

**AGENDA MINUTES
CITY COUNCIL
CITY OF ARCADIA
TUESDAY, AUGUST 2, 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. Dana Spurgeon 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 Joseph E. Fink
Councilmember Judy Wertz-Strickland

Arcadia City Staff

City Administrator Terry Stewart
City Clerk Penny Delaney
City Attorney T.J. Wohl

Finance Director Beth Carsten
Marshal Matt Anderson
Jeff Schmucker - CFRPC

CONSENT AGENDA

Agenda Item 1 – City Council Minutes for Meeting on July 19, 2016

Agenda Item 2 – Special Event Permit – Fourth Saturday Market Place

Councilmember Fink made a motion to accept Items 1 and 2 with a correction to Item 1. The correction to be made is on page four (4), on the tenth line of the past paragraph. The word “Faxed” should be replaced with “Fixed”. Councilmember Wertz-Strickland seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

ACTION ITEMS

Agenda Item 3 – Request for Certificate of Appropriateness to Paint the Building at the Property Located at 132 W. Oak Street and 134 W. Oak Street

City Administrator Stewart advised that this item had gone before the Historic Preservation Commission on July 13, 2016. He stated that the commission recommended by a unanimous 4/0 vote that the Council approve the application. Councilmember Wertz-Strickland

made a motion to approve the Certificate of Appropriateness on 132 W. Oak and 134 W. Oak and Councilmember Fink seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

Agenda Item 4 – Request for Certificate of Appropriateness for Phase 1 of The Yellow Deli Located at 24 N. Polk Avenue

City Administrator Stewart advised that this property is across the street from City Hall. He stated the application had made a request through the Historic Preservation Commission and the request for phase one (1) of the project had been approved by the commission with a 4/0 vote. He informed Council that the building was being renovated for use as a restaurant/deli. Bruce Carver was in attendance and advised he represented Ricky and Paulette Kendrick. There were no questions by Council. Councilmember Fink made a motion to approve the Certificate of Appropriateness for Bruce A. Carver to complete phase one (1) of the renovation to the property located at 24 N. Polk Avenue and Councilmember Wertz-Strickland seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

Agenda Item 5 – Ordinance No. 1016 – Request for Rezoning of Property Located at 1001 East Oak Street – Second and Final Reading

Mayor Coker called the public hearing open and introduced Jeff Schmucker of the Central Florida Regional Planning Council. Mr. Schmucker advised Council that this item was a City-initiated amendment for owner, John S. Maassen and the request was for a .42 acre property that is currently zoned B-3 (General Business Commercial) to be re-zoned as a Planned Unit Development-Commercial (PUD-C). He advised the purpose was to accommodate the existing use on the property which is an automotive repair use that does major automotive repair. He reviewed maps regarding the site and advised the existing land use was business with the existing zoning being B-3 commercial and the request was to change it to PUD-C.

Mr. Schmucker provided the history on the property and advised that in 2012, the person who leases the property was issued a tax license to enable the business to be operated on the site. He advised in 2014, the City's development code was re-written. He stated that prior to 2014, auto and truck repairs that conducted this type of business were permitted in B-3, but going back, there was no approval for this business to operate there and because of the lack of approval; another means had to be found to allow them to continue operating on the site. He advised that Planned Unit Development-Commercial (PUD-C) allows for such and is flexible. City Administrator Stewart asked if the PUD-C was a permanent type of zoning and Mr. Schmucker stated that it was. Mr. Schmucker informed Council that the PUD allows for conditions to be placed on the property to ensure the property is compatible with the surrounding area. He further informed Council that the PUD-C was consistent with the City's comprehensive plan and the current future land use. He then reviewed the site maps.

Mr. Schmucker advised the recommended PUD conditions were as follows: 1) the current automotive use can continue; if the property is sold, but the conditions and character does not change, it can continue; 2) any use requested in addition to the current use on the property

would have to go through the process to amend the PUD approval if approval is granted tonight; 3) if the repair business goes out of business for more than one hundred eighty (180) days, the use goes away and any future use would be what is allowed in the B-3 zoning district; 4) once the B-3 use goes away, an automotive repair business that does major automotive repair work can no longer go back on that property; 5) no more than three (3) inoperable vehicles (vehicle that does not have a current license plate, is wrecked or dismantled) are allowed on the site at any given time and any inoperable vehicles must be screened from view; and 6) operable vehicles are allowed on the site as long as they do not impede on access to the site.

