



**AGENDA
ARCADIA CITY COUNCIL
CITY COUNCIL CHAMBERS
23 NORTH POLK AVENUE, ARCADIA FL**

**TUESDAY, MAY 3, 2016
6:00 P.M.**

INVOCATION, PLEDGE, CALL TO ORDER AND ROLL CALL

PRESENTATION

1. Presentation to James Arndts – Five (5) Years of Service to the City of Arcadia (Mayor Susan Coker)
2. Presentation to Shannon Smith – Five (5) Years of Service to the City of Arcadia (Mayor Susan Coker)
3. Internal Property Maintenance Code (IPMC) (Carl McQuay – Code Enforcement Officer)

CONSENT AGENDA

4. City Council Minutes for April 19, 2016 (Penny Delaney – City Clerk)

ACTION ITEMS

5. Request for Certificate of Appropriateness at 423 E. Oak Street – James Hall (Terry Stewart – City Administrator)
6. Request for Certificate of Appropriateness at 216 E. Oak Street – Gary Frierson (Terry Stewart – City Administrator)
7. Code Enforcement (Councilmember Joseph E. Fink)
8. Discussion of Historic Preservation Commission Ordinance (Councilmember Joseph E. Fink)
9. Resolution 2016-06 – Sale of Surplus Real Property (T.J. Wohl – City Attorney)

COMMENTS FROM DEPARTMENTS

10. City Marshal
11. City Attorney
12. City Administrator
 - Restoration of the T-33 Airplane at Lake Katherine

PUBLIC (Please limit presentation to three minutes)

MAYOR AND COUNCIL REPORTS

ADJOURN

NOTE: Any party desiring a verbatim record of the proceedings of this hearing for the purpose of appeal is advised to make private arrangements therefore.

PLEASE TURN OFF OR SILENCE ALL CELL PHONES

AGENDA No. 1

Presented to

James Arndts

In appreciation for

5 years

of outstanding service to the

City of Arcadia



05/02/11 – 05/02/16

AGENDA No. 2

Presented to

Shannon Smith

In appreciation for

5 years

of outstanding service to the

City of Arcadia



05/10/11 – 05/10/16

AGENDA No. 3

AGENDA No. 4



CITY COUNCIL AGENDA ITEM
Requested Council Meeting Date: May 3, 2016

DEPARTMENT: Administration

SUBJECT: Minutes from Regular Meeting on April 19, 2016

RECOMMENDED MOTION: Approval of April 19, 2016 Meeting Minutes as presented.

SUMMARY:

FISCAL IMPACT: _____ () Capital Budget
() Operating
() Other

ATTACHMENTS: () Ordinance () Resolution () Budget (x) Other

Department Head: Penny Delaney

Date: 04/22/16

Finance Director (As to Budget Requirements)

Date:

City Attorney (As to Form and Legality)

Date:

City Administrator: Terry Stewart

Date: 4-22-16

COUNCIL ACTION: () Approved as Recommended () Disapproved
() Tabled Indefinitely () Tabled to Date Certain _____ () Approved with Modifications

**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

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 assenting 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 assenting 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 ___ DAY OF _____, 2016.

A TEST:

By:

Susan Coker, Mayor

Penny Delaney, City Clerk

AGENDA No. 5



CITY COUNCIL AGENDA ITEM
Requested Council Meeting Date: May 3, 2016

DEPARTMENT: Planning and Zoning
SUBJECT: Historical Preservation Commission

RECOMMENDED MOTION:

Motion to approve the Certificate of Appropriateness for James Hall to place a fence on the property located at 423 E. Oak Street.

SUMMARY: The Historical Preservation Commission met on April 12, 2016 to review the Certificate of Appropriateness for James Hall to place a fence on the property located at 423 E. Oak St. The Historical Preservation Commission recommended approval of the application, with a vote of 6/0. The fence will be pine and will be 6 feet high in the rear of the house around the pool area.

FISCAL IMPACT: none Capital Budget
 Operating
 Other

ATTACHMENTS: Ordinance Resolution Budget Other

Department Head: Administration Date: 05/03/16

Finance Director (As to Budget Requirements) Date:

City Attorney (As to Form and Legality) Date:

City Administrator: Terrance Stewart  Date: 4-22-16

COUNCIL ACTION: Approved as Recommended Disapproved
 Tabled Indefinitely Tabled to Date Certain _____ Approved with Modifications

CERTIFICATE OF APPROPRIATENESS
CHAPTER 69, HISTORIC PRESERVATION

It is hereby declared a matter of public policy that the protection, enhancement, perpetuation and use of improvements or sites of special character or special architectural, archaeological, or historic interest or value are a public necessity and is required in the interest of the health, prosperity, safety, and welfare of the people of the City of Arcadia.

The purpose of this Chapter is to:

1. Effect and accomplish the protection, enhancement, and preservation of such improvements, sites, and districts which represent or reflect elements of the city's cultural, social, economic, political, and architectural history.
2. Safeguard the city's historic, prehistoric and cultural heritage, as Embodied and reflected in such historic structures, sites, and districts.
3. Stabilize and improve property values, and enhance the visual aesthetic character of the city.
4. Protect and enhance the city's attractions to residents, tourists, and visitors, and serve as a support and stimulus to business and industry.

It is hereby declared that the owner James Hall of parcel ID/street address 423 E. Oak Street of Arcadia, FL has come before the City Council today to request a Certificate of Appropriateness for the described demolition/rehabilitation/reconstruction/alteration/new construction that is attached. It has been found by the City of Arcadia City Council that the owner has met all of the requirements of Chapter 69 and hereby issue this Certificate of Appropriateness dated this 3 day of May, 2016.

CITY OF ARCADIA, FLORIDA

Susan Coker
Mayor

ATTEST:

Penny Delaney
City Clerk

APPLICATION FOR CERTIFICATE OF APPROPRIATENESS
HISTORIC PRESERVATION

ACTION BY HISTORIC PRESERVATION COMMISSION

The Historic Preservation Commission shall review the application for conformity with the following criteria and shall recommend issuance of the Certificate of Appropriateness to the City of Arcadia City Council unless:

1. In the case of a designated historic structure or historic site, the proposed work would detrimentally change, destroy or adversely affect any exterior feature of the improvement or site upon which said work is to be done;
2. In the case of the construction of a new improvement upon a historic site, or within an historic district, the exterior of such improvement would adversely affect or not harmonize with the external appearance of other neighboring improvements on such site or within such district;
3. In the case of any property located in a historic district, the proposed construction, reconstruction, exterior alteration, or demolition does not conform to the purpose and intent of this chapter and/or to the objectives and design criteria of any historic preservation plan approved for said district;
4. The building or structure is of such architectural or historical significance that its demolition would be detrimental to the public interest and contract to the general welfare of the people of the city and state; or
5. In the case of a request for a demolition of a deteriorated building or structure, any economic hardship or difficulty claimed by the owner is self-created or is the result of any failure to maintain the property in good repair.

The Historic Preservation Commission has voted to recommend X or not recommend _____ issuance of the Certificate of Appropriateness by a vote of 6 to 0 at their regular meeting on the 12 day of April, 2016.

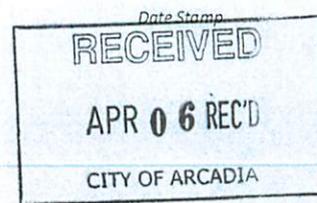
Special notes or requirements recommended by the Historic Preservation Commission:



CERTIFICATE OF APPROPRIATENESS
(Historic Preservation Commission)

City of Arcadia Florida
Community Development
23 Polk Avenue North
Arcadia, FL 34266
(863) 494-4114

City Website: arcadia-fl.gov



File No.: 16 - 15 - 05 CA

Fee: \$165.00

pd cash

R# 5182168

R# 518252

The City's Historic Preservation Ordinance (No. 955) requires all proposed development activity within Arcadia's Historic Preservation District be controlled through a Certificate of Appropriateness application. The Historic Preservation Ordinance can be found under Chapter 60 of the Arcadia Code of Ordinances. Please note an application approved by the City of Arcadia is required for submittal along with your Building Permit application materials administered by the DeSoto County Building Department.

APPLICANT'S INFORMATION

(Agent or Contractor)

Name: James Hall

Organization: _____

Address: 423 east oak st.

City: Arcadia

State: FL Zip Code: 34216

Telephone No.: (941) 915-8846

Email: plumbingking1@gmail.com

PROPERTY OWNER'S INFORMATION

(Leave Blank if Same as Applicant)

Name: _____

Organization: _____

Address: _____

City: _____

State: _____ Zip Code: _____

Telephone No.: () _____

Email: _____

I. Type of Building Structure and Development Activity Proposed

- New Construction
- Manufactured
- Mobile
- Addition
- Demolition
- Shed
- Ground Sign
- Fence
- Deck
- Re-roofing

II. Property Information

Parcel Address (if assigned): _____

Parcel Identification Number: _____

Subdivision, Block and Lot Nos.: _____

III. Zoning Information and Development Standards (for New Building Structures only)

Zoning Map Designation: _____

Lot Size (sq. ft.): _____ Lot Length: _____ Lot Width: _____

Zoning Code Yard Setbacks:

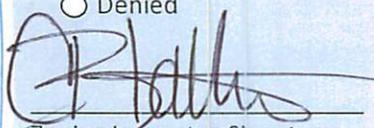
Proposed Accessory Structure Setbacks:

| | |
|---|--|
| _____ Front Yard | _____ Front Yard |
| (if corner lot) _____ Secondary Front Yard | (if corner lot) _____ secondary Front Yard |
| _____ Side Yard | _____ Side Yard |
| _____ Side Yard | _____ Side Yard |
| _____ Rear Yard | _____ Rear Yard |
| ____ 10' ____ Between Buildings (Per Code 110-631) | _____ Between Buildings |

IV. Site Plan and Property Improvement Materials – Please provide a copy of any property survey, site development plans, drawings, renderings, engineered plans, photos, vender specification sheets for prefabricated materials.

