

**AGENDA MINUTES  
CITY COUNCIL  
CITY OF ARCADIA  
TUESDAY, JUNE 5, 2018  
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**

Deputy Mayor Simons 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 Jaccarie D. Simons  
Councilmember Keith Keene

Councilmember Jerry B. Alexander  
Councilmember Robert W. Heine, Jr.

**Arcadia City Staff**

City Administrator Terry Stewart  
City Clerk Penny Delaney  
City Attorney T.J. Wohl  
Code Enforcement Officer Carl McQuay

Finance Director Beth Carsten  
Director of Golf Operations Jeff Gibson  
Marshal Matt Anderson

**PRESENTATIONS**

**Agenda Item 1 – Recognition of Caroline Livingston as the Recipient of the Ridge League of Cities Scholarship**

Mayor Wertz-Strickland presented Caroline Livingston with a Certificate of Recognition recognizing her as a recipient of a Ridge League of Cities Scholarship. Miss Livingston advised she planned on attending South Florida State College to obtain her Bachelors Science degree in nursing to be followed by obtaining her Master's Science degree in nursing. She stated she wants to be a nurse anesthetist.

**Agenda Item 2 – Arcadia Main Street Presentation to the City Council**

Pam Ames, President of Arcadia Main Street, made a presentation regarding their strategic plan for the next two (2) years. She explained that Arcadia Main Street had four (4) separate committees: Design, Membership, Promotions and Economic Development and she reviewed projects that had been or will be accomplished to include flowers pots that had been

placed various areas downtown and maintenance of downtown benches. She spoke of a membership mixer that was being planned and promotions which included: the Annual Rodeo Beer Walk, the Christmas Wine Walk, Golf Tournament and the 4<sup>th</sup> Annual Heritage Festival. Regarding economic development, she stated they hope to put together a business recruitment package for downtown and any vacancies being on their website. She advised they would continue with Coffee with the Mayor and they also hope to support the downtown being a part of a CRA. Mrs. Ames further advised she had provided the Arcadia Main Street's budget to Council for their review and she pointed out a few aspects of same. This concluded the presentation.

### **Agenda Item 3 – Kimley Horn Presentation Regarding Sebring Gas System, Inc.**

Bo Conerly, Engineer of Kimley Horn and Associates, stated they were working with Sebring Gas System for the design and permitting for a natural gas line in the City of Arcadia. He introduced Russell Melendy, Vice-President of Sebring Gas System, Inc., who provided a brief overview of the company and their plans. Mr. Conerly provided a power point which reviewed the overall preliminary plan for the natural gas line placement and distribution to include maps showing the north, west and east areas of town. He explained the point of transfer where Sebring Gas will connect will be on the west end of town next to the Elks Lodge on SR 70 and go east through downtown to the Wal-Mart location and north on US 17 up to approximately the location of the hospital. He reviewed right-of-ways, permitting, existing infrastructure and time lines. Mr. Conerly thanked the Council for the opportunity to share and Council thanked him for the presentation.

### **CONSENT AGENDA**

**Agenda Item 4 – City Council Regular Meeting Minutes for May 1, 2018**

**Agenda Item 5- City Council Regular Meeting Minutes for May 15, 2018**

**Agenda Item 6 - Special Event Permit – Tent Sale for Sky King Fireworks**

**Agenda Item 7 – Special Event Permit – Special Olympics of DeSoto County Games and Golf Event**

Deputy Mayor Simons made a motion to approve Items 4, 5, 6 and 7 on the Consent Agenda and Councilmember Keene seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

### **ACTION ITEMS**

#### **Agenda Item 8 – Special Event Permit – Small Town Poetry and Cultural Festival**

City Administrator Stewart explained the reviewing agencies were recommending not to approve this special event permit which was why it was placed under action items for Council's discussion. Code Enforcement Officer McQuay expressed the concerns regarding the number of attendance placed on the application (3,000), traffic, parking and ability to get emergency vehicles into the area. The applicant, Sarahka Peterson, addressed each item that had been

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provided to her as reasons for denial of the application and what she was willing to do to address such concerns. She stated this was about community and felt that due to such, it should be held in the requested area. She spoke about equal accessibility to the arts and the need to provide arts to the people who do not have it. Councilmember Keene asked Code Enforcement Officer McQuay if Ms. Peterson's responses caused him to change his position and Mr. McQuay advised his position remained the same. Councilmember Keene asked what it would take to change it and Mr. McQuay advised that the venue was not set up for such an event. After much discussion between the City Council, Marshal Anderson, Code Enforcement Officer McQuay, City Administrator Stewart and Ms. Peterson regarding the expected number of attendees, required security/law enforcement presence and costs for same, deposit, crowd control, parking, seating, alternate venues, the request for approval for three (3) years, safety, accessibility for emergency vehicles, confirmation that the two (2) day event was for June 7<sup>th</sup> and 8<sup>th</sup>, and the fact that the applicant had applied for approval as a 501C3 organization, but had yet to be approved for such, the event was approved with conditions.

