

**MINUTES
CITY COUNCIL
CITY OF ARCADIA
TUESDAY, SEPTEMBER 3, 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 (Absent)

Arcadia City Staff

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

City Clerk Gia Lancaster
Marshal Matt Anderson
Public Works Director Cathy Miller

PUBLIC HEARING – (Open Public Hearing)

Mayor Keene opened the Public Hearing at 6 p.m.

**RESOLUTION NO. 2013-19; A RESOLUTION
ADOPTING THE MILLAGE RATE TO BE LEVIED BY
THE CITY OF ARCADIA, FLORIDA FOR FISCAL YEAR
2013-2014 (Finance Director)**

Resolution No. 2013-19 was read in full. Mrs. Green explained that last years' millage rate was 8.8859. This year the rolled back rate is 8.7867. The recommendation is for 8.6694 millage rate which is less than the rolled back or -1.33%. Deputy Mayor Heine questioned if this will meet the \$22,000 short fall. Mrs. Jankosky stated that we also need to address the health insurance increase. The contingency in the General Fund is currently \$650,000. Mrs. Jankosky replied to Councilwoman Frierson that this budget presented will assist in the situation we are currently addressing with Tallahassee.

A motion was made by Deputy Mayor Heine and seconded by Councilman Allen to adopt Resolution No. 2013-20 Tentative Millage as presented. The motion carried 5-0.

**RESOLUTION NO. 2013-20; A RESOLUTION
ADOPTING THE TENTATIVE BUDGET FOR THE CITY
OF ARCADIA, FLORIDA FOR FISCAL YEAR 2013-
2014 (Finance Director)**

Resolution No. 2013-20 was read in full. Mrs. Greene reported that Code Enforcement was placed under the Police Department which was \$66,156 for a total Police budget of \$1,507,733. Councilman Allen stated he was acceptable with the current budget. Councilman Fink commended the City Administrator for attempting to balance the budget. He stated that he would be unable to support this budget while the Police Department continues to expand. He still believes the State will come in as the \$170,000 will not replenish the funds. He continued that there are Officers that take vehicles home, clerical staff and personnel that could have been reduced.

A motion was made by Deputy Mayor Heine and seconded by Councilman Allen to adopt Resolution No. 2013-20, Tentative Budget as presented.

Mr. Gary Frierson, resident, explained that there still remains \$400,000 in street improvements which could be reduced. He spoke also about the water and sewer account owing the general fund. If we had to we could utilize those funds as well. He feels the budget is a good budget and believes that things don't appear to be as dire as some may have made it out to be. Mayor Keene thanked all who worked on the budget. He recalled in past years the City did not even have a repair and replace fund and there was a \$450,000 previous cost that had nothing to do with the current Council. He mentioned Broward County supporting legislation to help fund City Police Departments and suggested we might want to be on board.

Vote on the original motion carried 4-1 with Councilman Fink dissenting.

CLOSE PUBLIC HEARING – Mayor Keene closed the public hearing at 6:20 p.m.

OPEN REGULAR CITY COUNCIL MEETING – Mayor Keene opened the Regular City Council Meeting at 6:21 p.m.

PRESENTATION

Kevin Joens, 5 years of service - Presentation by Mayor

Mayor Keene presented Mr. Kevin Joens a plaque representing his 5 years of City service with the Arcadia Police Department.

CONSENT AGENDA

1. August 6, 2013 City Council Minutes
2. Check Warrant Reports: 08/19/13, 08/20/13, 08/27/13
3. Amendment 5 to Specific Authorization No. 11 (co-document to Change Order 3 approved last meeting)

A motion was made by Deputy Mayor Heine and seconded by Councilman Fink to approve consent agenda item 1 through 3 as presented. The motion carried 5-0.

DISCUSSION ITEMS**4. Request for use of Speer Center – Toys for Tots, Marine Corps Reserve (Administrator)**

A motion was made by Deputy Mayor Heine and seconded by Councilman Fink to allow the Toys for Tots to utilize the Speer Center for storage and distribution of toys. The motion carried 5-0.

Mr. Robert Grinis thanked the Council for their generosity and asked about the general security of the building. Mr. Grinis also announced a Fundraiser Golf Tournament at the Arcadia Golf Course on October 19, 2013. Marshal Anderson stated that the Speer Center has new doors and is considered a secure building.

