

**AGENDA MINUTES
CITY COUNCIL
CITY OF ARCADIA
TUESDAY, NOVEMBER 3, 2015
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

The Mayor called the meeting to order at approximately 6:00 p.m. Reverend Ted Hanus gave the invocation which was followed by the pledge of allegiance. The following members and staff were present:

Arcadia City Council

Mayor Judy Wertz-Strickland
Deputy Mayor Alice Frierson
Councilmember S. Delshay Turner

Councilmember Joseph E. Fink
Councilmember Susan Coker

Arcadia City Staff

City Administrator Terry Stewart
Marshal Matthew Anderson

City Clerk Penny Delaney
Human Resource Manager Linda Lowe

PRESENTATION

Agenda Item 1 – Friends of Arcadia Airport, Inc.

George Chase, President of Friends of Arcadia Airport, Inc. provided an update as to what they had been accomplished at the airport and he presented a “Resolution – Gift to the City” and asked the City Clerk to read said resolution. Councilmember Coker congratulated Friends of Arcadia Airport, Inc. for all of the work done and reminded everyone of their pancake breakfasts and invited everyone to attend and see what was being done at the airport.

Agenda Item 2 – New Rodeo Site

Donald Neu of Neu Consulting, LLC, provided a slideshow to the City Council regarding the plans for the new rodeo arena which will be located on Roan Street.

CONSENT AGENDA

Agenda Item 3 – City Council Minutes for October 20, 2015

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Agenda Item 4 - Special Event Permit – Boots and Bling Fundraising Event at McSwain Park

Councilmember Fink made a motion to accept the Consent Agenda as presented and Councilmember Coker seconded the motion. Councilmember Coker also advised she had spoken with the City Attorney regarding her involvement with Leadership DeSoto and whether it would be considered a conflict of interest for her to vote and she stated that the City Attorney advised that it would not be a conflict. No discussion followed and it was unanimously, 5/0, approved.

ACTION ITEMS**Agenda Item 5 – Special Event Permit – Team Arcadia Car Show**

City Administrator Stewart advised that Team Arcadia had, in the past, applied for a special event permit every three (3) months and they were asking for the permit to cover a full year. Councilmember Fink made a motion to approve as presented and Councilmember Coker seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

Agenda Item 6 – Ordinance No. 1008 – Amending Article I, Chapter 98 of the Code to Regulate or Prohibit the Use of Designated Streets by Commercial Vehicles – Second and Final Reading

Councilmember Fink made a motion to have Ordinance No. 1008 read by title only and Councilmember Coker seconded the motion. No discussion followed and it was unanimously, 5/0, approved. The City Clerk then read Ordinance No. 1008 by title only. Councilmember Fink made a motion to approve Ordinance No. 1008 as presented and Councilmember Coker seconded the motion for discussion purposes. Councilmember Coker stated that she was concerned with what designates a commercial vehicle and also with the language on page three (3) in Sec. 98-5. – Commercial Vehicle Through Traffic Restrictions, wherein it stated “. . . if such vehicles shall proceed directly from a street which is not so designated and return directly to an undesignated street so that such vehicle shall have traveled the shortest possible distance over the streets which are so designated.” The City Attorney responded by stating that there were two (2) ways to deal with it. The first way would be to have it written out as to what streets a commercial vehicle could go on and the second way would be to change the wording to “most practical route to undesignated street”. Councilmember Fink asked if it would change the title and the City Attorney stated that it was not a substantial change that would require a separate reading. Councilmember Fink amended the motion to include the referenced verbiage and Councilmember Coker seconded the amended motion. Mayor Wertz-Strickland directed the City Clerk to take a roll call vote. The City Clerk did so with the following results: Councilmember Turner voted in the affirmative, Deputy Mayor Frierson voted in the affirmative, Mayor Wertz-Strickland voted in the affirmative, Councilmember Fink voted in the affirmative and Councilmember Coker voted in the affirmative. No discussion followed and it was unanimously, 5/0, approved.

