

**AGENDA MINUTES
CITY COUNCIL
CITY OF ARCADIA
TUESDAY, JUNE 2, 2015
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

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

Arcadia City Council

Mayor Judy Wertz-Strickland
Deputy Mayor Alice Frierson
Councilmember Joseph E. Fink

Councilmember Susan Coker
Councilmember S. Delshay Turner

Arcadia City Staff

Interim City Administrator Beth Carsten
City Attorney TJ Wohl

City Clerk Penny Delaney
Marshal Matt Anderson

PRESENTATION

Agenda Item 1 – Fred Lewis – 35 Years of Employment

Mayor Wertz-Strickland presented Fred Lewis with a plaque commemorating his thirty-five (35) years of service to the City of Arcadia.

CONSENT AGENDA

Agenda Item 2 – City Council Minutes for April 14, 2015

Agenda Item 3 – City Council Minutes for May 15, 2015

Agenda Item 4 – City Council Workshop Minutes for May 19, 2015

Agenda Item 5 – City Council Minutes for May 19, 2015

Councilmember Coker made a motion to accept the consent agenda and Councilmember Fink seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

ACTION ITEMS

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Agenda Item 6 – Council Chamber Dedication

Councilmember Fink stated they only have, in his knowledge of the history of the City, three (3) members of Council in recent time that have attained twenty (20) years or twenty (20) years plus of service as Council Members. He felt that was due service that should be honored. He stated one (1) member who had achieved a twenty (20) year mark had the water plant named after him and he made a motion to name the Council Room after Dr. Roosevelt Johnson and Mr. Robert W. Heine. Councilmember Turner seconded the motion. Deputy Mayor Frierson stated that before names were placed on a public building, public room or street, she felt there should be a process. She stated she felt the public should have input and stated that privately, there was considerable backlash on the naming of the water plant and the process that was done concerning it. Councilmember Fink stated until they have a way of doing it, he didn't see how honoring two (2) of the longest serving Council Members in the history of the City is anything but something that should be happening. Mayor Wertz-Strickland suggested they table the agenda item to allow Council Members a chance to brainstorm and figure out a way to handle it. No discussion followed and the vote was 2/3, with Mayor Wertz-Strickland, Deputy Mayor Frierson and Councilmember Coker casting the dissenting votes. Mayor Wertz-Strickland asked if there was a motion to continue it and there was not one.

Agenda Item 7 – Request for Acceptance of Bid for McSwain Park Improvements – Phase I

The Interim City Administrator stated that this subject had been discussed for some time. She advised the McSwain Park renovations started back in 2012 when Mosaic donated \$500,000.00 for the improvements. She further advised it had gone out to bid three (3) times. The first two (2) times, it came back much higher than the \$500,000.00 so with the last bid, they were able to re-design it and get it much closer to the \$500,000.00 mark and it came in at \$577,000.00 which is \$77,000.00 over the amount that the City received from Mosaic. She stated that Dean Crowley who was the low bidder in the project and Bart Arrington of Mosaic, who has been very instrumental in the planning of it, were in attendance. Ms. Carsten also pointed out that there were also people in attendance from Leadership DeSoto and she stated that it all started with a Leadership DeSoto class. She recommended that the Council accept the bid as it is. She stated that Mr. Crowley had provided suggestions on how to lower it a little if Council chooses to do so. She advised that after talking with Mr. Arrington and the designers, if they were going to cut anything out, they could cut out Twenty Thousand and 00/100 Dollars (\$20,000.00) which would be maintenance for the lawn and the irrigation, but the rest really needed to stay in. Bart Arrington introduced himself and advised Mosaic's local address was 222 E. Oak Street, and Dean Crowley stated that he was President of Crowley Services and his address was 3301 Whitfield, Sarasota, Florida. There were numerous questions from Council Members regarding the interactive fountain and the water and maintenance provided for such, insurance rates, possible accidents, increase in liability insurance, warranties and the expected amount of time it would take for the maintenance and Mr. Arrington and Mr. Crowley answered each question. Mayor Wertz-Strickland asked for a motion and no one made one. Councilmember Fink felt the Council needed to re-think the options because the Council had

dramatically changed. He stated that the new Council should look at it and see if it was feasible through maintenance and liability to make the improvements or to look at portions of it.