City Attorney Wohl pointed out that this is a quasi judicial public hearing and asked Council to disclose any ex parte communications or site visits that they may have had during the application process and the record reflected there were no ex parte communications. Councilmember Wertz-Strickland made a motion to have Ordinance 1016 read by title only and Councilmember Fink seconded the motion. No discussion followed and it was unanimously, 5/0, approved. Mayor Coker instructed the City Clerk to read Ordinance 1016 by title only and the City Clerk did so. Councilmember Wertz-Strickland made a motion to approve Ordinance 1016 and Councilmember Fink seconded the motion. Councilmember Fink asked if there was a possibility of contamination and Mr. Schmucker could not say, but stated that based on the nature of the use, one would think that there is probable contamination. Councilmember Fink asked if the site would have to be cleaned up to a more pristine condition if the usage changed within the one hundred eighty (180) day period and Mr. Schmucker advised they would have to look into it. Councilmember Fink asked if they were hamstringing themselves by doing this without having answers to certain questions and Mr. Schmucker stated that he did not believe so, but if the use were to change, then it would have to be looked into. City Attorney Wohl agreed and stated that as to changing the zoning map and land use of the property, it would not have any bearing. He further stated that it would not matter what it was zoned if there was a contamination issue, the City or a federal agency would have recourse. Councilmember Wertz-Strickland asked if the tanks were still there since it was a gas station at one time and Mr. Schmucker stated he did not know. City Attorney Wohl re-emphasized that if those conditions exist, they will exist no matter what the zoning or land use is and there will always be recourse by the appropriate agency to regulate it. City Administrator Stewart stated the issue of a brown field is rather complex and there are different levels as to how the EPA will deal with the site and provided examples of such. Mayor Coker expressed her concern that there appeared to be a lack of effort by the business to clean it up even though they know the issue at hand. Doris Twohig, a county resident, expressed concern about ground pollution regarding the vehicles parked in the northern part. City Administrator Stewart informed Mrs. Twohig that the property she was referencing was a separate property. He stated this course of action would establish conditions that would give a greater level of leverage in requiring them to do what is necessary to clean up the site and it would establish requirements they would have to measure up to. He further stated that if they fail to do so, they surrender their right to operate on the site. Greg Smith, a county resident, advised that the tanks were removed after Hurricane Charley and the soil had been tested and EPA was a part of it. No discussion followed and Mayor Coker instructed the City Clerk to take a roll call vote. The results of the vote were as follows: Councilmember Fink voted in the affirmative, Councilmember Wertz-Strickland voted in the affirmative, Councilmember Turner voted in the affirmative; Deputy Mayor Frierson voted in the affirmative,

Mayor Coker voted in the affirmative and it was unanimously, 5/0, approved. Mayor Coker stated that this closed the public hearing for Ordinance 1016.

Agenda Item 6 – Ordinance No. 1017 – Request for Future Land Use Map Amendment – Parcel Numbers 30-37-25-0A00-1240-0000 and 30-37-25-0A00-1270-0000 – Second and Final Reading

Agenda Item 7- Ordinance No. 1018 – Request for Rezoning - Parcel Numbers 30-37-25-0A00-1240-0000 and 30-37-25-0A00-1270-0000 – Second and Final Reading

