

**AGENDA MINUTES
CITY COUNCIL
CITY OF ARCADIA
TUESDAY, NOVEMBER 17, 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. Cory Carvalho of Gator Wilderness School Camp 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
City Clerk Penny Delaney
Human Resource Manager Linda Lowe

Finance Director Beth Carsten
Marshal Matthew Anderson

PRESENTATION

Agenda Item 1 – Eagle Scout Recognition of Anthony Douglas Barnes

Mayor Wertz-Strickland presented Anthony Douglas Barnes with a certificate in recognition of his promotion to rank of Eagle Scout, Boy Scout Troop 39.

Agenda Item 2 – Arcadia Main Street – 30 Year Anniversary

Mayor Wertz-Strickland presented Linda Williams, Michelle Potter and Colleen Spangler with a proclamation recognizing Arcadia Main Street's thirty (30) year anniversary.

Agenda Items 3 and 4 were switched as to the order they were heard.

Agenda Item 4 – Gator Wilderness School Camp

Gregg Kanagy introduced the Gator Wilderness School Camp and staff and at this time. Mr. Kanagy announced their 6th Annual Turkey in the Hole which would be a homemade Thanksgiving dinner and an auction. He invited everyone to attend and to come out and see what was going on. At this time, the group sang two (2) songs and afterward Mr. Kanagy provided more information regarding the program.

Agenda Item 3 – 2013-2014 Annual Financial Report

Daniel Anderson, CPA from Mauldin & Jenkins presented the 2013-2014 Annual Financial Report. He advised Mauldin & Jenkins had issued an unmodified opinion for the audit report which is the highest level of assurance they could give. He briefly reviewed the government-wide financial statements and the general fund. Mr. Anderson pointed out that during the last two (2) years; the City had revenues in excess of expenditures. He noted that regarding the general fund, the fire department had a budget deficit relating to the true up of revenues and expenditures from DeSoto County. He advised the activity was reported in the special revenue fund last year and was moved to the general fund this year. He further advised the revenue portion of it was budgeted for, but the expenditure portion was not which was the only reason for the excess. He stated he did not think it was a huge factor and that it just changed the way the presentation occurred from fiscal year 2013 to fiscal year 2014. He advised that Ms. Carsten would have information later in the meeting about a budget amendment for that regarding fiscal year 2015. Mr. Anderson stated that the net change in the fund balance had increased over the past couple of years and he reviewed the ratio of the fund balance to the total expenditures for the year. He advised that regarding the Business-Type Statement of Net Position, there was \$3.3 million dollars unrestricted in the business-type fund which is very strong for a city the size of Arcadia. He then informed the Council that the Yellow Book Report and the Single Audit Report came back favorable with no non-compliance noted.

Mr. Anderson advised the required communications was conducted in accordance with generally accepted auditing standards and governmental auditing standards which are issued by the Comptroller General of the United States. He stated that regarding accounting policies, management has ultimate responsibility for the internal policies and procedures. He informed Council that they had encountered no difficulties in dealing with management performance with the audit and no disagreements with management over any application of any accounting principles and they were not aware of any consultations management has had with other accountants.

Mr. Anderson advised of two (2) accounting recommendations in other matters with the first relating to cash and accounts receivable. He stated they did have some difficulty obtaining reconciliations when they first came out for the audit, but they worked with it and was able to complete them during the course of the audit which resulted in one (1) finding. He stated there was also a finding related to accrued liabilities in the way the interface of the payroll was not hitting the general ledger properly which resulted in an adjustment that came with the finding. Mr. Anderson pointed out that previously they find five (5) or six (6) of these every year and this year there are only two (2) which is very good. He further stated that one (1) that had been a reoccurring finding was a deteriorating financial condition which the City did not have this year

because the City is actually in a favorable financial condition this year. He took time to review some of the Governmental Accounting Standards Board (GASB) pronouncements and indicated the major one the City would need to be concerned with.

In closing, he referred to complimentary continued education that is offered by their firm and he thanked Ms. Carsten and their staff for the great job they had done and he expressed his appreciation of serving the City in performing its audit work. He asked if there were any questions and there were none.

