

**MINUTES  
ARCADIA CITY COUNCIL  
SPECIAL MEETING  
CITY OF ARCADIA  
TUESDAY, November 5, 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 Keene gave the invocation which was followed by Mayor Frierson beginning the Pledge of Allegiance.

**Arcadia City Council**

Mayor Alice Frierson

Deputy Mayor Joseph E. Fink

Councilman Robert R. Allen

Councilman Robert Heine

Councilman Keith Keene

**Arcadia City Staff**

City Administrator Tom Slaughter

City Attorney Thomas J. Wohl

Planning Specialist Christi Pence

Marshal Matt Anderson

**CALL TO ORDER, INVOCATION, PLEDGE AND ROLL CALL**

**Presentation**

Evan Bacallao and Sherman Baldwin from production of Wrecking Crew discuss the production they are working on called Ghouls City. The crew consists of 200 people to shoot and 75 days of Photography. The production crew is from Southwest Florida and been here for 28 years.

Interim Administrator Slaughter responded there may be some disruption of service similar and which you find in series of special events. We will coordinate with Police and Fire Department.

Councilman Keene questioned the Wrecking crew, How long do you anticipate being in Arcadia?

Evan Bacallao responded principle photography will be about 75 days we will probably have a presence here for 4 to 5 months. A lot of this is going to take place at night between 11:00pm at night till 5:30 pm. The average resident of Arcadia will probably not really notice us too much.

**Mayor Frierson pulled Consent Agenda Item 1 and made it Discussion Item #3.  
No disagreement.**

**Discussion items**

Interim City Administrator Slaughter reviewed the Compensation Increases & Financial Impact (Tabled from 10-29-13). The value of the raises as well as where it came from; a discussion maybe make it clear as to how raises occur and the process. Former Administrator Judi Jankosky e-mailed the justification varied by employment generally bring the staff members who work in position who alongside the people who do the exact same kind of work in one case an employee who was making less than other two employees it was to bring those salaries in adjustment as well to cover the loss of previous wages that was paid through overtime and onetime call. Jankosky provided the e-mail which discussed these concerns.

Deputy Mayor Fink responded that he is very concerned not that these people deserve these raises these are minimal amount of raises make sure if we don't do this again, and that there is some methodology to it and not blindsided. Council was very clear that things were tight and we were not supposed to raise things. He disliked the thought of taking away from employees who received raises not because anything they have done, however what has occurred. Just to make sure, he hoped the City looks into the legal aspect of the situation. We do not want this to come back and affect the City a second time. He preferred we fix this so this doesn't happen again. He would like to have the current administrator look over and make sure the methodology was followed.

Councilman Keene replied it was his thinking that there's several ways of getting a raise, one if it's across the board and budgeted from the beginning of the year. The other is if we had budgeted funding for salary increases based on performance. It does put us at an awkward position these raises have already been given and already in at least one pay period already. He just wants to make sure we are properly legal position and come up with some methodology.

Councilman Heine responded, that he doesn't want to take anything away from the employees, however not everyone has received raises. He thinks Council needs to make a decision.

Mayor Frierson noted there are a lot of employees who deserve it but she believes there are a lot of employees who didn't receive raise feel they are deserving of it.

City Attorney noted this issue is something that should go to a labor lawyer. He believes Slaughter needs to look into it.

Interim Administrator Slaughter responded that due to lateness of the hour which was given was a real problem. He believes most reasonable people look as that as problematic, how can we fix this. Staff came back to you with the amendments to the personnel policy specify which the Administrator can give a raise and go through all the incidents most importantly when those things happen we are using those numbers that are calculated. He believes going thru all of Jankosky e-mails on this, in the e-mail I think it lays out the course of action that can be better understood once its pieced together. Slaughter stated that most importantly we go back to the personnel manual; tax payers and council members should have expectation that we are following the policy. The City attorney indicated we need to look into labor attorney. Slaughter's concern was that he didn't want to get on the clock with the specialist and pay more expenses. However he doesn't think we are there yet. He believes we need to provide some rational in writing, piecing together various thoughts coming from the former administrator as well finance Mrs. Green and Mrs. Killmon. Secondly we also need come to the council with some suggestions to the personnel manual on how this can prevent in the future.

Mayor Frierson had a question for Mrs. Ashley Killmon, if I understand part in the e-mail was

Jerry salary was divided up. Is that where the money came from? Killmon responded yes.