Mayor Coker announced the next item on the agenda was another public hearing and she opened the public hearing on Ordinance 1017 which is a request for a future land use map amendment. Jeff Schmucker of the Central Florida Regional Planning Council advised Council that he had a presentation for both Ordinance 1017 and companion Ordinance 1018. He advised this was an applicant initiated amendment by Gary Frierson of G an A, Inc. requesting a future land use and zoning change and this public hearing was for the future land use. He advised the property was located west of US 17 and south of an unimproved right-of-way (Frankfort St.) toward the north side of the city. Mr. Schmucker advised the reason was to allow for future commercial development. He reviewed maps regarding the site and advised the existing future land use was low density residential with the proposed land use to be business, and the existing zoning of City R-3 Multi-family and county unassigned with the proposed zoning being B-3 (General Business Commercial). He advised this portion of US 17 used to be a railway and is now the southbound portion of US 17. Mr. Schmucker advised of adjacent uses included residential, City-owned parks/recreation property, broadcasting tower, vacant land and nearby business and commercial land uses. He advised the proposed future land use and zoning was compatible with the City's goals, objectives and policies, particularly Policy 1.6 which states we want to "provide opportunities for commercial development in areas well integrated with surrounding transportation facilities". He advised that potable water is available nearby with the capacity available to the system (connection would be required), verification of City sewer would need to be had (to be looked at at time of development), and capacity is available for solid waste. Regarding transportation and traffic, he advised US 17 would be the primary access with an unimproved right-of-way to the north of the property (Frankfort Street) which could serve as potential access as well, and they did not see any negative impacts going to the B-3 zoning, but they would look at the traffic and the access management in more detail once the development plan would come before the City. He advised there was no need to look at public schools and recreation facilities impacts because it was a B-3 zoning which does not provide for such so there is no negative impacts related to such. Mr. Schmucker advised that when the application initially came before them, it was for a C-1 zoning which is a more high intensive zoning which allows for more intensive uses, but they worked with the applicant in bringing it down to a B-3 because it was more compatible for the area.

City Attorney Wohl again pointed out that this is a quasi judicial public hearing and asked Council to disclose any ex parte communications or site visits that they may have had during the application process. He stated Deputy Mayor Frierson will be abstaining from the

vote and will not need to disclose of any ex parte communications or site visits due to her not having a vote on the matter. The record reflected there were no ex parte communications noted.

Councilmember Wertz-Strickland made a motion to have Ordinance 1017 read by title only and Councilmember Turner seconded the motion. No discussion followed and it was unanimously, 4/0, approved with Deputy Mayor Frierson abstaining from the vote. At this time, the City Clerk read Ordinance 1017 by title only. Councilmember Wertz-Strickland made a motion to accept Ordinance 1017 and Councilmember Turner seconded the motion.

Councilmember Fink advised he voted for this on first reading because he did not want to impede the process. He stated, however, that he was still very uncomfortable with the way it was done in the first place because there were multiple people being interested in the parcel of land. He further stated that although it is not illegal, it has the appearance, in his opinion, of subterfuge. He referenced one of the maps that had been reviewed and felt that it would change the nature of the neighborhood and he stated that because of those reasons, he could not support the issue. No discussion followed and Mayor Coker instructed the City Clerk to take a roll call vote. The results of the vote were as follows: Councilmember Wertz-Strickland voted in the affirmative, Councilmember Turner voted in the affirmative; Mayor Coker voted in the affirmative, Councilmember Fink voted in the negative and it was 3/1, approved with Deputy Mayor Frierson abstaining from the vote and Councilmember Fink casting the dissenting vote. Mayor Coker stated that this closed the public hearing for Ordinance 1017.

Mayor Coker opened the public hearing for Ordinance 1018 which is a request for rezoning. City Administrator Stewart advised that Mr. Schmucker's presentation covered both Ordinance 1017 and Ordinance 1018. Jeff Schmucker of the Central Florida Regional Planning Council advised Council that the companion zoning for Ordinance 1018 would be for the B-3 zoning which would be compatible with the business future land use. City Attorney Wohl advised that since this was a second public hearing regarding the same property, but a different public hearing, he asked Council to disclose any ex parte communications or site visits that they may have engaged in during the application process. The record reflected there were no ex parte communications noted. Councilmember Wertz-Strickland made a motion to have Ordinance 1018 read by title only and Councilmember Turner seconded the motion. No discussion followed and it was unanimously, 4/0, approved with Deputy Mayor Frierson abstaining from the vote. At this time, the City Clerk read Ordinance 1018 by title only. Councilmember Wertz-Strickland made a motion to accept Ordinance 1018 and Councilmember Turner seconded the motion. Councilmember Fink advised he could not support this issue for the same reasons he could not support the preceding issue. No discussion followed and Mayor Coker instructed the City Clerk to take a roll call vote. The results of the vote were as follows: Councilmember Turner voted in the affirmative; Mayor Coker voted in the affirmative, Councilmember Fink voted in the negative, Councilmember Wertz-Strickland voted in the affirmative, and it was 3/1, approved with Deputy Mayor Frierson abstaining from the vote and Councilmember Fink casting the dissenting vote. Mayor Coker stated that this closed the public hearing for Ordinance 1018.