Councilmember Heine made a motion to approve the special event for Small Town Poetry and Cultural based on having ten (10) officers there one (1) hour before and one (1) hour after, pay a One Thousand and 00/100 Dollar (\$1,000.00) security deposit that will be returned upon satisfactory clean-up, fifty percent (50%) cost of security deposit for police and sheriff's department, whoever Matt . . . one week prior and one thousand (1,000) maximum capacity and Deputy Mayor Simons seconded the motion. Marshal Anderson spoke of closing MLK from Monroe and Orange to prevent traffic from getting on the street to assist with people being transported back and forth. Councilmember Heine amended his motion to include approval of the event for one (1) year only and Deputy Mayor Simons seconded the amended motion. No discussion followed and it was unanimously, 5/0, approved.

#### **Agenda Item 9 – City of Arcadia 2016-17 Audit**

Julie Fowler and Brian Quinlan of CliftonLarsonAllen, LLP, presented their findings of the 2016-17 Audit. A power point was provided and a copy of same is on file in the office of the City Clerk. Mr. Quinlan provided an overview of the financial statements and advised that at the end of the year, the City has almost Forty-Three Million and 00/100 Dollars (\$43,000,000.00) of total assets (Twenty-Eight Million and 00/100 Dollars (\$28,000,000.00) of such represents capital assets which includes properties, the water plant, equipment, general government services, water/sewer/ solid waste, airport, etc.). He explained that left the current/other assets which included cash, receivables, pre-paid assets, etc. He stated that total assets from 2016 to 2017 increased approximately Three Million One Hundred Thousand and 00/100 Dollars (\$3,100,000.00) and he explained that most of the increase was related to two (2) items: approximately One Million Three Hundred Thousand and 00/100 Dollars (\$1,300,000.00) in restricted cash that comes from the FATHOM water debt and capital assets which was approximately Two Million Seven Hundred Thousand and 00/100 Dollars (\$2,700,000.00) additions between stormwater street improvements, meter project, airport tractor, airport drainage improvements. He advised the total liabilities increased approximately One Million Nine Hundred Thousand and 00/100 Dollars (\$1,900,000.00) and due to Hurricane Irma related payables, the airport turf drainage project and a One Million Five Hundred Thousand and 00/100

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Dollars (\$1,500,000.00) increase in long-term debt (comprised of the Two Million and 00/100 Dollars (\$2,000,000.00) FATHOM note, increases in the state revolving fund note and continued payments on the existing debt). Mr. Quinlan reviewed the revenue expenditures and fund balances for the general fund, the revenue and expenses along with the net position for the water and sewer fund and the revenues and expenses for the solid waste fund.

Ms. Fowler stated that regarding the Independent Auditors' Report, they had issued an unmodified opinion which is a clean auditors' report. Regarding the Report on Internal Control over Financial Reporting Compliance and Other Matters, she reported deficiencies in bank reconciliations (recommended the reconciliation be more timely throughout the year to allow for errors and other issues to be identified and resolved more quickly) and account reconciliations (recommended a monthly reconciliation to ensure the balance sheet and audit adjustments is as accurate as possible), but she pointed out that there were less than last year which is a definite positive improvement from the prior year's audit. Mr. Fowler stated there were no instances of noncompliance reported. She advised they had issued a management letter regarding compliance with debt covenants (recommended ensuring packages be completed and submitted in a timely manner) and journal entries (recommendation were proposed last year and they were implemented as best they could be in relation to the audit report, but things were headed in the right direction and she expected it would be cleared up completed in the 2018 year). Ms. Fowler advised they had performed an examination of the City's compliance with the investment of public funds statute and the City was in compliance with such. She then advised there were discrepancies in utility billing which the process had already been reviewed by the City and upon their calculations, it was very close to the calculation of the City and she felt it would be resolved in 2018). City Administrator Stewart informed Council that Finance Director Carsten will present a presentation that will address what is being done to resolve the matters that have been brought to their attention. At this time, Finance Director Carsten presented a power point regarding such (a copy of which is on file in the office of the City Clerk). Councilmember Keene made a motion to accept the 2016-17 Audit as presented and Councilmember Alexander seconded the motion. After words of appreciation were expressed, it was unanimously, 5/0, approved.

