

**MINUTES
CITY COUNCIL
CITY OF ARCADIA
TUESDAY, OCTOBER 1, 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.

Mr. Charles Conklin 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

Jeff Schmucker, CFRPC

City Clerk Gia Lancaster

Marshal Matt Anderson

COUNCIL REORGANIZATION

Nominations for Mayor and Deputy Mayor

**RESOLUTION NO. 2013-23; A RESOLUTION
APPOINTING THE MAYOR AND DEPUTY MAYOR AND
PRESIDING OFFICER; SETTING TERM OF OFFICE.**

Councilman Fink made a motion to retain Mr. Keith Keene to serve in the capacity of Mayor. Mayor Keene stated his appreciation for Councilman Fink's confidence however he was unable to serve in this capacity. Councilman Fink asked Mayor Keene to reconsider for the sake of the City. The motion died for lack of a second.

A motion was made by Mayor Keene to appoint Councilwoman Frierson to serve in the capacity of Mayor. The motion was seconded by Councilman Allen. Councilwoman Frierson stated she has many time commitments and would need assistance from the Council in carrying out this task. The motion carried 5-0.

Councilman Keene passed the gavel to Mayor Alice Frierson.

Mayor Frierson called for a motion for the Deputy Mayor Position. A motion was made by Councilman Keene and seconded by Mayor Frierson to appoint Councilman Fink to serve in capacity of Deputy Mayor. The motion carried 3-2 with Councilman Allen and Councilman Heine dissenting.

2013-2014 Arcadia City Council

Mayor Alice Frierson
Deputy Mayor Joseph E. Fink
Councilman Robert R. Allen

Councilman Keith Keene
Councilman Robert Heine

EMPLOYEE RECOGNITION PRESENTATIONS:

Mrs. Carrie Taylor – 15 Years of Service

Mayor Frierson presented Mrs. Carrie Taylor with a plaque for 15 years of service to the City.

Mr. John Ristau – 5 Years of Service

Mr. Ristau was unable to attend. Mayor Frierson read the plaque in appreciation for Mr. John Ristau's 5 years of service to the City.

PROCLAMATIONS:

Week of the Family (Cynthia Siegel, Co-Chair)

Mayor Frierson read and presented a Proclamation for Week of the Family to Ms. Cynthia Siegel.

National Long-Term Care Residents' Rights Month (Barbara R. Pohl, District Manager)

Mayor Frierson read and presented a Proclamation for National Long-Term Care Residents' Rights Month to Ms. Barbara R. Pohl.

White Cane Awareness and Pedestrian Safety Day (Michael Ulrich, Chair)

Mr. Ulrich was unable to attend. The Proclamation will be mailed to the Mr. Ulrich, Chair of the Southwest Florida Council of the Blind.

PRESENTATION – Attorney Glenn Thomas – Pension Reform Options

Attorney Glenn Thomas discussed the overall situation of the Police/Fire Pension Plan. He outlined options for pension reform, explained different type pension plans and discussed the advantages and disadvantages of each. 1) Maintain the current City pension plan, but: Reduce benefits, and/or increase employee contributions. 2) Terminate, freeze or close current pension plan, and set up a lower cost plan. Attorney Thomas closed stating that the City will need input from an Actuary when the Council

makes a decision. Council agreed to task the Administrator with costing out plans with an Actuary in order for Council to make an informed decision.

CONSENT AGENDA

1. August 3, 2012 Budget Workshop Minutes
2. August 13, 2013 Special Meeting Minutes
3. August 20, 2013 City Council Minutes
4. Check Warrant Reports: 09/13/13, 09/17/13
5. Air-Cadia Flowage and Hanger Rent Report for August 2013
6. Request for Special Event Permit and Street Closure for Monthly Car Show, Team Arcadia
7. Budget Adjustments for Computer Upgrade and Way Building Renovations

A motion was made by Deputy Mayor Fink and seconded by Councilman Keene to approve Consent Agenda items 1 through 7 as presented. The motion carried 5-0.

