

WORK SESSION**MAY 2, 2006**

A Work Session of the Arcadia City Council was held on May 2, 2006 at 5:00 p.m. in Room D of the Way Building at 23. North Polk Avenue. Council Members attending were Heine, Johnson, Goodman, Whitlock and Fazzone. Also in attendance were Administrator Strube, Attorney Holloman, Marshal Lee, Special Projects Coordinator Hewett, Ms. Way and Recorder Baumann.

Others attending: Genie Martin, Stan Abram, Mac Martin, Mary Lopez, Linda Williams, Pam Ames, Connie Bateman, other members of the public.

Mrs. Genie Martin of the Beautification Committee addressed the Council to discuss code enforcement. Mrs. Martin presented the Council with a handout listing twenty-one (21) areas of concern. She cited ordinances, stating they have been in existence since 2001. Mrs. Martin brought to the attention of the Council, Ordinance No. 890, referring to grass or weeds in excess of twelve (12) inches. She also related to the Council Ordinance No. 891 which addresses household items in the yard, such as, refrigerators, couches, and chairs.

Mrs. Martin requested the Council hire a full-time Code Enforcement Officer.

Mrs. Mary Lopez addressed the Council and passed out pictures of Pre- Hurricane Charley days showing many houses in disrepair and dilapidated. She indicated that many areas, Smith Brown School, Monroe Avenue, Manatee Avenue, Orange Avenue, Dade Avenue, Watson Avenue, Lee Avenue, Alabama Avenue, Citrus Avenue, Pine Street, Singletary Avenue, McKinley Avenue, and others have serious structure problems. Mrs. Lopez also spoke of Louis C. Anderson Park. She indicated there are problems with traffic, gambling, open containers, and other violations. Mrs. Lopez asked what the maximum fine is for an individual who violates the code and was informed that it is \$500.00. Mrs. Lopez questioned why liens could not be placed on properties or be taken over by the City in order to clean up these locations. In addition, she questioned if these structures could be demolished. Attorney Holloman spoke regarding these issues. He indicated that the City has placed liens on properties and explained the legal steps that must be taken for placing a lien.

Council Member Whitlock asked Administrator Strube about the demolition schedule. Administrator Strube stated that in 2004 applications were submitted to FEMA and the State for funds to accomplish the necessary cleanup. These applications have been resubmitted two (2) additional times; however, the City has still not been awarded any funding for cleanup. Administrator Strube indicated this procedure involves extensive legal work to determine the ownership and place liens on the property. He also noted that any funds received from the lien would go back to either the State or Federal Government depending on where the grant funds for the cleanup originated.

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Mr. Sam Morgan addressed the Council for a plan and priorities for cleaning up the City. Mr. Morgan requests that the plan is made available for the community to review and know what the priorities are for achieving this goal. Mr. Morgan stated this needs to be looked at to decide how it can be accomplished, not how it cannot be accomplished.

Council Member Johnson agreed with Mr. Morgan. Johnson repeated the procedure he viewed while in Gainesville that they are using to accomplish and achieve their plans. Johnson agreed that a Code Enforcement Officer separate from the Police Department is needed. Johnson cited problems throughout the City and indicated the community needs to be involved.

Marshal Lee addressed Council regarding the issues presented by Mrs. Martin, Mr. Morgan and Mrs. Lopez. Marshal Lee indicated the Police Department could not handle code enforcement. He stated the Department is involved with protecting the citizens and upholding the laws. He agreed a Code Enforcement Officer is needed.

Mr. Mac Martin addressed the Council citing the importance and concerns regarding community involvement. He stressed that the leadership of the Council must come first, rather than to rely on the community. He asked that tickets be issued for non-compliance. Mr. Martin stated that code enforcement was a problem before Hurricane Charley.

Council Member Whitlock asked Marshal Lee if there were two hundred (200) or more code violations written each month to which Marshal Lee stated yes. Attorney Holloman noted that eighty percent (80%) of the violations have complied. Marshal Lee stated, "It is just not working".

Council Member Johnson indicated that he picks up garbage around his neighborhood in hopes to encourage others to do the same.

Pam Ames stated it is a matter of community pride.

Council Member Goodman stated that she will not sit back when someone indicates that the Council is not leading. She stated that they are and have been leading, but they cannot do it all on their own. Goodman stated that people throw trash in her yard. She noted that the dumpsters at DeSoto Early Childhood Center (DECC), where she is Principal, are often overrunning with trash from the community and then the school is not able to dispose of their trash because of this problem. Goodman reported that she was verbally abused at a Beautification Committee meeting. She believes that everyone needs to work together and pointed out one thing that can be done by the City is the cutting or edging of grass in front of the downtown businesses.

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Mr. Stan Abram, a member of the Beautification Committee apologized to Council Member Goodman for the way she felt she was treated at the Beautification Committee Meeting. He indicated that leadership is needed.

