AGENDA MINUTES
CITY COUNCIL
CITY OF ARCADIA
TUESDAY, NOVEMBER 18, 2014
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 OF ALLEGIANCE

The City Clerk gave the invocation which was followed by the Pledge of Allegiance.

CALL TO ORDER & ROLL CALL

The Mayor called the meeting to order at approximately 6:00 p.m. with the following members and staff present:

Arcadia City Council

Mayor Alice Frierson
Deputy Mayor Joseph E. Fink
Councilmember Keith Keene
Councilmember Robert R. Allen
Councilmember Robert W. Heine

Arcadia City Staff

Interim City Administrator Beth Carsten
City Clerk Penny Delaney
City Attorney Thomas J. Wohl
Marshall Matt Anderson

PRESENTATION

Agenda Item 1 – Charlie South

Mayor Frierson asked Steve Underwood to come forward. She recognized him for the honor and integrity shown to his community regarding his action of returning a wallet to the rightful owner.

Agenda Item 2 – Savannah Alderman

Mayor Frierson asked Savannah Alderman to come forward. She recognized her for the honor and integrity shown to her community regarding her action of returning a wallet to the rightful owner.

CONSENT AGENDA

Agenda Item 3 – City Council Minutes for November 3, 2014 – City Council Meeting
Agenda Item 4 – Air-Cadia Flowage and Hangar Rent Report for October 2014
Agenda Item 5 – Use of Old Police Department by Salvation Army for December 22-23, 2014
Agenda Item 6 – Amendment to Arcadia Main Street Program Permit Regarding Farmer's Market
Agenda Item 7 – Proposed Advertisement Regarding Request for Proposal for Fixed Base Operator – Arcadia Airport
Agenda Item 8 – Amendment to Interlocal Agreement between the City of Arcadia and DeSoto County for Local Agency Program
Agenda Item 9 – CDBG Revitalization Project – Cypress and Maple

Councilmember Heine moved that the Consent Agenda be approved as presented and Deputy Mayor Fink seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

ACTION ITEMS

Agenda Item 10 – Commercial Lease Renewal between the Peace River Wood Carvers and the City of Arcadia

The Interim City Administrator advised that the Wood Carvers had leased the Speer Center for fifteen (15) years and renewal of that lease needed to be discussed. The City Attorney advised that on November 5, 2013, Council had approved for staff to meet with the Wood Carvers regarding their lease. He advised it never came back before Council, that the lease was drafted, but never signed by the City. He further advised that the Wood Carvers had paid all of the rent under the contemplated agreement. Bill Moss of 2626 NE Highway 70, Lot 8, Arcadia, Florida advised he was the President of the Peace River Wood Carvers for the past four (4) years. He advised they want to remain and Speer and hoped to solve the issue. Councilmember Heine asked what the City charged and the Interim City Administrator stated it was $35.00 a week. Mr. Moss stated that they basically stay about 24 weeks and they rent it for half a day. Councilmember Heine made a motion to approve and Deputy Mayor Fink seconded the motion. Councilmember Keene asked if there was any legal issue that should be considered. The City Attorney advised that there was some equipment that the group leaves at the Speer Center for the full year and he stated his only concern was the City's liability for such. Mr. Wohl recommended they have a year-long lease that would be spelled out that they were in possession of the premises for six months and the other portion of the time, the property is stored somewhere. Mr. Moss advised they did carry insurance and the city Attorney advised that they had over in excess of the requested amount of insurance. Deputy Mayor Fink asked the City Attorney if there could be a stipulation to the lease to hold the City harmless since the group has insurance and the City Attorney agreed. Deputy Mayor Fink asked Councilmember Heine if he would amend his motion to include that and Councilmember Heine agreed. Deputy Mayor Fink

then followed with his amended second. The City Attorney advised they would need to require contents coverage for the entire term for the full year. No discussion followed and it was unanimously, 5/0, approved.

Agenda Item 11 – Request for Special Event Permit – Wedding at Tree of Knowledge

The Interim City Administrator advised that the wedding is planned for March 14, 2015 at the Tree of Knowledge and she advised that since this is a public park, they could not limit anyone from attending the wedding. She further advised that they are also requesting to close the street south of Polk from 5:00 p.m. until midnight. She stated they had met all the permit obligations and they would have police detail out there since there will be alcohol served. Mayor Frierson clarified that the wedding would take place under the Tree of Knowledge and the reception would be held in front of Mary Margaret Tearoom and they want that street blocked off. Susan Cavas Smith of P.O. Box 2616, Arcadia, Florida, addressed Council and advised that it wouldn't be the whole street, but that it would be from the North side of Mary Margaret's to Oak Street and the alleyway would remain open. Councilmember Heine made a motion to approve and Deputy Mayor Fink seconded the motion. Deputy Mayor Fink asked the City Marshall if he had a problem with it and Marshall Anderson advised that he did not. No discussion followed and it was unanimously, 5/0, approved.