Mayor Frierson believes that no member of council really knows the situation at this time. If Cordes comes back to the City the money is spent. I don't know how we can justify and give a select few raises. In addition we had turned down raises in the past. We don't know where the short fall is on our budget. We have to be responsible and not knowing what we are on the budget and not knowing last year budget. Having the state audit committee on us, how can we give salary increases?

Deputy Mayor Fink stated he is very annoyed by this because there is no quality control. We need a personnel services log as part of our budget. Until council adopts this, we will have no control. We are empowered by the people to expend their monies. These raises was given in good faith, I believe we are going to have to revisit this issue with everyone that has gotten a raise.

Mayor Frierson suggested if we looked at the personnel action forms there is one person that hasn't been here for even a year that received \$2.25 an hour how do we justify to an employee that hasn't had a raise in two to three years. She asked to table this until Interim Administrator can give us more information.

**Councilman Heine I would like to make a motion to hold the raises.**

Interim Administrator Slaughter responded that he would get with the Finance Director and prepare memorandum that really walks through what happened, how that happened. Also some potential fixes and agreement with Fink, beyond the personnel policy manual, the personnel log that we get our staff and where they are assigned to. We need to give direction to the staff and council what it is on these agreements. We have had a number of changes that has disrupted our staff structure.

Deputy Fink asked City Attorney, if the changes should be by resolution or ordinance rather than simple vote.

City Attorney stated it wasn't needed as a resolution or ordinance. It's a document that the administrator staff uses. It's not ordinance that would not need amendment or ordinance. It's not required a resolution; it's simply a guideline how to deal with employment issues, No. Effect may change in that manual yes but a resolution or an ordinance wouldn't be necessary.

Deputy Mayor Fink responds you don't considering the problems we had happened you don't think it would be a better tool to possibly to adopt any changes by resolution.

City attorney explained the document is what it is. So however you change it, It certainly does not require a resolution or ordinance its simply just amending council taking a vote amending a provision an employee manual should have the same effect on the manor which you are passing it and the means by which you use to amend the document has no bearing on the effect.

Mayor Frierson advised the Interim Administrator when putting this together would like to know the short fall on the budget when we are going to make financial decisions.

Interim Administrator replied he would write this up for the next agenda for next meeting, with the finance director providing an overview on the budget, and providing information on our health insurance that needs to be established.

Mayor Frierson responded that our goal is to get off the financial audit review; we are to get further advisement in October. Tabled to next meeting.  
How does council feel about putting the raises off for right now? I know there is a pay period coming up.

Interim Administrator discuss those action already went in payroll. I think we need to make clear is what exactly we need to do, so finance instructions are very clear and certain.

City attorney strongly recommended given the amount we are talking about for a week or two, continue those raises until we make a decision.

**Councilman Heine withdrew the motion.**

Interim Administrator Slaughter noted that he will have the finance director and staff prepares a memorandum that will get to council well in advance of the meeting so they will have time to review and examine the documentation. If there is a policy change we know exactly what changes will be. His main concern is the issue with morale He knows it has a value, but my concern that can concern some unattended consequences. I don't think that's a message we want to send to staff. I don't want to default them for something they have no power over. Let's have the finance director prepare memorandum so we can have these issue examine in full.

Councilman Fink asked to have an overview from Slaughter as to what exactly he will be working on.

Interim City Administrator Slaughter's list --

1. Whats the methodology for use in developing them.
2. The adherence and lack of adherence to city policy through the policy manual.
3. Actual financial costs of that
4. The ability to carry on financial decisions and actually makes the numbers works.
5. What recommendation for the staff action going forward.

Deputy Mayor Fink asked to include some sort of legal ramifications.

Councilman Keene responds, agreed that we needs some legal advice on what to do in this situation. No more additional unadvised decisions. He asked for and received a consensus for legal.

Interim Administrator Slaughter added legal to the list.

**PUBLIC DISCUSSION**

Jamie Watson- Asked Heine are we paying these people theses raises now? Every time we table it's a burden on the employees and I worry the legal ratifications on continuing to pay it.

Larry Burch- Could you clarify somewhere in your charter that you had an anniversary date on the City employees.

Councilman Heine responded thought there were something in there our employees we are expecting a raise on their anniversary date. City Attorney responds just to clarify that it's not in the Charter it's in the Personnel manual.