Agenda Item 7 – Ordinance No. 1009 – Amending Two (2) Parcels of Land Located on East Maple Street from the Zoning of City B-1 to City R-1B – Second and Final Reading

Councilmember Fink made a motion to have Ordinance No. 1009 read by title only and Councilmember Coker seconded the motion. No discussion followed and it was unanimously, 5/0, approved. The City Clerk then read Ordinance No. 1009 by title only. Councilmember Coker made a motion to approve Ordinance No. 1009 as presented and Councilmember Fink seconded the motion. Mayor Wertz-Strickland directed the City Clerk to take a roll call vote. The City Clerk did so with the following results: Deputy Mayor Frierson voted in the affirmative, Mayor Wertz-Strickland voted in the affirmative, Councilmember Fink voted in the affirmative, Councilmember Coker voted in the affirmative and Councilmember Turner voted in the affirmative. No discussion followed and it was unanimously, 5/0, approved. Jeff Schmucker of Central Florida Regional Planning Council advised that he was prepared to present a slideshow for informational purposes if Council desired and Mayor Wertz-Strickland stated that she would like to see it. The slideshow was presented and there were no questions or comments afterward.

Agenda Item 8 – Ordinance No. 1010 – Amending One (1) Parcel of Land Located at 14 School Avenue from the Zoning of City R-1C to PBG – First Reading

Councilmember Fink made a motion to have Ordinance No. 1010 read by title only and Councilmember Coker seconded the motion. No discussion followed and it was unanimously, 5/0, approved. The City Clerk then read Ordinance No. 1010 by title only. Jeff Schmucker of Central Florida Regional Planning Council provided another slideshow. After the slideshow was presented, City Administrator Stewart advised that Links to Success required a resolution to designate that it meets all requirements for an enterprise zone and at the next City Council meeting, after the second reading of Ordinance No. 1010 is read, a resolution will follow on the agenda for such purpose. Councilmember Coker made a motion to approve Ordinance No. 1010 as read and Councilmember Fink seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

Agenda Item 9 – Emergency Road Repair Authorization

City Administrator Stewart updated Council regarding the road repair on Mills Avenue. He stated that the stormwater pipes were leaking so bad that it had washed out the roadway and caused five (5) sinkholes. He stated the entire strip from Cypress to Hickory had been ripped out and both the stormwater and sewer pipes had been replaced at the same time. He advised Council that yesterday morning, he had been told of a pipe in the ground under the curbing that was leaking. He then advised that after further inspection, it was determined to be an abandoned pipe that was never placed on the maps and repairs would not have to be made regarding such. City Administrator Stewart informed Council that he had given staff instructions to map and chart said pipe. He thanked Steve Underwood, Fred Lewis, and the systems department for tracking it down so quickly. Mr. Stewart stated that he was asking for approval of the emergency purchase of \$173,958.00. Councilmember Coker made a motion to approve said emergency purchase and Councilmember Fink seconded the motion. Mr. Stewart asked that the

amount be included in the motion and Councilmember Coker amended the motion to include the amount and Councilmember Fink seconded the amended motion. No discussion followed and it was unanimously, 5/0, approved. City Administrator Stewart advised the completion date should be mid-November.

Agenda Item 10 – Request Approval to Open a Loan Repayment Account with Seacoast National Bank

City Administrator Stewart informed Council this agenda item was related to the new water plant. He stated it was not a City or State requirement, but one that the bank required. Councilmember Coker made a motion to approve the opening of a special account and Councilmember Fink seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