Agenda Item 12 – Review/Suggestions Regarding Legislative Priorities

The Interim City Administrator advised that what was provided in their packets was a draft priority list for the legislative delegates meeting which will be held December 10, 2014 at the DeSoto County Board Room. She then asked for Council's additions, deletions or input. Mayor Frierson stated that she felt the Interim City Administrator had done a good job on covering the Council's issues of interest. Deputy Mayor Fink stated that he felt they were sufficient. Councilmember Heine made a motion to approve and Deputy Mayor Fink seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

Agenda Item 13 – Request to Enter into Lease between Arcadia Main Street Program and City of Arcadia Regarding Use of Old City Hall

John Bry, the Interim Director of the Arcadia Main Street Program, addressed council and stated that they were requesting to enter into a lease agreement with the City to use the former City Hall for their office space. He advised they would maintain the requested office space by keeping it clean and orderly. He stated that typically the Florida Main Street Program likes to see the local government support the Main Street Program in some capacity financially. He advised that if they could come to a lease agreement, it would suffice for how they like to see the Main Street Programs operate in lieu of a cash donation to the program. Councilmember Heine asked if it would be for the whole downstairs area and Linda Williams, President of the Arcadia Main Street Program, confirmed that it would be. Councilmember Heine suggested that the Interim City Administrator and the Mayor meet with the Arcadia Main Street Program to come up with figures and to bring it back before the new City Council. Mayor Frierson asked if

they needed the lease to apply for the grants and Mr. Bry advised that they did not. Mayor Frierson stated that she felt they need input regarding how much the City want to have control over the renovations and Mr. Bry advised that he can't foresee any renovations for the ground floor. He felt it just needed a good cleaning and he stated they would work with the City in terms of obtaining insurance needed for the lease agreement. Mayor Frierson asked if they would like to meet before they were to meet with Ben Albritton and Mr. Bry stated he felt it would be good to be able to do so.

Agenda Item 14 – One Year Resident Requirement for City Elected Officials

Councilmember Heine stated that he would let the City Attorney address this agenda item. The City Attorney advised that Councilmember Heine was requesting that there be a one (1) year residency requirement prior to someone being qualified to run for City Council. He further advised that the way the Charter is structured right now; it's not one of the qualifications. He stated that in order to amend the qualifications to run for City Council, it would have to go to a referendum to include that as an additional requirement. He advised it could not be done by Ordinance. Councilmember Heine stated that he also would request for the new Council to make it to where the Marshall should be a certified police officer. He advised it would need to be included also and that it's not as it is. The City Attorney stated a referendum would need to include that as well. Mr. Wohl advised that there is an Ordinance that requires that anyone employed as a law enforcement officer with the Arcadia Police Department be a certified police officer, but the difficulty there is that the qualifications to run for City Marshall do not include the requirement that that person be a certified law enforcement officer. He further advised that a person could run, but they would have to obtain their certification in order to be actually employed. Mayor Frierson suggested this would be something for the new Council to take up. The City Attorney advised that a referendum could be done on a special election which could run around $6,000.00 with no guarantee that it would be successful. However, they would wait two (2) years and include the referendum on the next election. Councilmember Heine stated that most cities require it.

Agenda Item 15 – Special Events Ordinance

The City Attorney stated that he had provided Council with a first draft of the ordinance to allow staff, Council and the public to review it and come up with questions or concerns. He suggested possibly posting it on the City's website. Councilmember Heine suggested having the new Council to take it up.

COMMENTS FROM DEPARTMENTS

16. CITY MARSHAL

Marshal Anderson asked if Council or the general public had any concerns and no one advised of any. Marshal Anderson then thanked Councilmember Keene for his service, for all the advice he had given him since he took over as Marshal and he thanked Councilmember Keene for all that he had done for him. Marshall Anderson then thanked Councilmember Heine

for his twenty (20) plus years of dedicated service to the City of Arcadia and all that he had done for the betterment of the community. Marshall Anderson then thanked Councilmember Allen for always stepping up when something needed to be done and for his years dedicated service. He then thanked Mayor Frierson, Councilmember Keene, Councilmember Heine and Councilmember Allen for their advice and support during the election process.

Marshal Anderson advised that the Arcadia Police Department had challenged the DeSoto County Fire Department to a softball game regarding the Third Annual Toys for Tots competition/event. He stated the event will be this Saturday at the JimSpace softball fields at 6:00 p.m. He invited everyone to attend and support with either a $5.00 donation to Toys for Tots or bring a $5.00 toy. He advised last year over $600.00 worth of toys and money was raised.

17. CITY ATTORNEY

The City Attorney stated that he had enjoyed working with Councilmember Keene, Councilmember Heine and Councilmember Allen and getting to know each of them on a personal level as well.