Agenda Item 8 – Revisions to Chapter 15 (Professional Services – Financial Auditor) and Selection Committee Guidelines (Appendix Form) of the City of Arcadia Purchasing Manual

City Attorney Wohl reminded Council that at a previous meeting, the City Administrator had called their attention to the need to appoint an audit selection committee to consider retaining either a new auditor or the same depending on the selection committee's determination. He explained that in doing so, staff had reviewed Chapter 15 of the Purchasing Policy Manual which had some very cumbersome restrictions and guidelines as to how the audit selection committee was to be appointed and restrictions on what they could do as an audit selection committee. Mr. Wohl stated that in order to make the process easier for the City Council and the audit selection committee, he had made a number of revisions to the chapter. He explained that any additions appeared as underlined text in the backup material and any deletions appeared as strikethrough. He suggested that if Council had concerns about adding restrictions as to what the audit selection committee can or cannot do, it could be incorporated into any enabling resolution and if the audit selection committee has concerns about how they are going to conduct themselves, they can implement those restrictions themselves. He stated that based on reviewing the four (4) pages of text that are in large part restrictions as to what they can do, he recommended deleting the majority of it as indicated in the material provided to Council. He advised he had also included the selection committee guidelines which are an appendix to the Purchasing Policy Manual and those would also prove burdensome to the audit selection committee. Mr. Wohl stated that because most of what the committee would be doing is covered in Florida Statute 218, there was no need to repeat it in the chapter. Councilmember Wertz-Strickland made a motion to approve the attached revisions and Councilmember Fink seconded the motion. Mr. Stewart thanked City Attorney Wohl for the time and the very professional direction he had taken regarding this matter. No discussion followed and it was unanimously, 5/0, approved.

Agenda Item 9 – Resolution 2016-10 – Amending Resolution 2014-11 Regarding the Airport Advisory Committee

City Attorney Wohl stated that at the last meeting, Council had instructed him to return with a draft of a resolution amending Resolution 2014-11 in accordance with their motion. He advised that in Section 3, which would be Section 5 of Resolution 2014-11, he included a requirement that the committee meet for the purpose of organization within thirty (30) days after any appointments have been made. He stated he felt it was appropriate once a new member comes on board for the committee to have the opportunity to restructure it if necessary. Mr. Wohl advised he would not be offended if Council chose to take that out and while it was not included in Council's initial directions, he thought it would be beneficial for the committee. Councilmember Wertz-Strickland made a motion to accept the resolution as it is and Councilmember Fink seconded the motion for discussion. Councilmember Fink stated that as the resolution reads, three (3) of the members must be City residents or own a business within the corporate limits of the City of Arcadia. He pointed out the entire committee could be made up of people that live outside of the City. He stated that he had called for the dissolution of the committee at the last meeting and reminded Council that the committee had not met or advised

Council for fourteen (14) months. Councilmember Fink referenced the discussion at the last meeting regarding ad hoc committees rather than having a standing committee that meets and deals with organizational meetings and tying up staff. Councilmember Wertz-Strickland liked that the City Attorney had included that the committee meet once a year or whenever a new member comes on board for organizational purposes.

When the discussion turned to where members resided and whether they had a business in the city, Rickey Hilton, a member of the Airport Advisory Committee, stated that he lived in the county, but has a business at the airport. He pointed out that while the airport was owned by the City, it was not annexed into the City and he stated he would like for Council to include the airport. City Attorney Wohl stated that Mr. Hilton made a good comment because individuals owning a business at the airport do have a vested interest in what is going on at the airport. Councilmember Fink made an amendment to his motion to change Section 2 to read "The Committee shall be comprised of five (5) members. At least three (3) members shall be residents of the City of Arcadia." He wanted everything else removed from the "or" to the period. Mayor Coker confirmed it would read, "The Committee shall be comprised of five (5) members. At least three (3) members shall be residents of the City of Arcadia. At least one (1) member shall be a resident in the unincorporated area of DeSoto County." City Administrator Stewart asked for clarification that there would be no stipulation on the fifth member and Councilmember Fink agreed. Deputy Mayor Frierson felt they were making too much of this and if there were five (5) qualified members, they should be able to serve if they so desire no matter where they live as long as they live in the County or the City. There was no second to the amended motion. Therefore the amended motion died on the floor. Mayor Coker advised they were back to the original motion and there had been a motion and a second for paragraph four (4) to be as stated. No discussion followed and it was 4/1 approved with Councilmember Fink casting the dissenting vote.