At this point, County Resident Danyiell Blosser; Mary Kay Burns, the administrator of the Health Department, a past President of the Chamber and the founder of Leadership DeSoto; City Residents Gary Frierson and Janie Watson addressed Council with their concerns regarding the hard work that had gone into the project and the previous Council's decision. Council was encouraged to go back and read the previous Council's decisions and a reference was made regarding all the leaders who had spent time, money and effort in support of the project. Mayor Wertz-Strickland passed the gavel to Deputy Mayor Frierson and made a motion that the City enter into this phase of work with Mr. Crowley and the amount of \$44,060.00 be taken off and Deputy Mayor Frierson seconded the motion. Councilmember Fink stated that it was not that anyone did not want it to go through, but he felt they needed to know where the money was going to come from before they voted on it and he wanted to know what it was going to cost the City totally. After further discussion regarding costs associated with the project, Ms. Carsten advised that the City had \$372,000.00 set aside in the capital improvement fund and money had been used to pay toward a police car at the beginning of the year, paving at Baldwin and Glendora, and downtown work. She advised there was \$155,000.00 remaining in the fund and she felt it could come from there. She stated that this was money that was budgeted and the City was collecting on from their surtax money. Councilmember Coker stated they were a new Council and stated they were not trying to cancel any contract that was made previously, but instead were trying to understand what the contract was. Mayor Wertz-Strickland stated that she would need to revise her motion because money for the tree removal would have to be taken off of the \$44,060.00 and her motion would be for \$545,000.00 and Deputy Mayor Frierson stated she still seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

Agenda Item 8 – FAA Meeting Update

The Interim City Administrator advised that Mr. Moon, the City Attorney and she had met with the FAA to discuss issues at the airport specifically whether there was a monopoly that would hurt the City's future or past grant funding. She advised that she had provided information in their packets regarding the questions that were addressed and one (1) thing the FAA was very specific about was that any requirements had to be reasonable and justifiable. Ms. Carsten informed the Council that the FAA had suggested that if the Council felt comfortable with what they have, then they were fine with the language as it is, but they suggested that it either be in writing, such as documented in the minutes of a meeting, or if Council didn't feel comfortable with what they had, then they could take it back to the advisory committee or have staff look to see what other airports are doing or what other FBO's require. The City Attorney added that after they had accomplished the task of addressing the potential monopoly and the grant assurance issues, the FAA seemed genuinely interested in what Arcadia Airport was up to and he felt it was a very productive meeting. Michael Moon of Hanson Professional Services stated that in the discussion with the FAA, one of the things that were discussed about the 6,000 sq. ft hangar was the amount of space it would reasonably take somebody to be able to provide all the services the minimum standards required such as storage of aircraft, maintenance of aircraft, etc. He advised when they had walked through that with the

FAA, they agreed that 6,000 sq. ft. was probably about the minimum you could get away with and be an FBO. Mr. Moon stated the FAA's number one (1) concern was if somebody else came in, everybody be made to meet the same standard for the same type of operation. He also stated that he was happy to report that Hanson had the survey done and hope to have the ALP and the draft document out to them this week. Deputy Mayor Frierson commended Mr. Moon, Ms. Carsten and Mr. Wohl for the day's work regarding the meeting. She stated she hoped the rumors and misinformation could be put to rest and they could proceed with getting a contract with the FBO applicant. Mr. Moon thanked the Deputy Mayor and stated that it was a very productive meeting and was money well spent that will pay dividends in return. The City Attorney stated that the Council could direct to ask the advisory council to have a meeting and bring their chairman back to give a basis behind the 6,000 sq. ft, but he wasn't sure that the Council really needed to. It seemed common consensus to not give that directive.

Agenda Item 9 – City Administrator Agreement

The City Attorney advised that they had come to a final decision regarding the language in the City Administrator agreement. Mr. Wohl advised that Mr. Stewart did not want to start until June 15, 2015 and since the final document wasn't available until about lunchtime that day, they thought it would be better for him (Mr. Wohl) to meet with each Council Member to review the document and field any questions and allow Council to take the document home and review further. Mr. Wohl stated it could be placed on the next agenda which would allow the public to take a look at it and pose any questions that they may have. He stated that for those reasons, Mr. Stewart and he thought it would be better to put this off until the June 16, 2015 meeting. Deputy Mayor Frierson stated that she appreciated the extra time to work on it. The City Attorney advised that they could not contact the Mayor to ask her any questions regarding the negotiations, but for them to feel free to call him or send an e-mail with any questions and he could relay the dialogue between them and Mr. Stewart.

COMMENTS FROM DEPARTMENTS

Marshal Anderson provided the Police Department's monthly report and stated that he was there to address any questions or concerns that the City Council or the general public may have and there were none. He advised that there had been information placed in their boxes regarding an issue that had arisen that involved a vehicle having to be towed by Able Towing. He explained the issue at hand and advised that the City had been charged for two (2) tow trucks. He explained what led up to the reason for two (2) tow trucks and his response to said invoice which included his provision to the towing service of the ordinance that addresses towing. He advised he just wanted to inform Council in the event they were approached regarding this issue.