5. Lease of Former Police Station (Administrator)

Mrs. Jankosky stated that she met with Red Cross and they would like to begin negotiations regarding leasing half of the former Police Station. Council gave consensus for the Administrator to move forward.

6. Airport Lighting Grant (Administrator)

Mrs. Jankosky asked if the Council may approve a low interest government loan to help move forward on the Airport Lighting grant project. Council gave consensus for Mrs. Jankosky to move forward with Government funding and return with a loan package for Council's consideration.

7. Prayer Policy (Attorney)

Attorney Wohl stated this Resolution was brought forward for Council and Public review to comply with Church and State issues. Councilman Fink thanked the City Attorney for being proactive. Mr. Charles Conklin questioned why no one on the Council could pray and he felt they should have a right to pray as well.

8. Health Insurance (Administrator)

Mrs. Jankosky stated that Health Insurance increases this year stem from 25% – 44%. Mr. Tom Guidry, DeSoto Insurance, stated that he tried to speak with United on the 65% increase however the City has seen many catastrophic claims this period. He stated that Blue Cross/Blue Shield was the most competitive at only a 13% to 15% increase. He explained several plans to include PPO, HMO and various deductibles. Mrs. Jankosky proposed the BC/BS HMO, \$1,200 deductible with employee buy up to a \$500 deductible plus an employee buy up to a PPO. She also suggested the deletion of the dependent plans as those plans cost the City considerable amounts. Mr. Guidry reminded also that Health Care Reform begins in January.

Councilman Fink asked the Administrator if she could provide a spreadsheet of alternatives as presented last year. Mr. Guidry replied to Councilwoman Frierson that many of our claims were due to outpatient procedures and catastrophic claims. Mr. Guidry replied to Mayor Keene that the City currently carries 16 dependents. Mr. Lew Ambler reminded Council that the City is very generous to

provide dependent coverage.

A motion was made by Councilman Fink and seconded by Deputy Mayor Heine to move the City Health Insurance to BC/BS HMO Plan 61, removing depending coverage. Provide employees three options: 1) BC/BS Plan 61, \$1,200 deductible, or buy up to: 2) Plan 60, \$500 deductible and 3) BC/BS PPO Plan which may cost an additional \$60 per employee. The motion carried 5-0.

9. Oak Ridge Cemetery (Public Works Director)

Mrs. Miller explained the maintenance options for Oak Ridge Cemetery. She reviewed three options for securing the cemetery.

A motion was made by Deputy Mayor Heine and seconded by Councilman Fink to approve option 2: Install the gate adjacent to the bridge and remove the fence material that will no longer be needed. Total cost \$332.50. The motion carried 5-0.

10. Antique Association 4th Saturday Fair and 1st Saturday Farmer's Market (Marshal Anderson)

Marshal Anderson explained that there appears to be three different factions functioning in the downtown area and sponsoring different events. He stated that there is currently no code to enforce business owners not to place items outside the front of the store, the code only indicates "no blocking or obstructing sidewalks". He asked Council for clarification during these special events. Attorney Wohl stated that the code is vague on that particular issue; however he is drafting an Ordinance addressing special events. Councilwoman Frierson stated that the City could close down Oak Street from the railroad to the Church (Orange Ave.) Mr. Lew Ambler, DeSoto Insurance, stated that he did have concerns regarding the risks and liability during these events.

Mr. James Lee, Business Owner, stated that the Antique Association appears to be picking and choosing who they want in their Association. He asked why the City doesn't take over this event.

Mr. Frank Peterson, resident, stated that he usually sets up in front of an Attorney's Office however he was told he could no longer do that. He stated it appears that the Antique Association does not want outsiders at the event.

Ms. Sheri Fink, VP of the Antique Association, stated the sellers are not paying the fees which are used for advertising at \$30,000 per year. She added that the Antique Association gave Mr. Peterson three months extra due to his health issues. She stated that the Association does have vendor contracts with rules and regulations. The Association only wants to see items which are 1950 or older.

Mrs. Marsha Brown, Methodist Church Secretary, stated that the Church sponsored events income goes directly to the needy and food drives.

Deputy Mayor Heine suggested closing down Oak Street from DeSoto to Orange. Council gave consensus for the Attorney, Administrator and Code Enforcement to begin writing an Ordinance addressing special events.