Agenda Item 10 – Request for Police Department Vehicles

Marshal Anderson stated that he had spoke at the last meeting regarding the possibility of purchasing a new vehicle. He advised that since then, a very gracious donor donated Forty Thousand and 00/100 Dollars (\$40,000.00) to the Arcadia Police Department. Therefore, he asked that the department not only be allowed to purchase one (1) vehicle, but purchase two (2) vehicles. He advised that there is enough money in the department budget and referenced the fuel line item which, due to fuel being cheaper, allowed for additional funds to which some of the additional funds would go toward the purchase. He informed Council that the vehicles are approximately Twenty-Eight Thousand Two Hundred Sixty-Two and 00/100 Dollars (\$28,262.00) each when multiplied by two (2) equals Fifty-Six Thousand Five Hundred Twenty-Four and 00/100 Dollars (\$56,524.00) minus the Forty Thousand and 00/100 Dollars (\$40,000.00) leaves a balance of Sixteen Thousand Five Hundred Twenty-Four and 00/100 Dollars (\$16,524.00). City Administrator Stewart advised that the purchasing division of the finance department had reviewed the requested purchase which is on an existing bid with Charlotte County government which had commissioned for their bid to be utilized. He explained that a letter had been provided stating such and said document enables other entities to be able to use the purchasing agreement. He further explained that it had been validated by the finance

department and is appropriate. Councilmember Fink asked the City Administrator if there would be a request for additional law enforcement officers to keep one of the old cars. Mr. Stewart advised he could not tie those things together, but did advise that there was a request for one (1) officer. Councilmember Fink asked if a vehicle with that officer was included in the budget as well. Marshal Anderson advised that for the 2016-17 budget year, he had asked for one (1) officer and two (2) additional new vehicles to start updating much needed vehicles for the department. Councilmember Fink asked if one (1) of these vehicles would serve that officer and Marshal Anderson advised that two (2) vehicles were retired from CID and would be deadlined. Councilmember Fink asked if it would affect the manpower force at all and Marshal Anderson stated that it would not. Councilmember Wertz-Strickland made a motion to approve the purchase of two (2) police interceptors and Councilmember Fink seconded the motion. Deputy Mayor Frierson asked the Marshal to please extend her appreciation to the donor. No discussion followed and it was unanimously, 5/0, approved.

COMMENTS FROM DEPARTMENTS

Marshal Anderson provided Council with the department monthly report. He advised there had been two (2) shootings within the City and both individuals had been arrested. He also reminded everyone that school would be back in session next week and cautioned everyone to pay attention to the school zones. Marshal Anderson advised that the City Administrator, the Finance Director and Councilmember Wertz-Strickland had attended the Bridge the Gap Townhall Meeting and stated he felt it had gone well. He then asked if Council or the general public had any questions or concerns. Deputy Mayor Frierson expressed her appreciation for one of the police officers contacting her regarding something he had noticed on her property. He stated they had received a lot of positive feedback and is planning on having another one in approximately six (6) months. Greg Smith from the public asked if the issue had been looked into regarding the homeless people living behind the Clock Restaurant and Marshal Anderson stated that Code Enforcement had gone over there and contacted Public Works to get it cleaned up.