- Yes, please list attached exhibits: _____
- None, I intend to utilize City provided site plan sheet. I understand that I am required to include ALL property information, proposed improvements, and other such project delineations that may be necessary to confirm code compliance and to ensure there are no utility services conflicts.

I understand that an incomplete application will be returned and will delay permit review.

| | | |
|--|--|--|
| <p>Planning and Zoning Review:</p> <p><input checked="" type="radio"/> Approved</p> <p><input type="radio"/> Denied</p> <p> _____ Zoning Inspector Signature</p> <p>Date: <u>4/7/16</u></p> | <p>Utility Systems Review:</p> <p><input checked="" type="radio"/> Approved</p> <p><input type="radio"/> Denied</p> <p> _____ Utility Inspector Signature</p> <p>Date: <u>4/12/16</u></p> | <p>Notes, Restrictions, and Permit Coordination:</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> |
|--|--|--|

SITE PLAN INFORMATION SHEET: ZONING CERTIFICATE APPLICATION

I. Site Plan Requirements

1. Applications which lack essential information required by the City's Code of Ordinances cannot be processed for technical utility and zoning compliance review and will be returned to you for completion.
2. Provide site plan information and project details in a clear, legible format. If we are unable to understand or read project details, it may contribute to unnecessarily extending permit review processing time.
3. Reference your survey and plat information to ensure your improvements are within areas of legal ownership, and utility and service access are within approved easements and public right-of-ways.
 - DeSoto County Property Appraiser property search website at: www.desotopa.com/GIS/Search_F.asp
4. Exceeding height allowances or proposed encroachments into required yard setbacks (extending beyond zoning envelope or build-to lines) will require a zoning variance application -- and may not be supported by the City.

General Information to

Provide on Site Plan

- ◆ North arrow
- ◆ Street names
- ◆ Property lines
- ◆ Right-of-ways
- ◆ Utility easements
- ◆ Identify primary building structures or points of reference
- ◆ Show measurement details in feet/inches

Fences and Walls

- ◆ Types of material
- ◆ Height of structure
- ◆ Location and linear runs of all fence lines

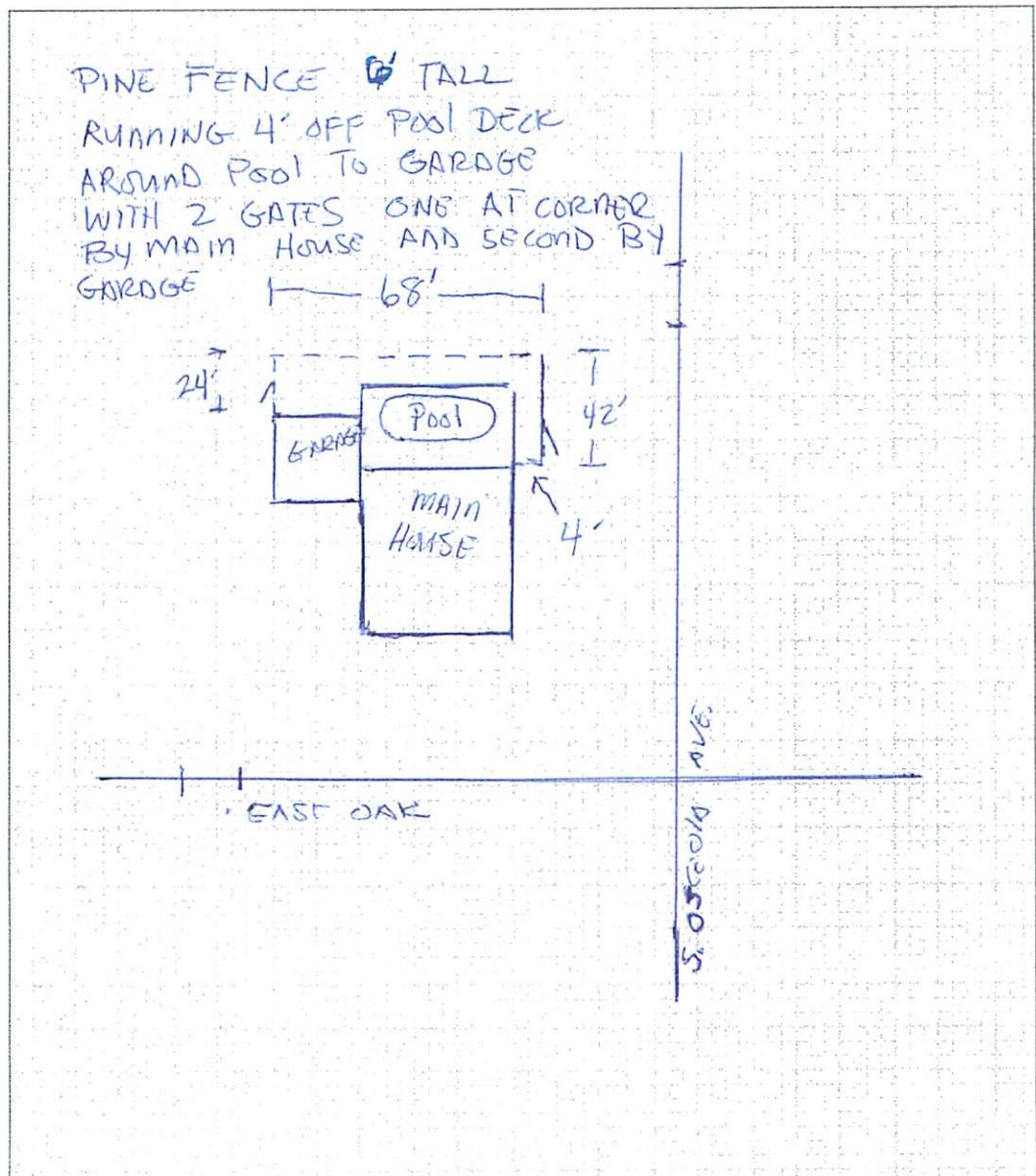
Sheds and Detached

Covered Structures

- ◆ Placement in yard
- ◆ Footprint
- ◆ Height
- ◆ Length
- ◆ Width

Driveways, Sidewalks and Other Curb-Cuts

- ◆ Types of all surface stabilizing material
- ◆ Location, including length and width of infrastructure area
- ◆ Impervious surface coverage estimate
- ◆ Detailed cross-section depicting sub grade soils, base materials, and binder or surface courses





↑ FENCE ↑

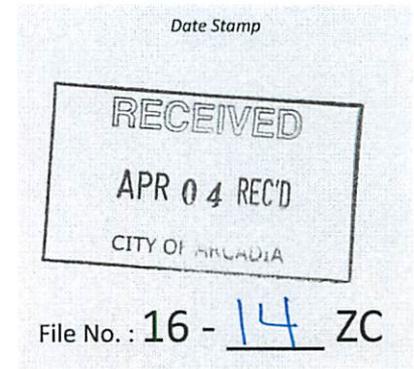


ZONING CERTIFICATE APPLICATION

(MINOR STRUCTURES)

City of Arcadia Florida
Community Development
23 Polk Avenue North
Arcadia, FL 34266
(863) 494-4114

City Website: arcadia-fl.gov



Fee: \$65.⁰⁰

pa cash

R# 518252

The Zoning regulations are used for controlling land use, height, setbacks, and similar concerns with occupying land. A zoning certificate authorizes the use of property and building structures, they are typically required when a building permit is not needed for certain minor, low intensity development activity. They are also called "Certificates," as they certify the use or building structure complies with the zoning regulations contained in the Arcadia Land Development Code.

APPLICANT'S INFORMATION
(Agent or Contractor)

Name: JAMES HALL

Organization: _____

Address: 423 EAST OAK ST

City: ARCADIA

State: FL Zip Code: 34266

Telephone No.: (941) 915 8866

Email: plumbingking71@gmail.com

PROPERTY OWNER'S INFORMATION
(Leave Blank if Same as Applicant)

Name: _____

Organization: _____

Address: _____

City: _____

State: _____ Zip Code: _____

Telephone No.: () _____

Email: _____

I. Type of Development Activity Proposed (Check all development activities)

| | | | | |
|--|--|-----------------------------------|--|-------------------------------|
| <input checked="" type="checkbox"/> Fence | <input type="checkbox"/> Shed (Up to 1,000 sq. ft.) | <input type="checkbox"/> Car Port | <input type="checkbox"/> Roofed, Pole Barn (no sides) | <input type="checkbox"/> Deck |
| <input type="checkbox"/> Driveway (Under 1,000 sq. ft.) | <input type="checkbox"/> Culvert | <input type="checkbox"/> Curb Cut | <input type="checkbox"/> Paved Area/Patio (Under 1,000 sq. ft.) | Other _____ |

II. Property Information

Parcel Address (if assigned): _____

Parcel Identification Number: 25-37-24-0012-0320-0110

III. Land Use and Utility Standards

Is the property located within a Historic District: No Yes (if yes, please see staff for HPC application)

Zoning Map Designation: _____

Lot Size (sq. ft.): _____ Lot Length: _____ Lot Width: _____

| | |
|---|---|
| <u>Zoning Code Yard Setbacks:</u> | <u>Proposed Accessory Structure Setbacks:</u> |
| _____ Front Yard | _____ Front Yard |
| (if corner lot) _____ Secondary Front Yard | (if corner lot) _____ secondary Front Yard |
| _____ Side Yard | _____ Side Yard |
| _____ Side Yard | _____ Side Yard |
| _____ Rear Yard | _____ Rear Yard |
| _____ 10' _____ Between Buildings (Per Code 110-631) | _____ Between Buildings |

IV. Site Plan and Property Improvement Materials – Please provide a copy of any property survey, site development plans, drawings, renderings, engineered plans, photos, and vender specification sheets for prefabricated materials. Please indicate all attached exhibits that you are submitting (check all that apply):

| | | | |
|--|---------------------------------|---|---|
| <input type="radio"/> Property Survey | <input type="radio"/> Site Plan | <input type="radio"/> Building Elevation | <input checked="" type="radio"/> Drawings |
| <input type="radio"/> Engineered Plans | <input type="radio"/> Photos | <input type="radio"/> Vender Spec. Sheets | Other _____ |

None. I intend to utilize City provided site plan sheet.

