

**MINUTES
CITY COUNCIL
CITY OF ARCADIA
TUESDAY, JUNE 4, 2013
6:00 PM**

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.

CALL TO ORDER, INVOCATION PLEDGE OF ALLEGIANCE & ROLL CALL

The meeting was called to order at approximately 6:00 p.m.

Councilman Allen gave the invocation which was followed by the Pledge of Allegiance.

Arcadia City Council

Mayor Keith Keene
Deputy Mayor Robert Heine
Councilman Robert R. Allen

Councilwoman Alice Frierson
Councilman Joseph E. Fink

Arcadia City Staff

City Administrator Judi Jankosky
City Attorney Thomas J. Wohl
Finance Director Renee Green

City Clerk Gia Lancaster
Marshal Matt Anderson

CONSENT AGENDA

1. May 7, 2013 City Council Minutes
2. Check Warrant Reports: 05/09/13 and 05/24/13
3. Peace River Shopper Graduation Ad
4. Special Event Permit Request and Street Closure for Independence Day Parade
5. Special Event Permit Request at Speer Center for Police Explorers
6. Request from Margaret Way, Historical Society, Historical City Seal Stamp

Councilman Fink removed Consent agenda item number 6. A motion was made by Councilman Fink and seconded by Deputy Mayor Heine to approve consent agenda items 1 through 5. The motion carried 5-0. Councilman Fink asked for clarification regarding item number 6. The City Seal Stamp was shown to Council. A motion was made by Councilman Fink and seconded by Deputy Mayor Heine to approve consent agenda item no. 6 as amended and carried 5-0.

DISCUSSION ITEMS

7. DeSoto Memorial Hospital (Mr. Vince Sica)

Mr. Vince Sica, CEO DeSoto Memorial Hospital (DMH), reported that he is before City Council tonight to ask Council to consent to the creation of a MSTU (Municipal Services Taxing Unit). Mr. Sica reviewed the PowerPoint presentation. DMH serviced \$2.5 million in charity care in

DeSoto County last year. A large portion is from emergency room care. DMH serviced \$1.1 million in non-emergency services. He explained that DMH currently employs 250 employees and the hospital is an economic generator. The hospital has a net income of \$34 million. The Board is asking if the Council will consent to allowing the County to pursue an ordinance creating an MSTU to support the rising costs of the hospital. They are requesting an additional 2 mils. Councilman Fink noted that the City's mileage is already at 8.589 leaving only a spare of 1.414 to the 10 mil cap. Councilman Allen asked where the hospital got the \$3 million coverage in the past. Mr. Sica replied that they used cash reserves and the affordable care act. Mr. Sica explained the ceased taxing and opting for \$50,000 per year in 1977. Mr. Sica replied to Councilwoman Frierson that 1 mil assessed in the County would generate \$1.4 million.

Councilman Heine stated that he could not support the mileage rate increase and suggested a half cent sales tax. Mr. Sica stated that the half cent sales tax would only generate 1.3 million in revenue and would require a referendum. Attorney Wohl stated that the City is proceeding into budget soon and will need to see where they stand first. Mayor Keene stated that the City continues to ask residents for more and he was not sure he could support the request at this time. Councilman Fink stated that the hospital was too important an issue not to have a solution. Councilman Allen stated that he hopes the community could come together with a solution besides raising taxes. Councilwoman Frierson suggested combining a sales tax and MSTU increase. Attorney Wohl explained the process of the MSTU Ordinance adoption. Mr. Sica noted that the Board has not spoken with the County as of yet.

Mr. Charles Conklin asked for clarification regarding payment for an emergency room visit.

Mayor Keene stated the Council will continue to be supportive of the Hospital and asked the discussion to be continued following the Board meeting with the County. Mr. Sica asked and Council agreed that Mr. Sica could meet with Mrs. Jankosky and Mr. Maxcy to discuss the issue further.

Mrs. Adrienne Daly stated that the City can't afford not to do this. Mrs. Valerie Gilcrest spoke in favor of the hospital. Mrs. Penny Kurtz, Florida Department of Health, spoke to indigent care and assisting the hospital as a diversion program.