City Attorney Wohl referenced the Sesco property the City Administrator had brought to Council's attention at the last meeting. He stated the City Administrator had forwarded the title work to him for his review. He advised that the City of Arcadia does not actually own that park, but the reason it is noted as a park was because in plat 1891 that area is marked as a park and when you designate a park area on a plat and do not actually dedicate it to the public, it creates rights in both the public and the private interests that have purchased property in accordance with that plat. He stated that he had spoken with Sesco's attorney and while they want to do a little more due diligence, if they do not find anything that would lead them to believe that the City does not have an interest, then they would come to the City and ask to try to purchase whatever interest the City has. City Administrator Stewart stated that he and the City Attorney had not had the opportunity to discuss this, but the fact of the matter is that taxes had not been paid on the property and he felt the City was owed back taxes if nothing else. City Attorney Wohl stated that they could only go back for seven (7) years and he had mentioned it to the other attorney and the other attorney stated that if they do not own the property outright and considering the City's interest, he was going to recommend his client pay the City for those seven (7) years of back

taxes and whatever reasonable amounts the City asks for. City Attorney Wohl stated that hopefully he will have an update at the next meeting.

Regarding the Department of Health land donation issue, City Attorney Wohl advised that at the last meeting, Council had approved a ten (10) year reversion on the parcel to the east of the Department of Health which the County would like to keep open as a green space area. He advised that he had spoken with the County Attorney and they seemed to be fine with it. Accordingly, Mr. Wohl referenced the proposed Quit Claim Deed that had been provided to Council for their review which dealt with both the small sliver on the map that should have already been conveyed to the County and also the property to the east which is Lots 9, 10, 11, 12 and 13. He advised that parcel one on the map is the little sliver and parcel two is the property to the east. He advised that he wanted Council's approval tonight and then he would forward it to the County Attorney to be placed on the County's agenda for their acceptance and only when they accept it on their form will the City execute the deed and deliver it to the County. He pointed out that under parcel two, the City is reserving an easement for installation, operation and maintenance for utility lines. City Attorney Wohl addressed the restrictions to parcel two only (parcel one was not relevant because it was what should have already been conveyed) and stated there was a use restriction that the County will maintain the property in its natural condition as a public park area and if they should demolish the current Department of Health building, if anything interferes with the City's utility lines, that the County will do it at their expense. He then addressed the revision section which stated that if they do not construct a new Department of Health building within ten (10) years, then the property would revert back to the City. Councilmember Fink made a motion to approve the deed and Councilmember Wertz-Strickland seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

City Administrator Stewart stated that he and the airport liaison, Shelley Peacock, had discussed improvements to the airport. He advised of a paving problem with the ramps around the t-hangars and stated it was severely deteriorating and stated they would work together with the FAA or FDOT regarding a grant for repaving of the ramps around the t-hangars.

As to the Rodeo Association regarding the utility connections and whether they would be willing to annex into the City, City Administrator advised he had met with Mr. Don Neu who represents the Rodeo Association and the board is willing to annex into the City. He advised that the next step was for the City Attorney and himself to determine whether they meet the geographical requirements as far as being contiguous.

He then addressed the paving project regarding the area of Hodges, O'Leary and Sunset. Mr. Stewart advised quite a bit of the work had been done and asked for Public Works Director Steve Underwood to step to the podium. Mr. Stewart stated that he was grateful to Mr. Underwood for the management he had exercised on this project. Regarding the intersection where Hodges and Johnson comes together, Mr. Underwood advised that particular intersection was not included, but he had contacted Mr. Stewart for approval to go ahead and do the entire intersection rather than just the two (2) sides of it. Mr. Stewart explained that it was accomplished because they get unit pricing and as a result of such, another change was made. He stated they had originally got approval to do Lincoln, Potter and McKinley in the southwest

section and as a part of that, it required replacements of bridge culverts on all three (3) of those streets. One (1) got done, but unfortunately those projects were not an immediate part of the roadway project. They were separate projects out of the stormwater project and the project on Potter got done late in the dry season. As the rainy season began, there was a washout and all of the grass that had been put down got washed out again and it had to be redone. The decision to not do the other two (Lincoln and McKinley) was made because of all of the rain. So, the paving that was to be done there which equaled about eighteen hundred (1800) feet of unit pricing was switched over to do another road in the southwest section from Magnolia going south on Manatee crossing Pine and all the way to Palmetto to include the entire intersection at Palmetto. Mr. Stewart explained that what was picked up in linear feet would be used to handle the other piece as well.