Agenda Item 11 – Contract for Uniform Services

Human Resource Manager Linda Lowe informed Council that this contract was with Unifirst Uniform Company. She advised that she had checked with three (3) other companies and Unifirst provided the best value. She also stated that Unifirst is a selected vendor for NJPA (National Joint Power Alliance) who assists governmental entities in obtaining the best pricing for products. Mrs. Lowe advised that the contract would provide forty-three (43) employees with emergency visibility uniforms, to include jackets and shop rags for the garage, along with laundering for same. City Administrator Stewart pointed out that the laundry option would allow for individuals who work in sanitation and wastewater to not have to launder their uniforms at home along with their family member's laundry which is safer for everyone. Mrs. Lowe advised that while everyone would have the same type of uniform, each department would have their own colors designated to them. She also advised Unifirst would provide lockers at no additional cost. She informed Council that the contract price was for \$10,438.40 for sixty (60) months with a five percent (5%) yearly increase. City Administrator Stewart advised that this was beyond his authorization since the cost would be over \$50,000.00 over the term of the contract. Mayor Wertz-Strickland asked if it was already budgeted for and Human Resource Manager Lowe advised that it was. Councilmember Coker asked if, other than the ninety (90) days after the sixty (60) months, the City would have an out and Mrs. Lowe advised that the ninety (90) day out was for any time during the sixty (60) day period. Councilmember Coker then asked if the "defee" charges would apply and Mrs. Lowe stated there would be a \$2.00 fee per delivery location in addition to the amount. Discussion turned to the provisions of NJPA as such pertains to a ninety (90) day out clause and after much discussion of same; City Administrator Stewart stated that he would prefer to delay the vote until more information is made available. Mayor Wertz-Strickland advised the item would be tabled.

Agenda Item 12 – Discussion on Options for Ordinance or Resolution Concerning Quasi-Judicial Proceedings

City Attorney Wohl stated that he was following up on the September 15, 2015 City Council meeting wherein City Council approved his request to provide options concerning an

ordinance or resolution dealing with quasi-judicial proceedings and ex parte communications after such arose due to Councilmember Fink's encounter with a potential re-zoning applicant. City Attorney Wohl stated that the language was very difficult to understand and interpret, but he had researched and after addressing three (3) subsections in Florida Statute, Section 286.0115, he provided six (6) options. He further stated that his recommendation would be option one (1) which was to adopt an ordinance under subsection one (1) allowing ex parte communications in all quasi-judicial proceedings and establishing disclosure processes. (City Attorney Wohl's memorandum to Council which outlined the statute and options are on file in the City Clerk's office within the City Council packet for this meeting). After further discussion, Councilmember Fink made a motion to take the City Attorney's recommendation and for him to write up an ordinance to put such into motion and Councilmember Coker seconded the motion. Councilmember Fink stated that he hoped this would not be needed. No discussion followed and it was unanimously, 5/0, approved.

City Administrator Stewart referred back to Agenda Item No. 11 and pointed out the second paragraph on the second page of the Customer Service Agreement and suggested to the City Attorney that it may answer Councilmember Coker's question regarding having an "out". City Attorney Wohl stated that he recommended Mrs. Lowe's suggestion to include the NJPA information. City Administrator Stewart advised that it would be brought back on the next agenda.

COMMENTS FROM DEPARTMENTS

Marshal Anderson apologized for not having the department report turned in early enough to be included in the packet. He explained a computer hard drive had crashed, but he provided each councilmember with a copy of the report. He then stated he was there to address any concerns the City Council or public may have and there were none. He advised that Halloween night had been incident free. Marshal Anderson then reminded Council that the dates for the JimSpace build was November 4-8, 2015 from 8:00 a.m. until 8:00 p.m. He also advised the homecoming parade was scheduled for Friday, November 6, 2015 at 4:00 p.m. and Judge Parker's Retirement Banquet would also be on Friday. Marshal Anderson stated that the homecoming dance would be Saturday and again reminded that on November 4th through 6th, the department would have their tip-a-cop program at Slim's Deep South BBQ and he invited everyone to participate.

The City Attorney stated that the Friends of Arcadia Airport, Inc.'s lease was contingent on FAA's approval or waiver of approval, but FAA had advised they did not object to the lease.