DISCUSSION ITEMS

8. Planning and Zoning Request for Joint Meeting with City Council (Jeff Schmucker, CFRPC)

City Council agreed to a Joint Workshop with the Planning and Zoning board to review the Unified Land Development Code on October 22, 2013 at 5:30 p.m.

9. Lake Katherine Park Conceptual Improvement Plan (Team Arcadia)

Mr. John Super and Bruce Neveau, Team Arcadia, presented the final concept plan for Lake Katherine Park. Mr. Super clarified that the fountain previously installed did not cost \$45,000. Mr. Neveau stated there will be several phases to the park project to include a gazebo at the far southeast corner, eco-friendly vegetation, restrooms, parking and playground changes. In addition they would like to test and improve the water quality.

Mr. Luke Wilson explained the history of the Tree of Knowledge. He asked if Council would partner to perpetuate this part of the City and allow them to collect and grow the acorns which will be known as "Knowledge Oaks". The Council agreed. Mr. Super added that the Sandhill Nursery would be cultivating the oaks which would be viable in a year.

A motion was made by Deputy Mayor Fink and seconded by Councilman Heine to approve the collection of acorns at the Tree of Knowledge to cultivate "Knowledge Oaks". The motion carried 5-0.

10. Wireless Internet Hotspot Service Agreement (Administrator)

A motion was made by Deputy Mayor Fink and seconded by Councilman Keene to approve the Wireless Internet Hotspot Service Agreement for the City Mobile Home Park with Camplink as presented. The motion carried 5-0.

11. Repeal Business Tax Receipt (Administrator)

Mrs. Jankosky reported that the current software for issuing business tax receipts is not functioning properly. She asked for a repeal or moratorium on the tax. She reported that the City collected \$20,000 last year. Deputy Mayor Fink stated the City should continue issuing the receipts even if it is manually completed. Mrs. Jankosky replied to Mayor Frierson that the City may have difficulty collecting the information for example retail stores that require their inventory in order for our system to process the receipt. Deputy Mayor Fink added that he would rather see the City process the receipts and then issue some sort of hand receipt which would be sufficient at this time.

Attorney Wohl explained there are different types of businesses and scales. Attorney Wohl replied to Mayor Frierson if the City went to a flat fee the City would have to create an Equity Study Commission. Attorney Wohl replied that he would like to review the statutes. Mrs. Jankosky replied to Councilman Keene that revenues budgeted for the Business Tax Receipts for the upcoming Fiscal Year is \$30,000. Council voiced interest in reviewing a flat rate fee schedule.

Council agreed to continue issuing Business Tax Receipts as currently required by the City Ordinance.

12. Utilizing Range Riders Services (Administrator)

Mrs. Jankosky explained that due to her resignation, the Council may wish to work with the Range Riders (Florida League of Cities) which are managers in transit to sit in as the Interim Administrator. Council agreed and asked Mrs. Jankosky to contact FLC for further information.

A motion was made by Deputy Mayor Fink and seconded by Councilman Keene to open the Public Meeting. The motion carried 5-0.

RESOLUTIONS

13. RESOLUTION NO. 2013-18; A RESOLUTION OF THE CITY OF ARCADIA, FLORIDA ELECTING TO USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM SPECIAL ASSESSMENTS LEVIED WITHIN THE INCORPORATED AREA OF THE CITY;

**STATING A NEED FOR SUCH LEVY;
PROVIDING FOR THE MAILING OF THIS
RESOLUTION; AND PROVIDING FOR AN
EFFECTIVE DATE. (Administrator)**

Resolution No. 2013-18 was read by title only. Mrs. Jankosky reported that this is the first step in conducting a study regarding the Fire/Stormwater assessment fees. Costs associated with these studies will be approximately \$30,000. Attorney Wohl confirmed these statistical studies are mandatory for any type assessment. Councilman Keene added that these studies were budgeted for this fiscal year.