8. Consideration of Appointing a Pension Attorney (Administrator)

Mrs. Jankosky reported that the City has asked for information regarding hard freeze of the pension and converting to another plan. Hiring a pension Attorney does not fall under the Consultant's Competitive Negotiation Act (CCNA) and it may be advertised as a letter of interest. Councilwoman Frierson asked what the hourly rate may be. Mrs. Jankosky was unsure however Attorney Wohl estimated at perhaps \$400 per hour.

A motion was made by Councilman Fink and seconded by Councilwoman Frierson to allow the City Administrator to issue a letter of interest for Pension Legal Services. The motion carried 5-0.

9. Termite Treatment of Way Building and former Police Department (Administrator)

A motion was made by Councilman Fink and seconded by Councilman Allen to approve termite treatment for the Way Building and former Police Department to PestGuard in the amount of \$7,150. The motion carried 5-0.

10. Legal Services Contract (Attorney Wohl)

Mayor Keene reported that he met with Attorney Wohl and they propose a \$150 hourly rate for a six month trial period. A motion was made by Deputy Mayor Heine and seconded by Councilman Allen to approve the \$150.00 hourly contract with Swaine and Harris for a 6 month contract period.

Councilman Fink stated that he would prefer a flat retainer and could handle a \$1,000 per month increase however in these economic times he could not support the suggested increase. Councilwoman Frierson stated that the City has several major issues pending and the firm has agreed to a six month contract. Councilwoman Frierson called for the question. **Vote on the motion carried 4-1 with Councilman Fink dissenting.**

RESOLUTION

11. RESOLUTION NO. 2013-12; A RESOLUTION AMENDING MISCELLANEOUS CHARGES RELATING TO WATER AND SEWER USAGE

Attorney Wohl reminded that the City is required to collect 100% in order to meet all bond covenants and adoption of this Resolution would leave the City short. Mrs. Green reported that the first month late fee was eliminated. The \$25.00 late fee was maintained and the leeway for payment time for disconnects was moved from 2 p.m. to 4 p.m. Mrs. Green responded to Mayor Keene that the City has after hour on call staff for reconnects. Councilman Fink agreed that by allowing the extra days for bill payment will tell if the resident is intent on paying their bill. The Resolution was not adopted because all issues were addressed.

COMMENTS FROM DEPARTMENTS

12. City Marshal – May Report Included

Marshal Anderson updated the Council on arrests, search warrants, and drug/firearm seizures. Marshal Anderson requested changes to the organizational chart and pay increases for six positions. He reported he had grant paperwork for Mayor Keene to sign.

Mr. Charles Conklin asked about a property on Pine and Lee. Marshal Anderson replied that issue was address by the Magistrate.

13. Attorney

Attorney Wohl reported that once he has something for Council's approval on Stonegate he would call for a Shade Meeting.

14. City Administrator

Mrs. Jankosky reported that the Way Building would be termite tented on the weekend of the 4th of July and the City would be closed the Thursday and Friday of that week. The City will run a public ad to notify the citizens.

Mrs. Jankosky reported that a poll on the web site shows that citizens would prefer that the City be open until six p.m. The City is considering office hours of four – 10 hour days once all departments have moved into the Way Building.

Mayor Keene recognized Commissioner Bob Miller.

PUBLIC (PLEASE LIMIT PRESENTATIONS TO FIVE MINUTES)

Commissioner Bob Miller commended Council on the new chambers.

Zondra Watson asked about setting up in the alleyway during the Antique Fair. Attorney Wohl replied that according to City Ordinance you may not obstruct any sidewalk or alleyway.

MAYOR AND COUNCIL MATTERS

ADJOURN

There being no further business the meeting adjourned at 7:50 p.m.

APPROVED THIS 18th DAY OF JUNE, 2013.

By:



Keith Keene, Mayor

ATTEST:




Gia S. Lancaster, City Clerk