I understand that I am required to include ALL property information, proposed improvements, and other such project delineations that may be necessary to confirm code compliance and to ensure there are no utility services conflicts.

| | | |
|--|---|--|
| <p>Planning and Zoning Review:</p> <p><input type="radio"/> Approved</p> <p><input type="radio"/> Denied</p> <p>_____</p> <p>Zoning Inspector Signature</p> <p>Date: _____</p> | <p>Utility Systems Review:</p> <p><input type="radio"/> Approved</p> <p><input type="radio"/> Denied</p> <p>_____</p> <p>Utility Inspector Signature</p> <p>Date: _____</p> | <p>Notes, Restrictions, and Permit Coordination:</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> |
|--|---|--|

SAMPLE SITE PLAN - ZONING CERTIFICATE APPLICATION

Site Plan Requirements

1. Applications which lack essential setback measurements for proposed improvements cannot be processed for technical utility and zoning compliance review – incomplete applications will be returned to you for completion.
2. Provide site plan information and project details in a clear, legible format. If we are unable to understand or read project details, it may contribute to unnecessarily extending permit review processing time.
3. Reference your survey and plat information to ensure your improvements are within areas of legal ownership, and utility and service access are within approved easements and public right-of-ways.
- Desoto County Property Appraiser property search website at: www.desotopa.com/GIS/Search_F.asp
4. Exceeding height allowances or proposed encroachments into required yard setbacks (extending beyond zoning envelope or build-to lines) will require a zoning variance application -- and may not be supported by the City.

General Information to Provide on Site Plan

- North arrow
- Street names
- Property lines
- Right-of-ways
- Utility easements
- Identify primary building structures or points of reference
- Show measurement details in feet/inches

Fences and Walls

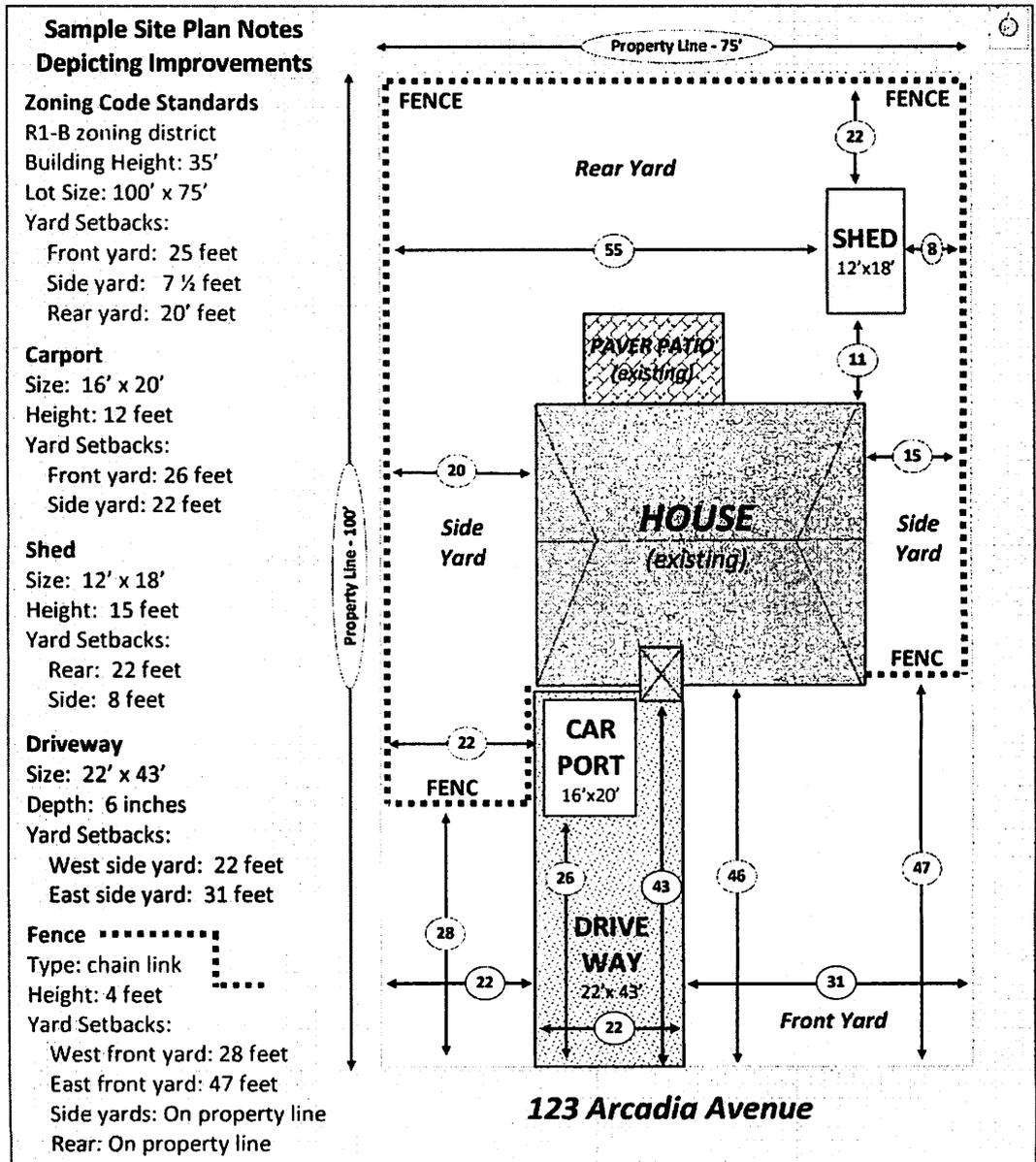
- Types of material
- Height of structure
- Location and linear runs of all fence lines

Sheds and Detached Covered Structures

- Placement in yard
- Footprint
- Height
- Length
- Width

Driveways, Sidewalks and Other Curb-Cuts

- Types of all surface stabilizing material
- Location, including length and width of infrastructure area
- Impervious surface coverage estimate
- Detailed cross-section depicting sub grade soils, base materials, and binder or surface courses



SITE PLAN INFORMATION SHEET: ZONING CERTIFICATE APPLICATION

I. Site Plan Requirements

1. Applications which lack essential information required by the City's Code of Ordinances cannot be processed for technical utility and zoning compliance review and will be returned to you for completion.
2. Provide site plan information and project details in a clear, legible format. If we are unable to understand or read project details, it may contribute to unnecessarily extending permit review processing time.
3. Reference your survey and plat information to ensure your improvements are within areas of legal ownership, and utility and service access are within approved easements and public right-of-ways.
 - DeSoto County Property Appraiser property search website at: www.desotopa.com/GIS/Search_F.asp
4. Exceeding height allowances or proposed encroachments into required yard setbacks (extending beyond zoning envelope or build-to lines) will require a zoning variance application -- and may not be supported by the City.

General Information to Provide on Site Plan

- ◆ North arrow
- ◆ Street names
- ◆ Property lines
- ◆ Right-of-ways
- ◆ Utility easements
- ◆ Identify primary building structures or points of reference
- ◆ Show measurement details in feet/inches