A motion was made by Councilman Heine and seconded by Deputy Mayor Fink to adopt Resolution No. 2013-18 as presented. The motion carried 5-0.

**14. RESOLUTION NO. 2013-24; RESOLUTION
FOR JOINT PARTICIPATION AGREEMENT
FOR AVIATION PROJECTS. (Administrator)**

Resolution No. 2013-24 was read by title only.

A motion was made by Councilman Keene and seconded by Councilman Heine to adopt Resolution No. 2013-24 as presented. The motion carried 5-0.

COMMENTS FROM DEPARTMENTS

15. City Marshal – September report included

Marshal Anderson reported on the following: Homecoming Parade, Code Enforcement, sidewalk issues, Special Master Hearing, weekend traffic enforcement, and a recent stabbing.

16. Attorney

a. Update from Employment Law Attorney

Attorney Wohl reported that the Employment Law Attorney advised that the City Council should allow the appeals process to continue for those recently terminated employees.

Regarding questions on violations of the Sunshine Law, Attorney Wohl spoke with Mr. Underwood and based on his opinion, no Sunshine law was violated.

Mr. Charles Conklin stated that according to public accusations around the City and Port Charlotte, City Council should be careful what they say at public meetings.

17. City Administrator

a. Keeping Abandoned PT Cruiser for City Use

Mrs. Jankosky requested if the City could utilize the PT Cruiser that is being auctioned by the Police Department for the additional Part-Time Meter Reader. There was discussion regarding the condition of the car and salvageable amount. Marshal Anderson noted that the Police budget was utilized to get the Car in running shape. The proceeds from the vehicle auctions were to supplement the budget they need for the new software system.

Mr. Conklin said the car was sitting for three years and encouraged that the car be taken to a certified mechanic.

A motion was made by Councilman Keene and seconded by Deputy Mayor Fink to keep the PT Cruiser for the City to utilize for the Meter Reader Positions. The motion carried 3-2 with Mayor Frierson and Councilman Heine dissenting.

PUBLIC (PLEASE LIMIT PRESENTATIONS TO FIVE MINUTES)

Former Councilwoman Martha Craven advised Council that the citizens are unable to hear what they are discussing. She voiced her disappointment in the Council for putting Mrs. Jankosky through so much that she was resigning and she would like to see the City move forward not back.

Janie Watson echoed Mrs. Craven and stated that Council is making a terrible mistake in letting her leave.

Mr. Charles Conklin stated that he and Mrs. Jankosky have had their ins and outs however he felt Council was giving her a bad deal because the same Council who voted her in are the same ones now that want her to be gone.

Mr. Jeff Collins, City Garage employee, stated that he backed Mr. Steve Underwood 100% and he felt Mr. Underwood got railroaded out of his position.

Mr. Jean Pierre LaCroix, local electrical contractor, stated he has worked with Mr. Underwood as an outside contractor for many years and saw Mr. Underwood save much money for the City.

Mr. Nick Ostrowe, employee, stated that he worked with Mr. Underwood for three (3) months and Steve led by example. He felt Mr. Underwood was targeted and was the best boss he ever had. It was a loss for the City of Arcadia.

Ms. Jackie Scogin, City resident, stated that she felt sad and the City Administrator should not have been pressured to leave.

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MAYOR AND COUNCIL MATTERS

Councilman Keene updated the Council on the Legislative Delegation meeting regarding special authority for funding City Police Departments. He and the City Administrator would be attending.

ADJOURN

There being no further business the meeting adjourned at 8:15 p.m.

APPROVED THIS 18th DAY OF February, 2013 14

By:

Alice Frierson
 Keith Keene, Mayor
 Alice Frierson

ATTEST:

Penny Delaney
~~Gia S. Lancaster, CMC~~ Penny Delaney
 City Clerk