CONSENT AGENDA

Agenda Item 5 – City Council Minutes for November 3, 2015

Agenda Item 6 – City of Arcadia Municipal Airport October Report

Councilmember Coker made a motion to accept the Consent Agenda and Councilmember Fink seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

ACTION ITEMS

Agenda Item 7 – Ordinance No. 1010 – Amending One (1) Parcel of Land Located at 14 School Avenue from the Zoning of City R-1C to PBG – Second and Final 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. Councilmember Coker made a motion to accept Ordinance No. 1010 as read 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: Mayor Wertz-Strickland voted in the affirmative, Councilmember Fink voted in the affirmative, Councilmember Coker voted in the affirmative, Councilmember Turner voted in the affirmative and Deputy Mayor Frierson voted in the affirmative. No discussion followed and it was unanimously, 5/0, approved.

Agenda Item 8 – Resolution 2015-11 – Consistency of Smith-Brown Recreation Center with Local Plans and Regulations

City Attorney Wohl stated that a part of the grant that the Smith-Brown Foundation is seeking requires a certified resolution. He advised that now that Council had just passed Ordinance 1010, the project is now consistent with the local plans and regulations so this is the proposed resolution stating such so that the Smith-Brown Community Foundation can provide it to the Florida Department of Economic Opportunity as part of their grant application. Councilmember Fink made a motion that Resolution 2015-11 be read by title only and Councilmember Coker seconded the motion. The City Clerk then read Resolution 2015-11 by title only. Councilmember Coker made a motion to accept Resolution 2015-11 as read and Councilmember Fink seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

Agenda Item 9 – Request Regarding Certificate of Appropriateness at 8 E. Hickory Street

City Administrator Stewart stated that he was requesting the withdrawal of this item from the agenda. He advised that upon doing some background work, there were some inconsistencies in the application that was submitted and what was proposed to be done there. He stated that in the abundance of caution, he would like to withdraw this from the agenda and he was asking Council's approval to make that withdrawal. Councilmember Coker made a motion to withdraw Agenda Item No. 9 and Councilmember Fink seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

Agenda Item 10 – Sand and Grit Removal Contract

City Administrator Stewart stated this project would remove sand and grit from the wastewater plant both from the inflow manifold and from the plant itself. He advised the City was receiving a grant from the Florida Rural Water Association and their portion of the grant is eighty-five percent (85%) which is \$28,726.00 and the City's portion is fifteen percent (15%) which is \$1,586.00. He advised Florida Rural Water Association is retaining the contractor and they meet all State of Florida standards regarding procurement procedures. He stated they will handle managing the project but since we are a part of the project, such needs Council's approval. He further stated he was requesting a motion to approve the project and provided a recommended motion. Councilmember Coker made a motion to approve a necessary sand and grit removal project for the City of Arcadia Wastewater Plant, said project work to be accomplished by Polston Applied Technologies, LLC as retained by the Florida Rural Water Association and funded with an 85% grant by the FRWA and 15% by the City and Councilmember Fink seconded the motion. No discussion followed and it was unanimously, 5/0, approved

Agenda Item 11 – Specific Authorization 21 – Hazen and Sawyer

City Administrator Stewart informed the City Council that they had previously retained Hazen and Sawyer to provide engineering services for the City of Arcadia and they have a three (3) year contract with a two (2) year extension. He advised this was not about approving that contract or the extension, but it was about the specific funding on an annual basis for them. He stated the funding that Council had provided in October of 2014 has all been expended so there is a new authorization that they are requesting. He pointed out that the previous specific authorization was for the amount of \$75,000.00 and the current one is for authorization of \$95,000.00. He advised that the reason for it was because they are doing additional work that was not included in last year's authorization, more specifically engineering for road work, stormwater work and working on a master plan for stormwater which staff is going to try to get a grant for. He then requested a motion to approve the expenditure for Hazen and Sawyer for this specific authorization in the amount of \$95,000.00. Councilmember Coker made a motion to approve Specific Authorization Number 21 for engineering services in the amount of \$95,000.00 as provided for within the Agreement for Professional Services between the City and Hazen and