**City Attorney agreement.**

City Attorney discuss the agreement does go by the year to year basis. We have no issues with

the same terms extending a year. However this contract expires November 15<sup>th</sup>, 2013.

**Councilman Heine makes motion to extend the contract to next November.  
Councilman Keene seconded the motion**

Deputy Mayor Fink stated he didn't vote for your original agreement although he is very pleased with present legal services, however he is voting against the agreement.

**Motion Carried 4-1, Deputy Mayor Fink oppose**

#### **DOT Grant**

City Attorney noted we need a Resolution on the draft; we finished the final draft yesterday. It's pretty much reinstating the terms and the commitment letter with Seacoast National bank loan the City \$499,675.00 for the improvements that we have discussed in prior meetings. He asked for a vote on the Resolution Authorizing asking the Mayor or Deputy Mayor to sign and included Deputy Mayor Fink name on the signature line. His recommendation was that Mayor Frierson abstain from the vote. Deputy Mayor Fink was included on the signature line. If this passes \$500,000.00 notation in the title of the Resolution be changed to \$499,675.00, to reflect the amount that they are lending at reflecting properly in the Resolution.

Councilman Heine advised the council to explain to the Public about the improvements taking place at the airport.

Gary Frierson speaks in regards to the improvements taking place at the airport. We are getting a new lighting system; refinish the pavement, new stripping requirements by FFA for the lines on the runways. The grants are 100% funded it takes three years to receive the monies all we are paying is the interest rate.

**Councilman Keene makes motion we approve the Resolution.  
Councilman Heine seconded it. Motion carried 4-1, Frierson Abstaining.**

City Marshall Matt Anderson Reviewed Monthly Report for October.

The Police Department received a grant of \$1,536.00. The department needs desperately new updating of desktop computers; the software for the computers as well. We also had another grant \$12,958.00 submitted that for computer software. Now have \$34,000.00 in our law enforcement trust fund. The current software they want is used now by the Desoto County sheriff department.

**Councilman Heine makes motion to approve the police departments to update computers and software programs.**

**Deputy Mayor Fink seconded the motion, as long as no budget amendment is needed.  
Motion carried 5-0**

Interim Administrator addresses to council we are in the process of trying to fill in the Clerks position.

Mayor Frierson also advised we need to start advertising for the City Administrator position too.

#### **Public Discussion**

Charley Conklin likes to ask the council for 10 tables and 40 chairs for the Homeless Coalition,

so they can use the equipment for Thanksgiving dinner. Interim Administrator advised Mr. Conklin to go on our City website and print out the form and fill out the request and request the council to waive fees.

Councilman Heine makes motion to waive fee. Deputy Mayor Fink advised let's put this on the next agenda. Councilman Heine withdrew the motion.

Deputy Mayor Fink addressed attended James Joseph Richardson service. He also brought up the Peace River Wood Carvers wanted to rent the Speer Center and they were advised they have to provide Insurance. We need to make sure these abandoned facilities are being utilized. We are not a rental agency; we are doing this as a public service. Let's put this on the next agenda item at the next meeting to discuss this. We need to know our options on this.

Mayor Frierson responds I would like to know the costs that go into this and the Insurance.

Candy Reed member of the Historical Society the committee has met with Ms. Jankosky to begin to explore about using City hall the 1<sup>st</sup> floor to use it as a museum to place artifacts. We are very interested in using the City hall. We would like to be on the agenda to discuss these matters.

Carol Anderson speaks, she has worked in the Speer Center for years many tourist are interested in the building and they should be open.

Mayor Frierson would like to organize a administrator selection panel to address the City Administration applications are we going to table it. I have several people interested.

Deputy Fink requested we put that on the next agenda.

Mayor Frierson would like to wish Christi Pence the best, she enjoyed working with her.

Christi Pence responded it has been a pleasure and will definitely keep in touch.

Interim Administrator would like to discuss the initial stage to the strategic plan; the city has received a grant of \$ 25, 000.00. We do need to work on a capital improvement plan and identify long term of structure and future growth.

## **PUBLIC INPUT**

**ADJOURN**

There being no further business the meeting adjourned at 8:00 P.M.

**APPROVED THIS 19<sup>th</sup> DAY OF November 2013.**

By:

Alice Frierson

Alice Frierson, Mayor

ATTEST:

Christi Pence

Christi D. Pence, Planning Specialist