#### **Agenda Item 10 – Traffic Signal Maintenance and Compensation Agreement**

City Administrator Stewart advised Utilities Director Berndt was not in attendance due to medical reasons. He explained there was a slight increase in the amount and asked for approval of the motion. Councilmember Heine made a motion to approve the amended FDOT Traffic Signal Maintenance Compensation Agreement in the amount of Forty-Seven Thousand Two Hundred Ninety-Five and 00/100 Dollars (\$47,295.00) and Deputy Mayor Simons seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

#### **Agenda Item 11 – Additional Part Time Employee for Pro Shop**

Director of Golf Operations Gibson advised of a part time employee who was dealing with a medical issue for an indefinite length of time and another part time employee who was requesting vacation time which had caused the department to be short-handed. He asked for

another part time employee to fill the gap and to also extend the position into next winter as well. He explained that there was money in the budget for such. City Administrator Stewart advised there were salary savings because Mr. Gibson's position had been budgeted for the year and he was hired much later in the year. He further explained that for the month of May, the department was up Three Thousand and 00/100 Dollars (\$3,000.00) over 2016. Councilmember Keene made a motion to approve adding another (no age restrictions) part time Pro Shop Assistant with a salary of Sixteen Thousand One Hundred Eighty-Three and 70/100 Dollars (\$16,183.70) and Councilmember Alexander seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

**Agenda Item 12 – Trading in Two (2) Sig Sauer P229 for One (1) New Sig Sauer P229 with Tact Rails**

Marshal Anderson stated he was hoping to be able to trade in two (2) old Sigs that will almost cover the price of one (1) new Sig in an attempt to save money for the new SROs (School Resource Officers) that Council had approved. Councilmember Keene made a motion to approve the trading in of two (2) older model Sig Sauer P229s to help offset the cost of one (1) new Sig Sauer P229 with tact rails and Councilmember Heine seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

**Agenda Item 13 – Use of Confiscated Funds to Purchase 2018 Ford F-150 Super Crew Cab Truck in the Amount of \$37,440.63**

Marshal Anderson advised Thirty Thousand and 00/100 Dollars (\$30,000.00) had come from a couple of arrests related to drug busts. He asked for Council's approval to spend the Thirty Thousand and 00/100 Dollars (\$30,000.00) and he explained that State Statute allows for such. Deputy Mayor Simons made a motion to approve the Police Department's use of confiscated funds in the amount of Thirty Thousand and 00/100 Dollars (\$30,000.00) to purchase a 2018 Ford F-150 Super Crew Cab Truck and Councilmember Keene seconded the motion. No discussion followed and it was unanimously, 5/0, approved. Deputy Mayor Simons then made a motion to approve the use of surtax funds for the remaining amount of the 2018 Ford F-150 Super Crew Cab Truck in the amount of Seven Thousand Four Hundred Forty and 63/100 Dollars (\$7,440.63) and Councilmember Keene seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

**Agenda Item 14 – Second and Final Reading of Ordinance 1040 – Voluntary Annexation of Parcels 30-37-25-0000-0080-0000 and 30-37-25-0000-0094-0000**

Deputy Mayor Simons made a motion to approve Ordinance 1040 on second and final reading and Councilmember Keene seconded the motion. The City Clerk read Ordinance 1040 by title only. The property owner, Brian A. Shaper, was in attendance and he advised the permitting could only be done once the property was properly zoned. City Administrator Stewart complimented Mr. Shaper for the way he had worked with the City on the matter. No discussion followed and it was unanimously, 5/0, approved. Mr. Stewart reported he had spoken with the City Attorney regarding the potential to annex the college into the City. He expressed a

concern that if the college was agreeable to such there may be an enclave created which would affect two (2) properties. He explained that he could speak to the two (2) individuals about the possible willingness to annex into the City, but he would not do so without the Council being comfortable with him having those conversations. It was the general consensus of the Council for Mr. Stewart to do so.

#### **Agenda Item 15 – First Reading of Ordinance 1041 – Police/Firefighter’s Pension**

City Administrator Stewart advised the Police/Firefighter’s Pension Board, through their attorney, provided the City with an ordinance that essentially modifies how they can invest their funds. After reviewing the ordinance, Mr. Stewart addressed his areas of concern with the pension board’s attorney and they were able to come up with compromises that Mr. Stewart was more comfortable with. City Administrator Stewart recommended that Council approve the changes. Councilmember Heine made a motion to approve Ordinance No. 1041 amending the City of Arcadia Police and Firefighters pension ordinance on first reading and Councilmember Alexander seconded the motion. The City Clerk read Ordinance 1041 by title only. No discussion followed and it was unanimously, 5/0, approved.