The City Administrator advised he had a few issues to address. The first issue was that a pick-up truck had been provided to him for his use, but he felt the truck should be in the work fleet. He stated he had spoken with staff regarding the possibility of using another vehicle in the fleet and Marshal Anderson had a 2002 SUV which he was going to retire, but instead gave to administration. He thanked Marshal Anderson and advised the vehicle was being prepared for his use.

Mr. Stewart then advised he had been approached by staff regarding the possibility of closing City offices at 4:00 p.m. on Friday, November 6, 2015, so staff could attend and support the homecoming parade. Councilmember Coker made a motion to allow such and Councilmember Fink seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

City Administrator Stewart pointed out that an entry form for the Veteran's Day Parade had been provided in each councilmember's mailbox. He advised the parade was November 11, 2015 and that there would be a ceremony at 11:00 .m. at McSwain Park.

The next issue Mr. Stewart addressed was the workshop regarding the volunteers for special events in downtown and advised he would provide Council with available dates by e-mail. He also addressed a workshop for the Strategic Planning / Goal Setting on November 19, 2015 and advised it would be scheduled from 9:00 a.m. until 3:00 p.m. Mr. Stewart stated that Council could choose to have the volunteer issue and inventory issue (the need for such had been discussed at a previous meeting) on a singular agenda or choose two (2) different dates.

City Administrator Stewart then referred to the requirement in his contract to reside in the County within six (6) months of his hiring. He advised he and his wife had been looking and had finally found a home of which their offer on same had been accepted. He pointed out that there is a family currently residing in the house and he and his wife would not be able to move in until March so he asked Council for their indulgence to extend the time frame until March to allow for the transition. He advised that he had obtained a residence that he stays in during the week and that he would have to move out of it at the end of November, but had secured another residence until he can move into the other house in March. Councilmember Fink made a motion to move the requirement to mid-April and Councilmember Coker seconded the motion. No discussion followed and it was unanimously, 5/0, approved. City Attorney Wohl stated that he would draft an amendment to reflect the decision.

PUBLIC

None

MAYOR AND COUNCIL REPORTS

Councilmember Coker reminded everyone of the JimSpace build project and advised there would be a dedication on Sunday at 5:00 p.m. or 6:00 p.m. She also reminded everyone of the home that Habitat for Humanity was building and their need for volunteers. Councilmember Coker then asked if anyone would be in the homecoming parade and Mayor Wertz-Strickland stated she had to place a call regarding same.

Councilmember Fink referred back to Agenda Item 9 and stated that there were two (2) other streets that needed to be looked at. The first was Orange Street between Hickory and Pine and Robert directly across from the Middle School on Gibson. He asked that staff investigate to see what could be done and the cost involved in same. He then advised that regarding Orange

Street, he meant to state between Magnolia and Pine and not Hickory and Pine. City Administrator Stewart asked to be allowed to get with staff to put information together and to chart a direction to take.

Mayor Wertz-Strickland spoke of the Mock Council Meeting that was held with the 7th grade civics students from Middle School. She also stated she had been appointed to the Ridge League Advocacy Team. She then advised that residents from the Gator Wilderness program would be in attendance at the next City Council meeting and she went into detail as to what the program offers.

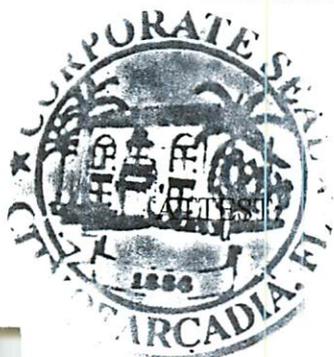
ADJOURN

Councilmember Coker 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 7:42 P.M.

ADOPTED THIS 17th DAY OF November, 2015.

By:


Judy Wertz-Strickland, Mayor




Penny Delaney, City Clerk