Marshal Anderson also advised that Robert Blank had contacted the Governor's Office, the Attorney General's Office and the ACLU regarding the Marshal's removal from office due to his lack of enforcement of a parking violation. He reminded Council that this was the issue that he had brought before them in the past and he went into detail of the issues that he was faced with regarding parking in the area where the complaint had arisen. He advised the only two (2) options he could come up with was to move the sidewalk back closer to the curb which he did

not think was feasible or they could measure the road to see if it is wide enough for off-street parking and he stated that he did not think it was wide enough for such. No decision was made as to how to handle the issue and the City Attorney stated that potentially measuring the street might afford a solution. Marshal Anderson stated that they would have to look to see if there is a City ordinance to see how wide a street has to be to have off-street parking.

The City Attorney advised that he had no issues to bring before the City Council.

The Interim City Administrator referenced the May 17, 2012 fire inspection letter regarding the code violations at the airport. She advised that this had been going on with several previous City Administrators and she had met with the fire inspector and they had reviewed the letter to decide what issues still remained. Ms. Carsten stated that they were able to take quite a few things off the list because some of the uses of the buildings had changed so they were no longer issues. She stated that she was waiting for the fire inspector to send a finalized list of everything. Ms. Carsten stated that the fire inspector suggested that they make a priority list and stated that the County would work with the City, as long as they saw some forward motion and saw some things getting done. She asked the City Council for their permission to contact a building contractor to give quotes to get an idea of what this will cost which would aid in preparing a priority list. She advised this would help the City regarding working on the leases because certain things will fall to the tenants. Deputy Mayor Frierson asked if it would be beneficial to have Mr. Moon present during the inspections or conversations and Ms. Carsten agreed to have him involved. Deputy Mayor Frierson made a motion to have Ms. Carsten proceed and she could discuss with Mr. Moon if he needs to come and Councilmember Coker seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

The Interim City Administrator addressed the airport appraisal that spelled out the fair market values which had been provided to City Council and stated that this was one thing that the FAA was very adamant about that they do not create a monopoly as long as the City rents everything at the airport at fair market value. She stated this was something the City Attorney needed as they proceeded with the leases so they would know what to use for those numbers. Deputy Mayor Frierson stated she could not make a comment on it because she just received the appraisal that day. Councilmember Fink stated that he would like to look at it first. Ms. Carsten asked if they wanted to schedule a workshop or place it on the next agenda. Deputy Mayor Frierson stated that she felt the Council would go with the appraisal because a professional had done it. The City Attorney stated he would bring a lease back with the appraised values before Council.

Ms. Carsten provided an update regarding Bridle Path. She advised that all the paving was completed and they were cleaning up the sides of the road and getting ready to lay the sod. She stated that AJAX Paving would be back in about two (2) weeks to finish Glendora and Baldwin and at that time, there would be a walk-through to discuss any remaining issues. She pointed out that the original quote for the three (3) roads (Glendora, Baldwin and Wilson) came in at \$109,294.00 and they actually threw in another road and made a change to Baldwin that saved the City money and they actually came in at \$705.00 less than the original quote.

She advised she had contacted Tim Backer regarding the old fire truck and he is having a hard time getting the numbers and she was hoping he may be on the next agenda.

Ms. Carsten informed the Council that there would be a mediation on June 4, 2015 regarding the Minnear case and the attorneys have asked that she be present. Ms. Carsten stated the insurance council will be the one who sets the amount of settlement. The City Attorney stated that it would be a conditional settlement (if there is a settlement) and then it would come back to Council for a shade meeting and usually that same day, later at a Council Meeting, the settlement would be approved.

PUBLIC

City Resident Charles Conklin commented that he felt Ms. Carsten had done a great job with the Bridle Path project. He said the only thing the Marshal may have to worry about was speeding.

Marshal Anderson approached Council again to advise that speeding was an issue in the Bridle Path Subdivision and there was no place to park their cars to catch speeders. Therefore, he informed Council that speed bumps would be placed in the area and provided the locations of where they would be placed.

MAYOR AND COUNCIL REPORTS

Councilmember Coker advised that she was the keynote speaker at the Memorial Day Ceremony and that there had been a good turnout for the event. She encouraged citizens to support such events.

ADJOURN

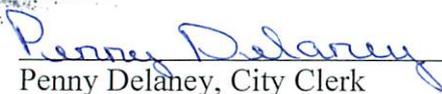
Councilmember Coker made a motion to adjourn and Deputy Mayor Frierson seconded the motion. No discussion followed and it was unanimously, 5/0, approved. Having no further business at this time, the meeting was adjourned at approximately 7:43 P.M.

ADOPTED THIS 16th DAY OF June, 2015.

By:


Judy Wertz-Strickland, Mayor




Penny Delaney, City Clerk