Fences and Walls

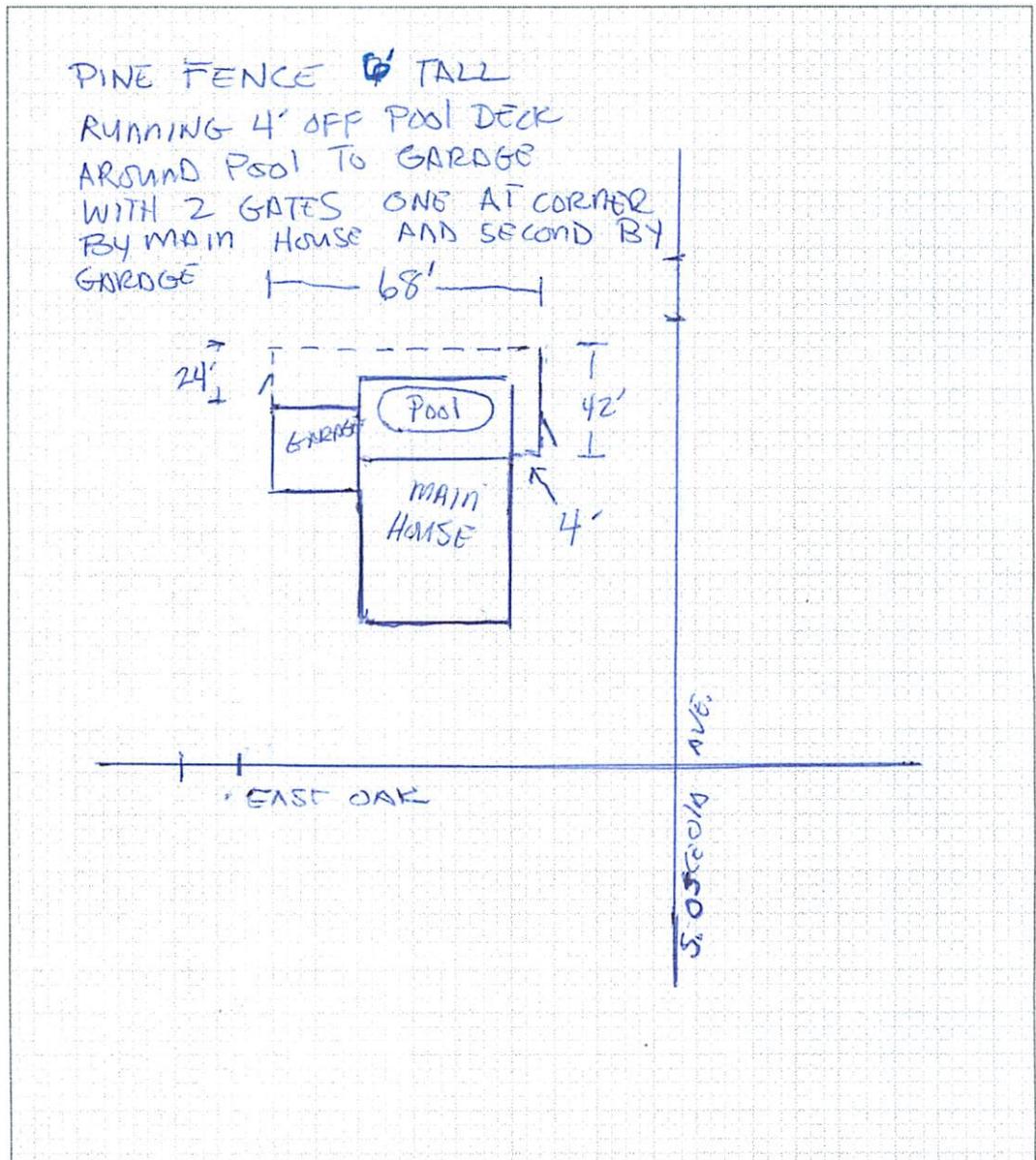
- ◆ Types of material
- ◆ Height of structure
- ◆ Location and linear runs of all fence lines

Sheds and Detached Covered Structures

- ◆ Placement in yard
- ◆ Footprint
- ◆ Height
- ◆ Length
- ◆ Width

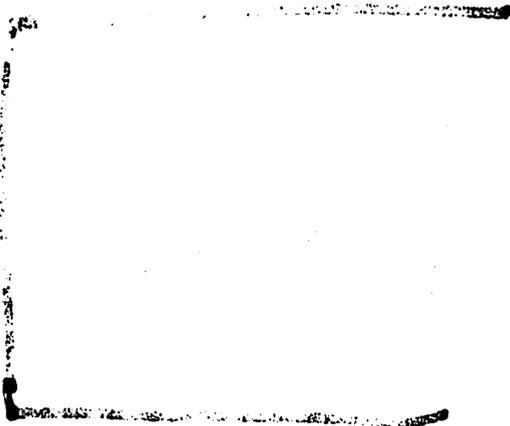
Driveways, Sidewalks and Other Curb-Cuts

- ◆ Types of all surface stabilizing material
- ◆ Location, including length and width of infrastructure area
- ◆ Impervious surface coverage estimate
- ◆ Detailed cross-section depicting sub grade soils, base materials, and binder or surface courses





↑ FENCE ↑



↑ FENCE ↑

AGENDA No. 6

CERTIFICATE OF APPROPRIATENESS
CHAPTER 69, HISTORIC PRESERVATION

It is hereby declared a matter of public policy that the protection, enhancement, perpetuation and use of improvements or sites of special character or special architectural, archaeological, or historic interest or value are a public necessity and is required in the interest of the health, prosperity, safety, and welfare of the people of the City of Arcadia.

The purpose of this Chapter is to:

1. Effect and accomplish the protection, enhancement, and preservation of such improvements, sites, and districts which represent or reflect elements of the city's cultural, social, economic, political, and architectural history.
2. Safeguard the city's historic, prehistoric and cultural heritage, as Embodied and reflected in such historic structures, sites, and districts.
3. Stabilize and improve property values, and enhance the visual aesthetic character of the city.
4. Protect and enhance the city's attractions to residents, tourists, and visitors, and serve as a support and stimulus to business and industry.

It is hereby declared that the owner Gary Frierson of parcel ID/street address 216 E. Oak Street of Arcadia, FL has come before the City Council today to request a Certificate of Appropriateness for the described demolition/rehabilitation/reconstruction/alteration/new construction that is attached. It has been found by the City of Arcadia City Council that the owner has met all of the requirements of Chapter 69 and hereby issue this Certificate of Appropriateness dated this 3 day of May, 2016.

CITY OF ARCADIA, FLORIDA

Susan Coker
Mayor

ATTEST:

Penny Delaney
City Clerk

APPLICATION FOR CERTIFICATE OF APPROPRIATENESS
HISTORIC PRESERVATION

ACTION BY HISTORIC PRESERVATION COMMISSION

The Historic Preservation Commission shall review the application for conformity with the following criteria and shall recommend issuance of the Certificate of Appropriateness to the City of Arcadia City Council unless:

1. In the case of a designated historic structure or historic site, the proposed work would detrimentally change, destroy or adversely affect any exterior feature of the improvement or site upon which said work is to be done;
2. In the case of the construction of a new improvement upon a historic site, or within an historic district, the exterior of such improvement would adversely affect or not harmonize with the external appearance of other neighboring improvements on such site or within such district;
3. In the case of any property located in a historic district, the proposed construction, reconstruction, exterior alteration, or demolition does not conform to the purpose and intent of this chapter and/or to the objectives and design criteria of any historic preservation plan approved for said district;
4. The building or structure is of such architectural or historical significance that its demolition would be detrimental to the public interest and contract to the general welfare of the people of the city and state; or
5. In the case of a request for a demolition of a deteriorated building or structure, any economic hardship or difficulty claimed by the owner is self-created or is the result of any failure to maintain the property in good repair.

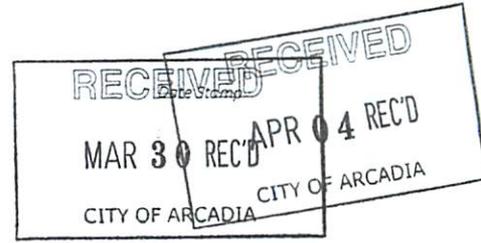
The Historic Preservation Commission has voted to recommend X or not recommend _____ issuance of the Certificate of Appropriateness by a vote of 6 to 0 at their regular meeting on the 21 day of April, 2016.

Special notes or requirements recommended by the Historic Preservation Commission:



CERTIFICATE OF APPROPRIATENESS
(Historic Preservation Commission)

City of Arcadia Florida
Community Development
23 Polk Avenue North
Arcadia, FL 34266
(863) 494-4114



Fee: \$165.⁰⁰

R# _____

City Website: arcadia-fl.gov

File No.: ¹⁶ 15 - 03 CA

The City's Historic Preservation Ordinance (No. 955) requires all proposed development activity within Arcadia's Historic Preservation District be controlled through a Certificate of Appropriateness application. The Historic Preservation Ordinance can be found under Chapter 60 of the Arcadia Code of Ordinances. Please note an application approved by the City of Arcadia is required for submittal along with your Building Permit application materials administered by the DeSoto County Building Department.

APPLICANT'S INFORMATION
(Agent or Contractor)

PROPERTY OWNER'S INFORMATION
(Leave Blank if Same as Applicant)

Name: GARY FRIERSON

Name: SAM E

Organization: _____

Organization: _____

Address: 1 NORTH LUTHER AVE

Address: _____

City: ARCADIA

City: _____

State: FL Zip Code: 34266

State: _____ Zip Code: _____

Telephone No.: (863) 558 0345

Telephone No.: () _____

Email: _____

Email: _____

I. Type of Building Structure and Development Activity Proposed

- New Construction
- Manufactured
- Mobile
- Addition
- Demolition
- Shed
- Ground Sign
- Fence
- Deck
- Re-roofing
- CARPORT
- DISH (RADIO)

II. Property Information

Parcel Address (if assigned): 216 EAST OAK ST

Parcel Identification Number: 25 37 24 0012 0400 0040

Subdivision, Block and Lot Nos.: TOWN of ARCADIA BLOCK 40 Lot 4 + Part of 8

III. Zoning Information and Development Standards (for New Building Structures only)

Zoning Map Designation: B-1

Lot Size (sq. ft.): 8932 Lot Length: 199.85 Lot Width: 50

Zoning Code Yard Setbacks:

Proposed Accessory Structure Setbacks:

| | | | |
|-----------------|---|-----------------|----------------------------|
| | _____ Front Yard | | _____ Front Yard |
| (if corner lot) | _____ Secondary Front Yard | (if corner lot) | _____ secondary Front Yard |
| | <u>5</u> _____ Side Yard | | <u>5</u> _____ Side Yard |
| | <u>5</u> _____ Side Yard | | <u>5</u> _____ Side Yard |
| | _____ Rear Yard | | _____ Rear Yard |
| | _____ 10' _____ Between Buildings (Per Code 110-631) | | _____ Between Buildings |

IV. Site Plan and Property Improvement Materials – Please provide a copy of any property survey, site development plans, drawings, renderings, engineered plans, photos, vender specification sheets for prefabricated materials.