Councilman Fink stated if the streets are closed and items are in the street then the visitors won't come into the stores. Councilman Fink disclosed that he was a store owner and member of the Antique Association. His attorney noted no conflict regarding this subject.

Mrs. Jackie Tucker explained that Mr. James Lee joined the Antique Association and paid for a year and also set up two spaces in front of his store. She advised that the City should take the event over.

11. Revised Personnel Policy Manual (Human Resources)

Mrs. Jankosky reviewed the changes to the revised personnel policy manual. All Council were in approval of the revisions however rejected the new President's Day Holiday.

A motion was made by Councilman Fink and seconded by Deputy Mayor Heine to approve the Revised Personnel Policy Manual minus the request for President's Day Holiday. The motion carried 5-0.

ORDINANCES

12. ORDINANCE NO. 992: FIRST READING OF AN ORDINANCE AMENDING THE CITY OF ARCADIA CODE OF ORDINANCES TO REPEAL CHAPTER 58; TO ADOPT A NEW CHAPTER 58; TO ADOPT FLOOD HAZARD MAPS, TO DESIGNATE A FLOODPLAIN ADMINISTRATOR, TO ADOPT PROCEDURES AND CRITERIA FOR DEVELOPMENT IN FLOOD HAZARD AREAS, AND FOR OTHER PURPOSES; TO ADOPT LOCAL ADMINISTRATIVE AMENDMENTS TO THE FLORIDA BUILDING CODE; PROVIDING FOR APPLICABILITY; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE. (City Planner)

Ordinance No. 992 was read by title only. Mr. Slaughter explained the need for the updated Ordinance and stated that the City would be working with DeSoto County Building Department.

A motion was made by Deputy Mayor Heine and seconded by Councilman Fink to approve Ordinance No. 992 at first reading. The motion carried 5-0.

13. ORDINANCE NO. 993; FIRST READING OF AN ORDINANCE OF THE CITY OF ARCADIA, AMENDING CHAPTER 2, ARTICLE VII, DIVISION 3, SECTION 2, OF THE CODE OF ORDINANCES OF THE CITY OF ARCADIA, AMENDING THE CITY OF ARCADIA POLICE OFFICERS' AND FIREFIGHTERS' RETIREMENT SYSTEM; AMENDING SECTION 1, DEFINITIONS; AMENDING SECTION 15, MAXIMUM PENSION; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND

PROVIDING AN EFFECTIVE DATE. (Attorney)

Marshal Anderson explained this Ordinance is updated for IRS Tax purposes which are completed on a yearly basis. Councilman Fink requested letters from the attorney and actuary for his files.

A motion was made by Councilman Fink and seconded by Deputy Mayor Heine to approve Ordinance No. 993 at first reading, as presented. The motion carried 5-0.

COMMENTS FROM DEPARTMENTS

14. City Marshal – August 2013 Report Included in Packet

Marshal Anderson stated that Mr. Carl McQuay, Code Enforcement Officer, went to Sebring to review their Code Enforcement procedures. Some of Sebring's Ordinances establish penalties in the early phases of the procedures. For example: high grass penalty: once a notice is posted you have ten days to come into compliance, following that the fine immediately begins. Council gave consensus for the Marshal and Code Enforcement to work with the City Attorney to update the City's Code Enforcement Ordinances.

Mayor Keene asked about the new advertising flags flying on Oak and Highway 17. Marshal Anderson confirmed those are against the law if they are placed in the City right of way.

15. Attorney – No Report

16. City Administrator

- Amendment 4 to Loan Agreement DW140100 (WTP Grant)

A motion was made by Councilman Fink and seconded by Deputy Mayor Heine to approve Amendment 4 to Loan Agreement DW140100 as presented. The motion carried 5-0.

PUBLIC (PLEASE LIMIT PRESENTATIONS TO FIVE MINUTES)

MAYOR AND COUNCIL MATTERS**ADJOURN**

There being no further business the meeting adjourned at 8:25 p.m.

APPROVED THIS 15th DAY OF February 2013. 14

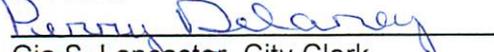
By:



~~Keith Keene~~, Mayor

Alice Frierson

ATTEST:


~~Gia S. Lancaster~~, City Clerk

Penny Delaney