Sawyer as amended August 18, 2015 and Councilmember Fink seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

Agenda Item 12 – Contract for Uniform Services

City Administrator Stewart reminded Council that at the last meeting, a question was raised about the City's ability to step away from the contract if so desired and the need for a better assurance than staff was able to provide at that meeting. He stated that subsequently it was pulled from the agenda and it was being brought back. He advised they were in a better place than before and that they will save approximately \$600.00 annually on the contract over what came to Council originally. Human Resource Manager Linda Lowe advised the contract would be with UniFirst and will be a piggyback with Collier County. She stated it would provide uniform services consisting of eleven (11) uniform sets per employee. She advised it included laundry and pressing services and it also provided for shop towels for the City Garage. Mrs. Lowe stated this would provide forty-three employees to be in uniforms. She informed Council that permission for the piggyback was contained in the contract itself on page seven (7), item twenty (20). She advised the contract was for a two (2) year period with two (2) additional two (2) year periods possible. She further advised that the contract could be terminated for cause or convenience with a thirty (30) day written notice as shown on page three (3), item ten (10). Mrs. Lowe stated this contract would provide a savings of \$604.76 over the previous proposed contract and it did away with delivery charges. She stated she was requesting approval for this contract to provide these services. Deputy Mayor Frierson asked if it was included in the budget and Mrs. Lowe advised that it was and that the contract would be written for \$10,488.92 per year. Councilmember Coker made a motion to approve the piggyback of Collier County Agreement 15-6408 with UniFirst to provide uniform services to the City of Arcadia and Councilmember Fink seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

Agenda Item 13 – Budget Amendment Resolution No. 2015-12 Amending 2014-15 Adopted Budget

City Administrator Stewart explained various reasons for budget amendments. He explained that this was not a budget adjustment for the current budget year, but the last and final budget adjustment for the fiscal year that was just completed as of September 30th. He stated this was the true up. Finance Director Beth Carsten restated that this was the final budget amendment for the 2014-2015 year. She pointed out a typographical error located on the bottom of the first page and stated that it should read \$4,716,763.00. She referenced where the amount was correct on page three (3). She informed Council that some departments fell short and many were for personnel reasons, in addition to the fire control issue. Ms. Carsten advised that after all adjustments were made \$382,333.00 is still remaining. She explained that was her estimate based on accruals and it could change because they had not been audited yet. She further explained it would go into the fund balance and would give them an estimated fund balance for the 2014-2015 year of \$1.8 million which is close to forty percent (40%) in reserves.

City Administrator Stewart commended Council for the improvement made to the budget. Deputy Mayor Frierson acknowledged Ms. Carsten and stated she was probably responsible for most of it in the two (2) years since she had been with the City. She stated that she thought Ms. Carsten had done an outstanding job and various council members thanked Ms. Carsten as well. Councilmember Fink made a motion for the resolution to be 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 Resolution 2015-12 by title only. Councilmember Coker made a motion to accept the resolution as read and Councilmember Fink seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

Agenda Item 14 – Amendment to the City Administrator’s Employment Agreement to Extend the Time for Him to Establish Residency Within DeSoto County, Florida

City Attorney Wohl stated that at the last meeting, Council had verbalized their granting of the City Administrator’s request to extend the residency requirement to April 15, 2016. He advised that enclosed in the packet was a First Amendment to the City Administrator’s Employment Agreement and in doing so, he filled in the blanks for the employment start date. Councilmember Fink made a motion to approve the First Amendment to the City Administrator’s Employment Agreement dated June 22, 2015 and Councilmember Turner seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

COMMENTS FROM DEPARTMENTS

Marshal Anderson stated he was there to address any concerns the City Council or public may have and there were none. He read a letter from a school teacher regarding the impact the Tip-A-Cop program made on one of her students and the teacher’s support of the program. He thanked staff and council members who came out to support the program as well. He advised that last year they raised \$5,900.00 for the Tip-A-Cop program and overall, a little over \$10,000.00 was raised. He stated that this year alone for the Tip-A-Cop program it had raised \$10,000.00 and stated it showed how gracious our community is. Marshal Anderson also acknowledged Martha Clement, the owner of Slim’s, and her staff, for allowing them to hold the event at her restaurant.