Yes, please list attached exhibits: SURVEY SHOWING PROPOSED IMPROVEMENTS

None, I intend to utilize City provided site plan sheet. I understand that I am required to include ALL property information, proposed improvements, and other such project delineations that may be necessary to confirm code compliance and to ensure there are no utility services conflicts.

I understand that an incomplete application will be returned and will delay permit review.

Planning and Zoning Review:

- Approved
- Denied

Utility Systems Review:

- Approved
- Denied

Notes, Restrictions, and Permit Coordination:

 Zoning Inspector Signature

 Utility Inspector Signature

Date: _____

Date: _____

Application is being made to close part of the alley at the rear of this property (216 East Oak Street, highlighted in green and yellow).

If the application to close a portion of the alley is approved, if you can please approve the relocation of the fence highlighted in green to the property line highlighted in yellow (or the new property line) if the 8' that goes to the adjacent owner cannot be secured.

Thank You
Gary Frierson





Barnstyle A-Frame



Flat Top



Free Standing Lean Too







216

Specifications

| Antenna Characteristics | | | | | |
|-------------------------|---|---|---|---|---|
| Model | RD-5G30-L | RD-5G30-LW | RD-5G30-LW | RD-5G30-LW | RD-5G30-LW |
| Dimensions* | 650 x 650 x 386 mm (25.6 x 25.6 x 15.2") | 650 x 650 x 386 mm (25.6 x 25.6 x 15.2") | 650 x 650 x 386 mm (25.6 x 25.6 x 15.2") | 650 x 650 x 386 mm (25.6 x 25.6 x 15.2") | 650 x 650 x 386 mm (25.6 x 25.6 x 15.2") |
| Weight** | 7.4 kg (16.31 lb) | 7.4 kg (16.31 lb) | 7.4 kg (16.31 lb) | 7.4 kg (16.31 lb) | 7.4 kg (16.31 lb) |
| Frequency Range | 5.1 - 5.9 GHz | 5.1 - 5.9 GHz | 5.1 - 5.9 GHz | 5.1 - 5.9 GHz | 5.1 - 5.9 GHz |
| Gain | 30 dBi | 30 dBi | 30 dBi | 30 dBi | 30 dBi |
| HPOL Beamwidth | 5.8° (3 dB) | 5.8° (3 dB) | 5.8° (3 dB) | 5.8° (3 dB) | 5.8° (3 dB) |
| VPOL Beamwidth | 5.8 (3 dB) | 5.8 (3 dB) | 5.8 (3 dB) | 5.8 (3 dB) | 5.8 (3 dB) |
| F/B Ratio | 30 dB | 30 dB | 30 dB | 30 dB | 30 dB |
| Max. VSWR | 1.6:1 | 1.6:1 | 1.6:1 | 1.6:1 | 1.6:1 |
| Wind Loading | 790 N @ 200 km/h (178 lbf @ 125 mph) | 790 N @ 200 km/h (178 lbf @ 125 mph) | 790 N @ 200 km/h (178 lbf @ 125 mph) | 790 N @ 200 km/h (178 lbf @ 125 mph) | 790 N @ 200 km/h (178 lbf @ 125 mph) |
| Wind Survivability | 200 km/h (125 mph) | | | | |
| Polarization | Dual-Linear | | | | |
| Cross-pol Isolation | 35 dB Min. | | | | |
| ETSI Specification | EN 302 326 DN2 | | | | |
| Mounting | Universal Pole Mount, Rocket Bracket, and Weatherproof RF Connectors Included | | | | |

* Dimensions exclude pole mount and Rocket (Rocket sold separately)
 ** Weight includes pole mount and excludes Rocket (Rocket sold separately)

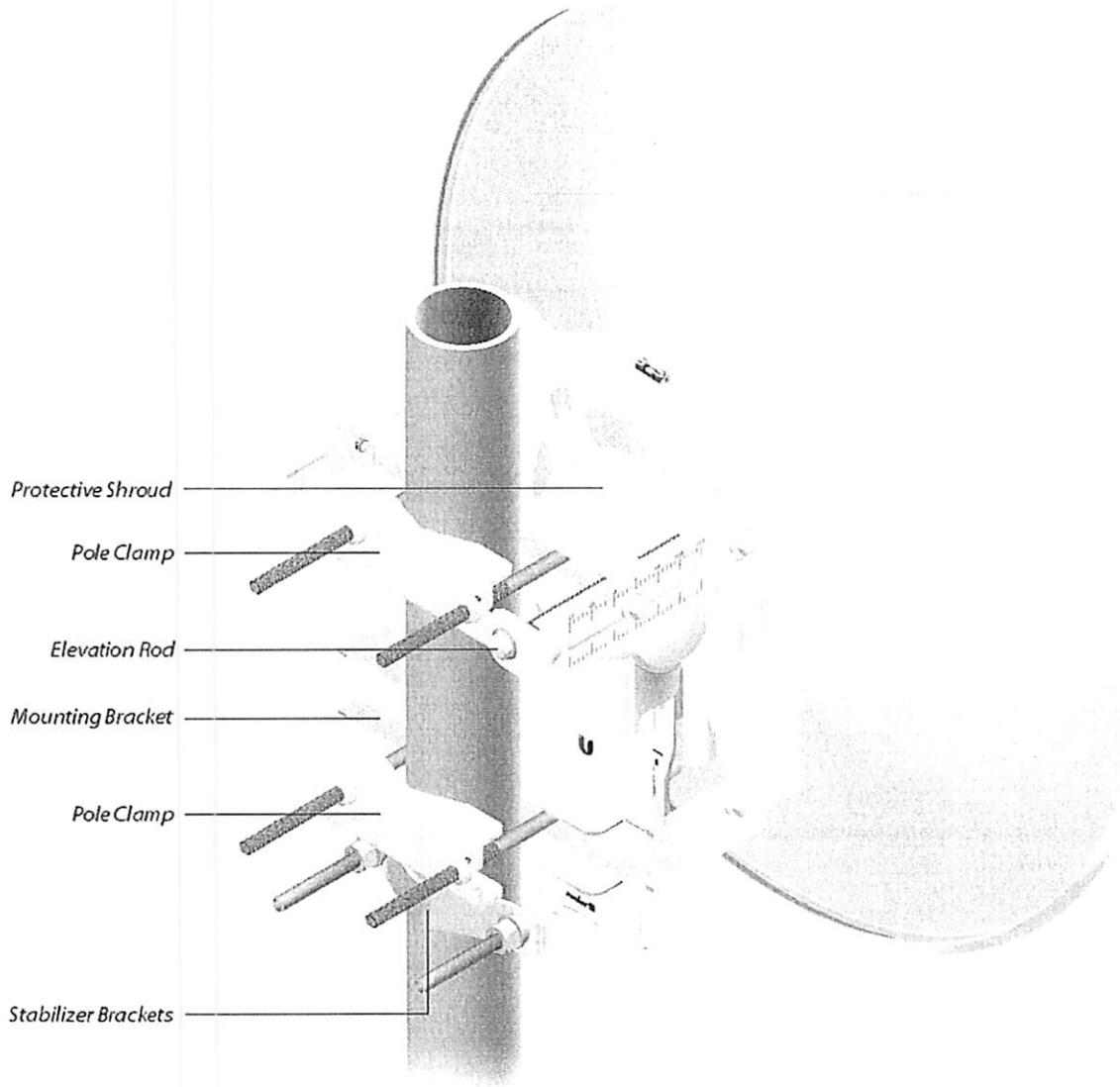
Hardware Overview

Innovative Mechanical Design

- **Secure pole-mounting** The hardware is designed to securely mount and maintain the position of the dish during harsh outdoor conditions.
- **Convenient installation** The bubble level allows for easy alignment.
- **Precision elevation adjustment of the RD-5G30-LW** Use this new feature to quickly fine-tune and adjust the elevation.

Weatherproof Design

- **Protective shroud** The shroud* protects the cables and connectors from nature's elements.
- **Mounting hardware of the RD-5G30-LW** Made of galvanized steel that is powder-coated for superior corrosion resistance.
- **Fasteners of the RD-5G30-LW** GEOMET-coated for improved corrosion resistance when compared with zinc-plated fasteners.



