidity and return of investments. In keeping with the investment policy, she stated that staff was implementing the first phase of claims in the following manner. She advised that staff was opening a Florida SAFE (Florida Surplus Asset Fund Trust) account and are moving \$500,000.00 from Seacoast Bank to Florida SAFE. Ms. Carsten explained that Florida SAFE was formed in 2007 and it is a local government investment pool with its sole purpose to serve government entities in Florida to meet their daily cash management needs with an emphasis on safety, liquidity, transparency and competitive yield which is what the City's key objectives are. She stated that the policy that Council set forth with the guidelines of what they want staff to do and number one is to follow those objectives which is what Florida SAFE's number one is. Ms. Carsten explained that Florida SAFE has a tool called the cash flow management analysis. She further explained they will take all of our data, perform an analysis and provide a plan that shows when we need money in the bank, etc., and when a higher risk can be taken in other areas. She also advised that it was a wonderful tool that comes free by being a member of the pool. City Administrator Stewart stated that it was essentially a guide to help the City determine the kind of liquidity it needs to have.

City Administrator Stewart advised that staff had met with AJAX Paving for a Pre-Construction Meeting and AJAX had advised they should begin work around the first week of May. He further advised that Steve Underwood would be the project manager. Mr. Stewart thanked Council for their support of what staff is trying to accomplish. Councilmember Wertz-Strickland asked what streets would be paved and Mr. Stewart responded with paving and/or work to be done on 13th, 14th, 15th, 16th, Hodges, O'Leary, O'Hara, Sunset, Potter, Lincoln and McKinley. He advised that as they move through the referenced streets, they will be identifying other streets that will be brought before Council for approval as well. Mr. Stewart also advised he had spoken with the County Administrator Hines regarding how the City and County might cooperate on certain things such as roads. He stated they are looking at the SCOP application which is a small counties grant opportunity from the FDOT which would include Cypress due to its condition and the fact that it is heavily traveled by buses. He complimented County Administrator Hines for agreeing to work with the City.

Mr. Stewart advised that the Florida League of Cities Conference was coming up in August 18-20, 2016 and they had requested an advertisement be taken out in their special edition coming out. Mr. Stewart listed the rates and recommended a half page advertisement for Four Hundred and 00/100 Dollars (\$400.00). After some discussion, Councilmember Wertz-Strickland made a motion to take out a half page ad in the magazine for the Florida League of Cities and Councilmember Turner seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

Mayor Coker asked City Administrator Stewart to speak about the new paint job on the Margaret Way Building. Mr. Stewart stated that Public Works Director Underwood did an

outstanding job of getting bids and the company retained did an outstanding job. He advised the whole building was pressure washed, scraped down of loose paint, filled cracks and sealed with sealer and painted. He further advised that it was painted with colors that would fit in with the district. Mr. Stewart then stated that the parking lot would not be done until the middle of May. He advised that the old police department building's trim and sides would be painted and there were two (2) entities that are interested in renting the building. He further advised that the City Attorney would be putting together a draft lease which would be brought to Council for their consideration.

PUBLIC

Lopez Ritchie, a City resident, advised he raised goats and there were two (2) lots on the East side of his property and two (2) on the other side and he would like to lease them from the City. Mr. Ritchie advised they were designated as wetlands. After some discussion, City Administrator Stewart suggested Council may want more information before they make a decision and he recommended to Council that he work together with Mr. Ritchie in order to obtain the necessary information. He then asked Mr. Ritchie to meet with him after the meeting so he could obtain his contact information.

MAYOR AND COUNCIL REPORTS

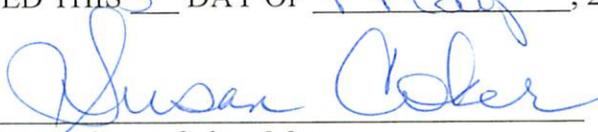
Mayor Coker recognized County Commissioner Bob Miller and she thanked him for his attendance.

ADJOURN

Councilmember Wertz-Strickland made a motion to adjourn and Councilmember Turner 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 7:49 P.M.

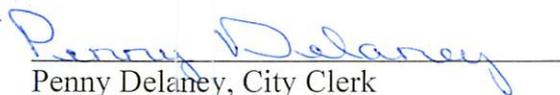
ADOPTED THIS 3rd DAY OF May, 2016.

By:



Susan Coker, Mayor




Penny Delaney, City Clerk