#### **Agenda Item 16 – Nomination of Planning & Zoning Board Member**

City Administrator Stewart spoke of the vacancy on the Planning and Zoning Board and stated that the vacancy had been advertised several times. He reminded Council that he had asked Council to make recommendations and he advised an application had been provided by Councilmember Keene regarding William Kevin Durrance (a copy had been provided to each Council Member). Councilmember Keene spoke of Mr. Durrance’s knowledge related to development in zoning type issues and felt he would be a good addition to the Planning and Zoning Board. Mayor Wertz-Strickland also felt he would be a good recommendation for the board. Councilmember Keene made a motion to approve the board application of William Kevin Durrance to serve on the Planning and Zoning Board and Councilmember Heine seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

#### **COMMENTS FROM DEPARTMENTS**

Marshal Anderson advised the monthly report would be provided at the next meeting and he thanked Council for approving the Police Department requests. He informed Council that the CVS had been robbed, but the suspect had been apprehended and he reported the discovery of a gentleman who had passed away due to natural causes. He also advised the department was still short a couple positions.

City Attorney Wohl stated he would like to place the International Property Maintenance Code on an upcoming agenda for first reading (the code had been provided to Council for their review). It was the general consensus of the Council for it to be placed on an upcoming agenda. He also advised the Minnear case had settled for Two Hundred Thousand and 00/100 Dollars (\$200,000.00) and an appeal process would not be required.

City Administrator Stewart advised the Ridge League Dinner was June 13<sup>th</sup> and if any Council Members were planning on attending, staff would need to know by the end of the week. He reminded Council that the Financial Disclosure forms had been mailed out and he reminded them to be sure to turn said forms in to the Supervisor of Elections office. Regarding FEMA, he stated claims had been presented regarding Hurricane Irma and while reimbursements had not been received yet, he expected it to happen soon. He further stated there are forty-three (43) items left over from Hurricane Charlie related to the City of Arcadia that require closeout. He understood that it did not involve any reimbursement that the City has to make or money that would be coming from the federal government at this point based on the information he had received, but that it was an administrative matter. He then spoke of the taxable values that had been provided to the City, the status of the foreclosure matters that had been authorized by the City Council, the City Manager's Conference in Orlando which included discussion of the medical marijuana issue, and the possible rental of the old PD building by the gentleman looking for a venue related to an art gallery.

### **PUBLIC**

Ken Clark spoke on behalf of the Special Olympics and advised they had received two (2) gold medals at the state competition. He also reminded Council of the upcoming county games to be held on June 21, 2018 at the golf course.

Ashley Coone referred to the lease that had been previously presented to Council regarding the renovation of the Smith Brown facilities and providing a program for students. She advised the foundation had been in communication with the Boys and Girls Club regarding running the program. She explained that over half a million dollars had been received in pledges for the Boys and Girls Club to run the program for the next four (4) years. She requested the lease to be transferred from the Smith Brown Community Foundation's to the Boys and Girls Club. After much discussion, City Administrator Stewart advised the documentation had been provided to the City Attorney for his review. There was discussion of placing the item on the upcoming agenda and Mr. Stewart explained that it would not be possible to provide the information in the Council packets for the next meeting because the packets would be prepared early due to the City Clerk being out of town next week. He asked if Council would agree to said information being provided at a later date and it was the general consensus of the Council to allow such. Ms. Coone provided an update regarding the status of the work being done on the building and she thanked everyone for their involvement in such.

### **MAYOR AND COUNCIL REPORTS**

Deputy Mayor Simons asked that everyone keep Dr. Sharon Goodman in their thoughts and prayers due to the loss of her husband.

Mayor Wertz-Strickland brought up the subject of workshops as discussed at the last meeting. She also spoke of a Citizen's Academy and advised of an opportunity the City had to apply for a grant with the Florida League of Mayors for Fifteen Hundred and 00/100 Dollars (\$1500.00). City Administrator Stewart provided information regarding citizen academies and it

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was the general consensus of the Council to apply for the grant. She stated that she had provided Mr. Stewart with the wrong date for the Ridge League Dinner and that the correct date was June 14<sup>th</sup>. Lastly, she advised she and the City Administrator had attended a Rotary Meeting and the City had been awarded Twenty-Five Hundred and 00/100 Dollars (\$2500.00) to be applied toward the roof at the airport and she expressed her appreciation for such.

**ADJOURN**

Councilmember Heine made a motion to adjourn and Councilmember Alexander 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 9:20 P.M.

ADOPTED THIS 3<sup>rd</sup> DAY OF July, 2018.

By: Judy Wertz Strickland  
Judy Wertz-Strickland, Mayor

ATTEST:

Penny Delaney  
Penny Delaney, City Clerk