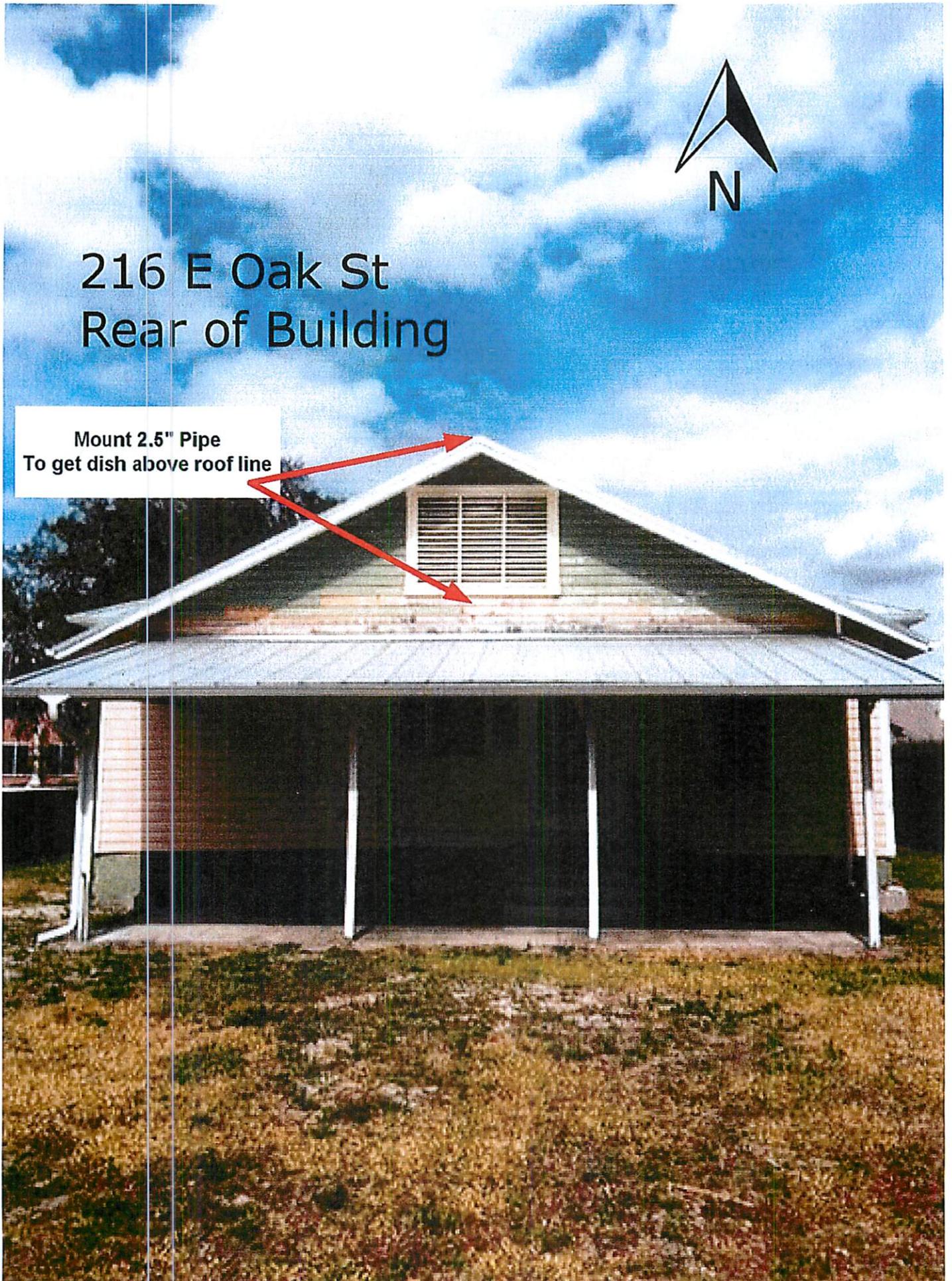
Back View of the Fully Assembled RD-5G30-LW

* All models except for the RD-2G24 include a shroud.



216 E Oak St
Rear of Building

Mount 2.5" Pipe
To get dish above roof line



AGENDA No. 7



CITY COUNCIL AGENDA ITEM
Requested Council Meeting Date: May 3, 2016

DEPARTMENT: Administration o/b/o Councilmember Joseph E. Fink

SUBJECT: Code Enforcement

RECOMMENDED MOTION: _____.

SUMMARY:

FISCAL IMPACT: _____ () Capital Budget
() Operating
() Other

ATTACHMENTS: () Ordinance () Resolution () Budget (x) Other

Department Head:

Date:

Finance Director (As to Budget Requirements)

Date:

City Attorney (As to Form and Legality)

Date:

City Administrator: Terry Stewart

Date: 4-22-16

COUNCIL ACTION: () Approved as Recommended () Disapproved
() Tabled Indefinitely () Tabled to Date Certain _____ () Approved with Modifications

Penny Delaney

From: Terry Stewart
Sent: Thursday, April 21, 2016 1:16 PM
To: Penny Delaney
Subject: FW: Agenda Items 05/03/16

FYI,

For the next agenda.

Best regards,
Terry Stewart

-----Original Message-----

From: Joseph Fink
Sent: Thursday, April 21, 2016 10:57 AM
To: Terry Stewart <tstewart@arcadia-fl.gov>
Subject: RE: Agenda Items 05/03/16

For 2nd item, back up will be enabling ordinance of the board.

Thanks,

Joseph E. Fink, Councilman
City of Arcadia Florida
863.494.4114 City Hall

From: Joseph Fink
Sent: Thursday, April 21, 2016 10:54 AM
To: Terry Stewart
Subject: Agenda Items 05/03/16

City Administrator --

Formal request.

!st Agenda Item consisting of the following --

Code Enforcement -- lack of proactivity, lack of follow thru on nearly all items with examples, and why repeatedly informing violator who is the complainant with examples.

Recently passed parking ordinance (copies as back up).

2nd Agenda Item consisting of changes to the Historic Preservation Committee powers/duties --

Discussion to allow them to follow an adopted/acceptable color list in historic areas without having to have to come back before the City Council for approval; that they come before council only if applicant want to vary from adopted color options.

Similar power to the board for accessory structures, fences, etc.

Thank you,

Joseph E. Fink, Councilman
City of Arcadia Florida
863.494.4114 City Hall

AGENDA No. 8



CITY COUNCIL AGENDA ITEM
Requested Council Meeting Date: May 3, 2016

DEPARTMENT: Administration o/b/o Councilmember Joseph E. Fink
SUBJECT: Discussion of Historic Preservation Commission Ordinance

RECOMMENDED MOTION: _____.

SUMMARY:

FISCAL IMPACT: _____ () Capital Budget
() Operating
() Other

ATTACHMENTS: () Ordinance () Resolution () Budget (x) Other

Department Head: _____ Date: _____

Finance Director (As to Budget Requirements) _____ Date: _____

City Attorney (As to Form and Legality) _____ Date: _____

City Administrator: Terry Stewart  _____ Date: 4-22-16

COUNCIL ACTION: () Approved as Recommended () Disapproved
() Tabled Indefinitely () Tabled to Date Certain _____ () Approved with Modifications

Penny Delaney

From: Terry Stewart
Sent: Thursday, April 21, 2016 1:16 PM
To: Penny Delaney
Subject: FW: Agenda Items 05/03/16

FYI,

For the next agenda.

Best regards,
Terry Stewart

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Subject: RE: Agenda Items 05/03/16

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Thanks,

Joseph E. Fink, Councilman
City of Arcadia Florida
863.494.4114 City Hall

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Sent: Thursday, April 21, 2016 10:54 AM
To: Terry Stewart
Subject: Agenda Items 05/03/16

City Administrator --

Formal request.

1st Agenda Item consisting of the following --

Code Enforcement -- lack of proactivity, lack of follow thru on nearly all items with examples, and why repeatedly informing violator who is the complainant with examples.

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Similar power to the board for accessory structures, fences, etc.

Thank you,

Joseph E. Fink, Councilman
City of Arcadia Florida
863.494.4114 City Hall

ORDINANCE NO. 955

AN ORDINANCE OF THE CITY OF ARCADIA, FLORIDA, A MUNICIPAL CORPORATION, RELATED TO HISTORIC PRESERVATION; CREATING CHAPTER 60 OF THE CODE OF ORDINANCES, CITY OF ARCADIA, FLORIDA; PROVIDING FOR THE PROTECTION, ENHANCEMENT, AND PERPETUATION OF HISTORIC STRUCTURES, SITES, AND DISTRICTS WITHIN THE CITY; AND PROVIDING FOR AN EFFECTIVE DATE.

THE CITY OF ARCADIA, FLORIDA, HEREBY ORDAINS that the Code of Ordinances, City of Arcadia, Florida, is amended to create a new Chapter 60 to read in its entirety as follows:

CHAPTER 60

HISTORIC PRESERVATION

Article I. In General.

Sec. 60-1. Purpose and Intent.

(a) It is hereby declared a matter of public policy that the protection, enhancement, perpetuation, and use of improvements or sites of special character or special architectural, archeological, or historic interest or value is a public necessity and is required in the interest of the health, prosperity, safety, and welfare of the people of the City of Arcadia.

(b) The purpose of this chapter is to:

(1) Effect and accomplish the protection, enhancement, and preservation of such improvements, sites, and districts which represent or reflect elements of the city's cultural, social, economic, political, and architectural history.

(2) Safeguard the city's historic, prehistoric, and cultural heritage, as embodied and reflected in such historic structures, sites, and districts.

(3) Stabilize and improve property values, and enhance the visual and aesthetic character of the city.

(4) Protect and enhance the city's attractions to residents, tourists, and visitors, and serve as a support and stimulus to business and industry.

Sec. 60-2. Definitions.

The terms used in this chapter shall have the following meanings:

(a) *Certificate of Appropriateness* means the certificate issued by the commission approving alteration, rehabilitation, construction, reconstruction, or demolition of a historic structure, historic site, or any improvement in a historic district.

(b) *Commission* means the Historic Preservation Commission created under this chapter.

(c) *Historic district* means an area located within the city which is of historic significance and which has been designated as a historic district by the city council pursuant to section 60-6, or which has been listed in the National Register of Historic Places or such other similar federal or state designation.