The City Attorney stated that he had nothing to report.

Finance Director Beth Carsten presented the financial report for the first month of the year which was included in the Council packets. She asked if anyone had any questions and there were none.

The City Administrator advised that at the last meeting, staff had asked Council to approve for the City to open a checking account for the wastewater plant. He advised that he had another request for the victim’s advocate program within the police department. He explained it was funded by money that comes from the courts, but it used to be administered by Catholic Charities who had since gotten out of the business and had turned it over to the City. He further explained that the City was handling the funds for both the City and the County and the Finance

Director had indicated it would be better for each to have their own checking account. City Administrator Stewart stated they would like to set up a checking account on the City's behalf for the victim's advocate funds to receive and expend those funds which would be necessary for the victim's advocate. He stated he was requesting Council to approve the creation of such a checking account. Councilmember Coker made a motion to approve setting up a separate checking account with the City for the victim's advocate and Deputy Mayor Frierson seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

City Administrator Stewart stated he had a great time at the Veteran's Day Parade and felt the community had a great heart. He then thanked the City Council for their approval of his contract.

PUBLIC

Charles Conklin, a City resident, commented on the man holes that are raised high and areas on the side of the road that are not ground down on Highway 17 where it comes through the City and the City Administrator stated he would look into it and try to get some information.

MAYOR AND COUNCIL REPORTS

Councilmember Fink addressed liability possibilities regarding abandoned and/or inoperable vehicles and referred to an e-mail from City Attorney Wohl. He expressed his concern with such vehicles sitting on property and suggested if they do not have a tag, the City should step in to deal with it. He stated the City Attorney had advised that it would be a minor change in the City Code. City Attorney Wohl stated there was not a section that addressed vehicles and he recommended putting in some language that in the absence of a current licensed tag or registration, it would be prima facie evidence that the vehicle is abandoned and then the Code Officer could inspect it and cite it. It was the general consensus to do such. City Administrator Stewart advised that he had sent Code Enforcement Officer McQuay away to school for a higher level of certification so he would not be able to do anything until he returns. He then informed Council that there is a program that is in the process of being installed on the site where reports can be made online, and if done, would become public record.

Councilmember Fink also addressed the issue that it had come to his attention that businesses are able to operate in the City without a City's business license, but by a business license through the County and are able to receive a licensure for a restaurant without an operating license of the City. He stated that he did not think the County should be authorizing through the health department a licensure when we still have stipulations that need to be met because of a business that has not gotten a licensure through us. City Attorney Wohl stated that was something that certainly needed to be looked into. After much discussion, City Administrator Stewart advised that he and the County Administrator were trying to find a common ground and hoped it would be resolved in the near future. He further advised that there were businesses that had failed to renew their licenses and they have been scheduled to appear before the Special Master on code issues. Councilmember Fink asked if they were in consensus that the City Attorney would follow up on this and there was a consensus of such.

Councilmember Coker wished everyone a happy thanksgiving and reminded everyone of the upcoming Christmas parade.

City Administrator Stewart advised that he would be taking next week off due to family coming down to visit.

Mayor Wertz-Strickland advised that City Administrator Stewart would be in concert on November 21, 2015 in Cape Coral for the Arts and Humanities. She also advised that she would be in Tallahassee on December 3 and 4, 2015 with the advocacy group from the Ridge League of Cities. She further advised that she would also be in Pasadena, California during the last of December to work on the float for Rotary International, Kiwanis International and Trader Joe in the Rose Bowl Parade.

ADJOURN

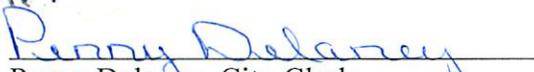
Councilmember Coker made a motion to adjourn and Deputy Mayor Frierson seconded the motion. No discussion followed and it was unanimously, 5/0, approved. Having no further business at this time, the meeting was adjourned at approximately 7:31 P.M.

ADOPTED THIS 1st DAY OF December 2015.

By:


Judy Wertz-Strickland, Mayor




Penny Delaney, City Clerk