City Administrator Stewart advised there is another project regarding a complaint received by the School Board and it will be brought to Council separately. He advised the same contract will be used, but it will be a change order because it will be an additional amount. He further advised that there is money in the budget (reserves) to do it. Public Works Director Underwood informed Council that it was on LaSolona between Charles and El Verano. Mr. Stewart explained that because the sub-base is inferior, all of the buses have created ruts that are caving in the side of the road. He stated they would like to get it done before the school year starts.

Mr. Stewart advised that he and Mayor Coker had attended a brown field symposium and came back charged up to get some things done which included the livestock market. He informed Council that six (6) months after the phase one (1) assessment was done, it was no longer valid so it will have to be redone. He advised that because no action was taken, the EPA cannot say the site has not been further contaminated since it was done, so they are requiring that phase one (1) be done again. City Administrator Stewart informed Council that he had noticed in an e-mail that the Central Florida Regional Planning Council (CFRPC) had received an award from the EPA for area-wide plans on dealing with brown fields. He advised that he had spoken with them and they are putting together a proposal for a grant request to create an area-wide plan. Mr. Stewart stated that instead of just dealing with the contamination on the site, the EPA has recognized that these things are drivers for changing communities. He explained they are using a small area as a catalyst and then from that using it to drive other improvements in the neighborhood so that the work that is done in resolving the brown field has a wider impact. Mr. Schmucker advised it was an area-wide plan that has a focus on real or perceived brown fields. He stated that it was an area that ideally has a catalyst site within and there are stakeholders and other supporters from the community who come together to identify those needs within the community, identify a catalyst site for redevelopment that would have environmental, social and economic impacts for the greater area. Mr. Stewart advised that the timeline on this was August 10, 2016 to submit the grant proposal, but CFRPC has already started working on it. He informed Council that this would also include a part of the county and the county will be working together as a partner on it. He asked Council for their permission to submit the grant and stated that he thought extremely highly of CFRPC and that they are the best and most well-run regional planning council he had ever worked with. Councilmember Fink made a motion for approval to allow staff to apply for the grant and Councilmember Wertz-Strickland seconded the

motion. No discussion followed and it was unanimously, 5/0, approved. Mr. Schmucker thanked the City Administrator for the accolades.

PUBLIC

Ken Clark of the Special Olympics presented the City with a picture of the athletes and City Officials during the golf games held on June 22, 2016 at the City Golf Course.

MAYOR AND COUNCIL REPORTS

Councilmember Wertz-Strickland stated that she hoped that in the length of time from the last meeting to this meeting that Councilmembers had had the time to meet with City Administrator Stewart regarding his evaluation. She felt it should be placed on the agenda for the next meeting.

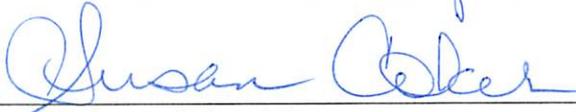
ADJOURN

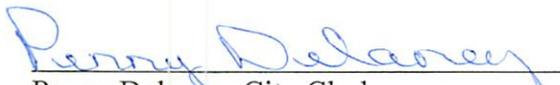
Councilmember Wertz-Strickland made a motion to adjourn and Councilmember Fink seconded the motion. No discussion followed and it was unanimously, 5/0, approved. Having no further business at this time, the meeting was adjourned at approximately 7:51 P.M.

ADOPTED THIS 16th DAY OF August, 2016.

ATEST:

By:


 Susan Coker, Mayor


 Penny Delaney, City Clerk



APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Alice Frierson, hereby disclose that on August 2, 202016;

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Abstained from votes on Ordinance No. 1017, Request for Future Land Use Map Amendment, regarding Parcel Numbers 30-37-25-0A00-1240-0000 and 30-37-25-0A00-1270-0000 due to her and her husband, Gary Frierson, owning said property. This included the vote to read the Ordinance by title only (second and final reading) and the vote to approve Ordinance 1017.

Date Filed

Alice Frierson

Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Alice Frierson, hereby disclose that on August 2, 202016;

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Abstained from votes on Ordinance No. 1018, Request for Rezoning, regarding Parcel Numbers 30-37-25-0A00-1240-0000 and 30-37-25-0A00-1270-0000 due to her and her husband, Gary Frierson, owning said property. This included the vote to read the Ordinance by title only (second and final reading) and the vote to approve Ordinance 1018.

Date Filed



Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.