(d) *Historic site* means any parcel of land located within the city which is of historic significance and which has been designated as a historic site by the city council pursuant to section 60-6, or which has been listed in the National Register of Historic Places or such other similar federal or state designation. Historic sites shall include improved parcels, or parts thereof, on which are situated any historic structures and any abutting improved parcels, or parts thereof, used as and constituting part of the premises on which any historic structures are situated.

(e) *Historic structure* means any improvement located within the city which is of historic significance and which has been designated as a historic site by the city council pursuant to section 60-6, or which has been listed in the National Register of Historic Places or such other similar federal or state designation.

(f) *Improvement* means any building, structure, place, work of art, or other object constituting a physical betterment of real property, or any part of such betterment, including without implied limitation streets, alleys, sidewalks, curbs, lighting fixtures, signs, and the like.

Sec. 60-3. Historic Preservation Commission.

A Historic Preservation Commission is hereby created. The City Council, in its discretion, may constitute a separate commission to sit in this capacity or may appoint the local planning agency for the City to serve in this capacity. If a separate body is constituted to serve in this capacity, the membership shall consist of at least seven (7) members and shall be comprised as follows, if available in the community: at least one member shall be a registered architect; at least one member shall be a historian; at least one member shall be a licensed real estate broker; all members shall have a known interest in historic preservation; and all members shall be citizens of the city. The commissioners shall be appointed by majority vote of the city council. The city administrator, or his/her designee, shall provide any necessary clerical or administrative support for the commission.

Sec. 60-4. Historic Structure, Historic Site, and Historic District Designation Criteria.

(a) For purposes of this ordinance, a historic structure, historic site, or historic district designation may be placed on any site, natural or improved, including any building, improvement or structure located thereon, or any area of particular historic, architectural, archeological, or cultural significance to the city such as historic structures, sites, or districts which:

(1) Exemplify or reflect the broad cultural, political, economic or social history of the nation, state or community; or

(2) Are identified with historic personages or with important events in national, state or local history; or

(3) Embody the distinguishing characteristics of an architectural type or specimen inherently valuable for a study of a period, style, method of construction, or of indigenous materials or craftsmanship; or

(4) Are representative of the notable work of a master builder, designer or architect who influenced his age; or

(5) Have yielded, or may be likely to yield, information important to prehistory or history.

(b) The commission shall adopt specific operating guidelines for historic structure, historic site, and historic district designation providing such are in conformance with the provisions of this ordinance.

Sec. 60-5. Powers and Duties.

(a) **Designation.** The commission shall have the power, subject to section 60-6, to recommend designation of historic structures, historic sites, and historic districts within the city limits. Final designations shall be made by the city council. Such recommendations and final designations shall be made based on the criteria contained in section 60-4. Once designated, such historic structures, historic sites, and structures and sites within historic districts shall be subject to all the provisions of this ordinance.

(b) **Recognition of Historic Structures, Sites, and Districts.** At such time as a historic structure, site, or district has been properly designated, the city, in cooperation with the property owner, may cause to be prepared and erected on such property a suitable plaque declaring that such property is a historic structure, site, or district. The failure to prepare and erect any such marker, or the subsequent removal thereof, shall in no way affect the designation of the historic structure, site, or district, and shall have no impact upon the implementation of the provisions of this chapter.

(c) **Regulation of Construction, Reconstruction, Alteration, and Demolition.**

(1) Unless and until a certificate of appropriateness has been granted by the city council, no owner or person in charge of a historic structure, a historic site, or a structure within a historic district shall:

a. reconstruct, alter, or demolish, or cause or allow any reconstruction, alteration, or demolition to occur to, all or any part of the exterior of such property; or

b. construct, or cause or allow any construction of, any improvement upon such designated property or properties.

(2) Further, unless and until a certificate of appropriateness has been granted by the city council, the building official shall not issue a permit for any such work.

(3) Upon filing of an application for a certificate of appropriateness with the city, the commission shall review the application for conformity with the following criteria, and shall recommend issuance of the certificate of appropriateness unless:

a. in the case of a designated historic structure or historic site, the proposed work would detrimentally change, destroy, or adversely affect any exterior feature of the improvement or site upon which said work is to be done;

b. in the case of the construction of a new improvement upon an historic site, or within an historic district, the exterior of such improvement would adversely affect or not harmonize with the external appearance of other neighboring improvements on such site or within such district;

c. in the case of any property located in a historic district, the proposed construction, reconstruction, exterior alteration, or demolition does not conform to the purpose and intent of this chapter and/or to the objectives and design criteria of any historic preservation plan approved for said district;

d. the building or structure is of such architectural or historical significance that its demolition would be detrimental to the public interest and contrary to the general welfare of the people of the city and state; or

e. in the case of a request for the demolition of a deteriorated building or structure, any economic hardship or difficulty claimed by the owner is self-created or is the result of any failure to maintain the property in good repair.

(4) The commission shall make its recommendation within forty-five (45) days of the filing of the application. If the commission fails to make a recommendation within that period, the application shall be forwarded to the city council for action without any recommendation.

(5) The final decision shall rest with the city council. The city council shall render the final decision within sixty (60) days of the filing of the application. If no decision is made within such time period, the application shall be deemed approved, and the city administrator shall issue the certificate of appropriateness.

(6) The issuance of a certificate of appropriateness shall not relieve the applicant from obtaining other permits and approvals required by the city. A building permit or other municipal permit shall be invalid if it is obtained without the presentation of the certificate of appropriateness required for the proposed work.

(7) Ordinary maintenance and repairs may be undertaken without a certificate of appropriateness provided that the work involves repairs to existing features of a historic structure or site or the replacement of elements of a structure with pieces identical in appearance and provided that the work does not change the exterior appearance of the structure or site and does not require the issuance of a building permit.

Sec. 60-6. Procedures.

(a) Applications.

(1) Application for designation of any property as a historic structure or a historic site, or rescission of any such prior designation, may be made only by the owner(s) of such property.

(2) Application for designation of any area as a historic district, or rescission of any such prior designation, may be made only by the owner(s) of at least fifty percent (50%) of the land area to be included in such historic district. Any application for designation as a historic district shall be accompanied by a draft historic preservation plan, which shall be reviewed concurrently with the application for designation.

(3) The city council may, upon its own motion, apply for any property to be designated as a historic structure or site, for any area to be designated as a historic district, or for the rescission of any previously made designations. Any city-initiated application for designation as a historic district may be accompanied by a draft historic preservation plan or such plan may be prepared by the city after final designation has been approved by the council.

(4) All applications shall be made to the city administrator, or his/her designee, who shall forward same to the commission for hearing.

(b) Designation of Historic Structures, Sites, and Districts.

(1) Upon receipt of an application, the commission shall hold a public hearing to review the application and make its recommendation based upon a review of the criteria in section 60-4, above. At such public hearing, the commission shall hear all proffered testimony of interested persons and any expert witnesses and shall review any written records submitted to it. Within ten (10) days after the close of the public hearing, the commission shall make its recommendation, which shall be reduced to writing for formal presentation to the city council.

(2) The city council, upon receipt of a recommendation from the commission, shall hold a public hearing, shall hear all proffered testimony of interested persons and any expert witnesses, and shall review any written records submitted to it. Within ten (10) days after the close of the public hearing, the council shall make the final determination regarding designation or rescission, as the case may be. The council's decision shall be in the form of a city resolution and shall include findings of fact related to the specific criteria contained in section 60-4.

(3) At least ten (10) days prior to both the commission and the council hearings, the city shall notify the owners of record, as listed in the office of the county property assessor, who are owners of property in whole or in part situated within two hundred (200) feet of the boundaries of the property or properties affected. Such notice shall include the address or general location (where no specific address is assigned) of, and a location map showing, the property(ies) or area(s) which will be discussed at the hearing. Such notice shall further include the time and place at which such public hearing shall occur.

(c) Adoption of and Revisions to Historic Preservation Plans.

(1) Each historic preservation plan shall include a cultural and architectural analysis supporting the historic significance of the area, the specific guidelines for development within the area, and a statement of preservation objectives.

(2) Concurrent with the review of any private or city-initiated application for designation of a historic district, or subsequent to the approval of such any city-initiated application, the commission shall hold a public hearing to review and recommend action on a historic preservation plan for the area. At such public hearing, the commission shall hear all proffered testimony of interested persons and any expert witnesses and shall review any written records submitted to it. Within ten (10) days after the close of the public hearing, the commission shall make its recommendation, which shall be reduced to writing for formal presentation to the city council.

(3) The city council, upon receipt of a recommendation from the commission, shall hold a public hearing, shall hear all proffered testimony of interested persons and any expert witnesses, and shall review any written records submitted to it. Within ten (10) days after the close of the public hearing, the council shall make the final determination regarding approval of the plan. The council's decision shall be in the form of a city resolution and shall include findings of fact related to the specific criteria contained in subparagraph (1), above.

(4) If a historic preservation plan is being reviewed concurrent with the application for designation, the notices for the public hearings for consideration of such application shall indicate as much. Otherwise, if a historic preservation plan is being reviewed separately, said notices shall be provided in the same manner as indicated in subparagraph (b)(2), above.

Sec. 60-7. Interim Control.

No building permit shall be issued by the building official for alteration, construction, demolition, or removal of a nominated historic structure, a nominated historic site, or any property or structure within a nominated historic district from the date of the meeting of the commission at which a nomination form is first presented until the final disposition of the nomination by the city council unless such alteration, removal, or demolition is authorized by formal resolution of the city council as necessary for public health, welfare, or safety. In no event shall the delay be for more than one hundred eighty (180) days.