18. CITY FINANCE DIRECTOR

The Finance Director advised that the Budget Amendment for the 2013-14 year had been provided in the Council's packets. She stated they only have sixty (60) days from the beginning of a new fiscal year to make the budget amendments for the previous year and she reviewed said amendments. She then asked Council if they had any questions. Mayor Frierson stated that she felt all the departments did a great job because the City started out the year being $252,000.00 in the hole and the department heads and city employees stepped up and took care of it. She further stated that the Council appreciates it and she was so pleased with it. Councilmember Heine made a motion to approve the budget amendment and Deputy Mayor Fink seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

19. INTERIM CITY ADMINISTRATOR

The Interim City Administrator expressed her appreciation to Rob Herron and all the volunteers for the work and repairs that were performed at JimSpace. Ms. Carsten advised that she had spoken with Pat Backer of First State Bank and the Jim Crews Foundation has been re-organized and they are looking at raising money again to renovate JimSpace. She addressed rough estimates of approximately $1200.00 regarding issues at the park that had to do with safety. She further advised that the Jim Crews Community Foundation wants to offer $1,500.00 toward repairs. Councilmember Heine made a motion that $1,260.00 should come out of the Parks budget and Deputy Mayor Fink seconded the motion. Deputy Mayor Fink expressed his thoughts that they should think about long-scale work on this as well, to include restrooms. He thought they should plan to have restroom facilities out there so that it will be a useful full-service park. Councilmember Allen agreed and state he thought it was absolutely essential.

Rob Herron of 521 E. Pine Street, Arcadia, Florida, stated that he spoke with Mrs. Backer and she advised him that she has a check for $1,500.00 to help offset the costs of materials. He advised there is also a group of people in the community who are willing to lend some volunteer hours to help make the repairs. He stated that any donations can be made through the Chamber of Commerce at this time. No discussion followed and it was unanimously, 5/0, approved.

The Interim City Administrator stated that the pavilion at the park is not a part of JimSpace and the wooden roof is rotted and falling apart. She advised the City was able to get a quote for a metal roof for the amount of $2,300.00 which is only $300.00 or $400.00 more than going with a wooden roof and she stated she felt they needed to have it repaired. Councilmember Heine asked if it would be taken out of the parks' budget and Ms. Carsten advised that there was money set aside for repairs. Councilmember Heine made a motion to proceed with the repairs and Deputy Mayor Fink seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

PUBLIC

None

MAYOR AND COUNCIL MATTERS

Mayor Frierson stated that three (3) council members would be leaving them and after much discussion, it was decided the new council members would be sworn in on Tuesday, December 2, 2014. Mayor Frierson went on to state that regarding Councilmember Heine, on the first and third Tuesdays, he won't have any problem finding time to eat his supper. To Councilmember Allen, Mayor Frierson stated that the meetings may run all night long without him being there to tell them it's time to adjourn. To Councilmember Keene, Mayor Frierson stated that he had served with integrity, respect, honor and he had been a voice of wisdom and that she would miss him.

When asked if he had anything to say, Councilmember Allen stated that he was proud to have had the opportunity to serve the community. When asked if he had anything to say, Deputy Mayor Fink stated that the Arcadian had advertised where the County had put together a telling them what was in error and what needed to be fixed in the developmental aspect of the County. He stated that he would hope that as a new Council they would continue with what Jim LaRue and Jeff Matthews saw as possibilities for the City of Arcadia regarding the strategic plan. He further stated that he wanted to thank each of the outgoing council members for their service. Councilmember Allen further stated that he wanted to address the new members coming onboard. He stated the present board had a wonderful staff that worked hard and kept the City Council informed and he hoped the new council members coming onboard would listen to the recommendations of the staff. When asked if he had anything to say, Councilmember Keene addressed staff and told them that they had done a heck of a job and he appreciated everything they had accomplished during his five (5) years that he had been on Council. He reflected on the decision to go with the new water plant and reiterated that he felt they had made the right decision. He appreciated the new Council taking on the challenge of building new roads and

lowering the utility rates and wished them luck. He stated that he felt he had served with honesty and integrity and expressed his appreciation for having the opportunity to do so. When asked if he had anything to say, Councilmember Heine stated he had been here for twenty-one (21) years. He further stated he had come to Arcadia in 1963 with four (4) little boys and now they were grown men. He reflected on his years with the volunteer fire department, the police department and the sheriff's office. He expressed his appreciation.

ADJOURN

Having no further business at this time, the meeting was adjourned at 6:50 P.M.

ADOPTED THIS 2nd DAY OF December, 2014.

By: Alice Frierson

~~Alice Frierson,~~ Mayor
Alice Frierson

ATTEST:

Penny Delaney

Penny Delaney, City Clerk