Council Member Johnson agreed that a plan is needed and it should state where, when, what and how this goal will be accomplished. Johnson suggested that a committee be established, including a Council Member and members of the community and that all areas of the City be looked at.

Ms. Linda Williams addressed the Council with a suggestion to involve civic, community, and church groups to help with a citywide clean up.

Council Member Goodman indicated she thought this Work Session was planned to work out the solutions, not to rehash old business regarding what was already known to be a problem. She agreed that a committee should be formed and an action plan be decided upon.

Mr. Mac Martin asked that the Code Enforcement Officer be part of the committee.

Attorney Holloman brought to the Council's attention that the Code and Special Master state it is the duty of the City Marshal or a duly qualified Police Officer to be the Code Enforcer; however, the Code could be changed. Attorney Holloman believes that the 80% rate of compliance is the direct result of being contacted by a Police Officer. He noted that Police Officers have more influence in carrying out the business of code enforcement.

Marshal Lee quoted from Section 62 of the Code for the enforcer to be the City Marshal or a City employee. Attorney Holloman stated trash and rubbish are one type of violation; however structure problems are usually handled by Fire Marshal Dan Wells of the City Fire Department. Structure issues require a person with special training.

Council Member Goodman made a motion that the Council move forward in looking into hiring a full time Code Enforcement Officer to lead the City in aggressive code enforcement.

Council Member Fazzone brought up the fact that a full time police officer, Jimmy Rogers, is already employed as the Code Enforcement Officer. Fazzone indicated that Officer Rogers has been writing two hundred (200) or more citations with an eighty percent (80%) compliance and seems to be doing a good job.

Council Member Goodman then amended her motion to request that the City look at hiring an additional Code Enforcement Officer to lead the City's movement in more aggressive code enforcement, that they lead the committee and that a report on code enforcement be a regular agenda item for every council meeting; seconded by Johnson and carried.

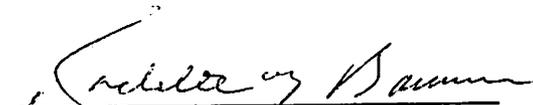
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Council Member Johnson inquired as to which budget is being used to pay for Officer Rogers and was informed by Marshal Lee that he is paid from the Police Departments budget.

Administrator Strube stated that several years ago all Police Officers, all twenty-one (21) of them were to do code enforcement in addition to police work. He noted that this became impractical so it was determined that one (1) officer would serve as the Code Enforcement Officer. He noted that the items of concern on Mrs. Martin's list are mostly trash issues and will be taken care of when the contract between the Department of Corrections and the City becomes effective. He indicated that after the City Fire Department merges with the County the City would not have a City Fire Marshall. He stated that code enforcement needs to be a combined effort of police and civilians.

Melissa Sanders, Long Term Coordinator of Disaster Recovery addressed the Council in regards to blighted or condemned properties. She asked if these properties could be donated to Habitat for Humanity or Disaster Recovery. Attorney Holloman stated that this could be a possibility. He will research the issue and report back at a later time.

There being no further business the meeting was adjourned.


CITY RECORDER


PRESIDENT

SPECIAL MEETING
CITY COUNCIL AND COUNTY COMMISSION

MAY 15, 2006

A Special Meeting of the Arcadia City Council and the DeSoto County Commission was held on May 15, 2006 at 5:00 p.m. in the County Commission Chambers located at 201 East Oak Street. Council Members attending were: Heine, Johnson, Fazzone, Goodman, and Whitlock. County Commissioners attending were: Hill, Neads, Allen, Garner, and Wells. Also in attendance were: City Administrator Strube, City Attorney Holloman, County Administrator Coffee and County Attorney Holtzendorf, several City and County Firefighters and City Recorder Baumann.

The Invocation was given by Council Member Goodman.

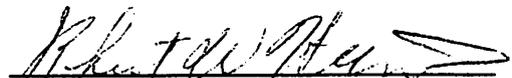
The Pledge of Allegiance to the Flag.

County Commission Chairman Hill called the meeting to order and stated that the purpose of the joint meeting is to sign the "Interlocal Agreement" merging the City Fire Department with the County Fire Department. Chairman Hill then requested that Mayor Heine, County Administrator Coffee, and City Recorder Baumann join him at the center table. The documents were sign by County Commission Chairman Hill signing for the County and attested by County Administrator Coffee and Mayor Heine signing for the City and attested by City Recorder Baumann.

County Commission Chairman Hill then addressed the audience as did Mayor Heine. Both stated that this is a momentous occasion that an agreement has been reached as merger talks have been ongoing for over twenty (20) years. They also stated that the merger is in the best interest of the departments, the employees, and the citizens.

There being no further business the meeting was adjourned.


CITY RECORDER


PRESIDENT