Sec. 60-8. Penalties for Violations.

Any person or persons violating any provision of this section shall be fined up to two hundred fifty dollars (\$250) for each separate violation. Each and every day during which a violation continues shall be deemed to be a separate offense. Notice of violations shall be issued by the city administrator, the building official, or any code enforcement officer of the city.

Sec. 60-9. Recognition of Vested Rights.

Nothing in this chapter shall be deemed as an attempt to abrogate any vested right any property owner may have acquired prior to the effective date of the ordinance by which this chapter was adopted. Any property owner who believes the provisions of this chapter infringe upon any vested right shall indicate same upon the first application for any permit or approval (including without implied limitation any building permit or certificate of appropriateness) for any construction, reconstruction, alteration, or demolition to occur on any property regulated hereunder.

Sec. 60-10. Severability.

If any provision of this chapter or the application thereof to any person or circumstances is held invalid, the remainder of this chapter and the application of such provisions to other persons or circumstances shall not be affected thereby.

PASSED BY THE CITY COUNCIL OF THE CITY OF ARCADIA, FLORIDA, on this 6th day of Oct., 2009.

CITY OF ARCADIA, FLORIDA



ROOSEVELT JOHNSON, Ed. D.

MAYOR

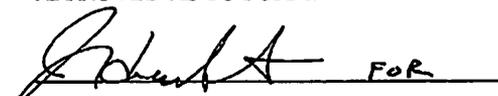
ATTEST:

By: 
DANA WILLIAMS, CMC
CITY RECORDER

PASSED ON FIRST READING 9-17- 2009

PASSED ON SECOND READING 10-6- 2009

APPROVED AS TO FORM:

 FOR
WILLIAM S. GALVANO, CITY ATTORNEY

ORDINANCE NO. 976

AN ORDINANCE AMENDING SECTION 60-3 OF THE CODE OF ORDINANCES OF THE CITY OF ARCADIA TO PERMIT CITIZENS OF DESOTO COUNTY TO SERVE ON THE HISTORIC PRESERVATION COMMISSION; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Sec. 60-3 of the Code of Ordinances of the City of Arcadia regulates the Historic Preservation Commission; and

WHEREAS, citizens of DeSoto County should be permitted to serve on the Historic Preservation Commission; and

WHEREAS, it is in the best interest of the citizens of the City of Arcadia that Sec. 60-3 of the Code of Ordinances of the City of Arcadia be amended,

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Arcadia, Florida:

SECTION 1. Findings. The Council hereby adopts and incorporates by reference herein all of the findings set forth above as findings of the Council.

SECTION 2. Amendment of the Code of Ordinances. Section 60-3 of the Code of Ordinances of the City of Arcadia is hereby amended as follows:

“Sec. 60-3. Historic Preservation Commission.

A Historic Preservation Commission is hereby created. The City Council, in its discretion, may constitute a separate commission to sit in this capacity or may appoint the local planning agency for the City to serve in this capacity. If a separate body is constituted to serve in this capacity, the membership shall consist of at least seven (7) members and shall be comprised as follows, if available in the community: at least one member shall be a registered architect; at least one member shall be a historian; at least one member shall be a licensed real estate broker; all members shall have a known interest in historic preservation; and all members shall be citizens of the city DeSoto County. The commissioners shall be appointed by majority vote of the city council. The city administrator, or his/her designee, shall provide any necessary clerical or administrative support for the commission.”

SECTION 3. Codification. The publisher of the City’s Code of Laws, the Municipal Code Corporation, is directed to incorporate the amendments included in Section 2 above into the Code of Ordinances.

SECTION 4. Severability. If any section, sentence, clause, or other provision of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such section, sentence, clause, or provision shall be deemed severable, and such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining sections, sentences, clauses, or provisions of this Ordinance.

SECTION 5. Effective Date. This ordinance shall be effective immediately upon final passage by the City Council.

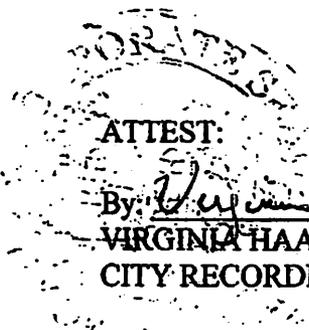
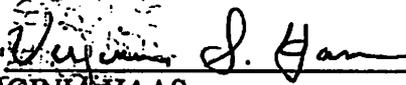
PASSED BY THE CITY COUNCIL OF THE CITY OF ARCADIA, FLORIDA, on this 17th day of July, 2012.

CITY OF ARCADIA, FLORIDA



KEITH KEENE, MAYOR

ATTEST:


By: 

VIRGINIA HAAS
CITY RECORDER

PASSED ON FIRST READING: JULY 3, 2012.

PASSED ON SECOND READING: JULY 17, 2012.

APPROVED AS TO FORM:



THOMAS J. WOHL, CITY ATTORNEY

AGENDA No. 9



CITY COUNCIL AGENDA ITEM
Requested Council Meeting Date: May 3, 2016

DEPARTMENT: Legal

SUBJECT: Resolution 2016-06 - Authorizing the Sale of Surplus Real Property

RECOMMENDED MOTION: Motion to (Approve or Deny) Resolution 2016-06, authorizing the sale of surplus real property.

SUMMARY:

In accordance with City Council's action taken at the April 19 Meeting, attached please find *proposed* Resolution 2016-06 authorizing the sale of surplus real property.

FISCAL IMPACT: Capital Budget
 Operating
 Other

ATTACHMENTS: Ordinance Resolution Budget Other:

Department Head: _____ Date: _____

Finance Director (As to Budget Requirements) _____ Date: _____

City Attorney (As to Form and Legality) _____ Date: 4/21/16

City Administrator: _____ Date: _____

COUNCIL ACTION: Approved as Recommended Disapproved
 Tabled Indefinitely Tabled to Date Certain _____ Approved with Modifications

RESOLUTION 2016-06

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARCADIA, FLORIDA, DETERMINING THAT CERTAIN CITY-OWNED REAL PROPERTY COMPRISING 1.000 ACRES AND BEARING PARCEL NUMBER 30-37-25-0A00-1270-0000 IS NO LONGER NEEDED BY THE CITY; AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT FOR THE SALE OF SAID SURPLUS REAL PROPERTY IN THE AMOUNT OF \$7,500.00; DIRECTING THAT THE BUYER BE RESPONSIBLE FOR ALL CLOSING COSTS; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Arcadia, Florida (hereinafter, the "City") is a municipal corporation of the State of Florida with such power and authority as has been conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the City is the owner of the real property located in Desoto County, Florida, bearing Parcel Number 30-37-25-0A00-1270-0000 (hereinafter, the "Property"); and

WHEREAS, the City Council of the City of Arcadia (hereinafter, the "City Council") has determined that the Property does not serve a public purpose and is therefore considered surplus real property of the City; and

WHEREAS, the Property prevents development of otherwise developable commercial real property with frontage on U.S. Highway 17, a major commercial thoroughfare through the City; and

WHEREAS, the City would benefit from the proceeds collected from the sale of the Property and increased tax revenue as a result of any development that may be completed on the Property and surrounding lands; and

WHEREAS, Gary Frierson (hereinafter, the "Purchaser") approached the City nearly two (2) years ago, requesting to purchase the Property for its fair market value; and

WHEREAS, the Purchaser's property borders the Property on three (3) sides and comprises over ninety-one percent (91%) of the land surrounding the Property;

WHEREAS, the City selected Eugene P. Heitman, Appraiser, to complete an appraisal of the Property in August of 2014, with the Purchaser reimbursing the City for the expenses of said appraisal;

WHEREAS, the City recently obtained an updated appraisal of the Property from Eugene P. Heitman, Appraiser, evidencing a fair market value of \$7,500.00; and

WHEREAS, at the March 15, 2015 meeting of the City Council, it was announced that the City Council would render a decision as to the disposal of the Property at the April 19, 2016 meeting of the City Council; and

WHEREAS, the only interested party to present an offer to purchase the Property at the April 19, 2016 meeting of the City Council was the Purchaser; and

WHEREAS, the City Council has determined that it is in the best interest of the health, safety and general welfare of the City and its citizens to sell the Property for the appraised fair market value of \$7,500.00, with the Purchaser being responsible for all closing costs.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ARCADIA, FLORIDA:

SECTION 1. The foregoing whereas clauses are hereby adopted and incorporated herein.

SECTION 2. That the Property is classified as surplus real property and shall be sold to the Purchaser for a purchase price of \$7,500.00, pursuant to a written Purchase and Sale Agreement, requiring the Purchaser to pay all closing costs.

SECTION 3. That the Mayor is hereby authorized to execute the Purchase and Sale Agreement on behalf of the City of Arcadia, and any other documents required to complete the Purchase and Sale transaction.

SECTION 4. That the conditions of sale determined by the City Council shall be made a part of the Purchase and Sale Agreement. Approval of the Purchase and Sale Agreement and any amendments or addenda thereto is conditioned upon review and acceptance by the City Attorney.

SECTION 5. If any provision of this Resolution is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Resolution shall remain in full force and effect.

SECTION 6. This Resolution shall take effect immediately upon its passage.

PASSED BY THE CITY COUNCIL OF THE CITY OF ARCADIA, FLORIDA, in regular session this 3rd day of May, 2016.

ATTEST:

CITY OF ARCADIA, FLORIDA

Penny Delaney, City Clerk

Susan Coker, Mayor

APPROVED AS TO FORM:

Thomas J. Wohl, City Attorney