

**AGENDA MINUTES
CITY COUNCIL
CITY OF ARCADIA
TUESDAY, DECEMBER 2, 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

Tim Coker 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
Councilmember Keith Keene
Councilmember Robert W. Heine

Deputy Mayor Joseph E. Fink
Councilmember Robert R. Allen

Arcadia City Staff

Interim City Administrator Beth Carsten
City Attorney Thomas J. Wohl

City Clerk Penny Delaney
Marshall Matt Anderson

OLD BUSINESS TO BE DISCUSSED BY CURRENT COUNSEL MEMBERS

Agenda Item 1 – City Council Minutes for November 18, 2014

Councilmember Keene made a motion to approve the November 18, 2014 minutes and Councilmember Heine seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

PROCLAMATIONS

Agenda Item 2 – Presentations to Outgoing Council Members

Mayor Frierson presented Councilmember Keene, Councilmember Heine and Councilmember Allen with Proclamations for their service to the City Council and the City of Arcadia.

SWEARING IN OF NEW CITY COUNCIL MEMBERS AND CITY MARSHAL**Agenda Item 3 - Oaths of Office Regarding Incoming Council Members and City Marshal**

Judge Don T. Hall administered the Oaths of Office to Councilmember Coker, Councilmember Wertz-Strickland, Councilmember Turner and Marshal Anderson.

(At this time, the new City Council took their places on the dais.)

CONSENT AGENDA

Agenda Item 4 – Change Order No. 5 to Cardinal Contractors

Agenda Item 5 – Legislative Priorities

Agenda Item 6 – Certificate of Appropriateness

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

ACTION ITEMS**Agenda Item 7 – Nomination/Vote Regarding Mayor**

Councilmember Turner made a motion to nominate Judy Wertz-Strickland as Mayor and Deputy Mayor Fink seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

Agenda Item 8 – Nomination/Vote Regarding Deputy Mayor

Councilmember Coker made a motion to nominate Alice Frierson as Deputy Mayor and Deputy Mayor Fink seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

Agenda Item 9 – City Administrator Search

The City Clerk advised the City Council that the deadline for receiving applications was November 21, 2014. She asked for direction from Council on how they wish to proceed. Councilmember Fink stated there were sixteen (16) applicants and suggested City Council choose three (3) or five (5) among the sixteen (16) and come back to the next meeting with a compilation of each of their lists and interview the people chosen as soon as possible.

Deputy Mayor Frierson suggested in consideration of the new Council and with the inexperience of the new Council, including herself and Councilmember Fink, with selecting such an important position in the City, she felt the Council needed some help. She suggested

contacting the Range Riders to see if they would help Council. She further suggested, if not, then possibly select a couple of people from the public such as was done before to help Council with this issue. Deputy Mayor Frierson also stated that she would like for the Interim City Administrator to have an active role in the selection. Mayor Wertz-Strickland agreed and stated that she would want City Council to be privileged to the grid that was used by the previously appointed search committee to determine which applicants could be eliminated initially. Mayor Wertz-Strickland suggested having a workshop to go over the applicants and Councilmember Fink stated that he felt that would be a good idea. Deputy Mayor Frierson made a motion to contact the Range Riders to determine if they would assist Council and Councilmember Turner seconded the motion. Tim Coker of 411 Frankfurt Street, Arcadia, Florida suggested having a background check on each applicant. No discussion followed and it was unanimously, 5/0, approved. Deputy Mayor Frierson directed the City Clerk to contact the Range Riders and report back with their decision.

Councilmember Fink suggested having a workshop whether the Range Riders give a positive or a negative. He suggested if they receive a positive reply, he made a motion to have a workshop meeting with the Range Riders. He stated if they receive a negative reply, he suggested they have a workshop to deal with other alternatives and Councilmember Coker seconded the motion. The City Attorney stated that they may want to wait until the next meeting to determine what the Range Riders' decision will be before they schedule a workshop. It was decided by common consensus to wait.

Agenda Item 10 – Ordinance Amending Regulation of Yard Sales

The City Attorney advised this would be the second reading on Ordinance 1001 amending the fee provision for the yard sales and also amending the time limit at a location. He advised a resolution would be brought to the next meeting stating there would be a \$10.00 fee per permit. Councilmember Fink made a motion that the Ordinance be read by title only and Deputy Mayor Frierson seconded the motion. No discussion followed and it was unanimously, 5/0, approved. Mayor Wertz-Strickland directed the City Clerk to read the Ordinance by title only and the City Clerk did so. Councilmember Fink asked the City Attorney if it was legal for someone to rent out spaces for additional vendors for yard sales. The City Attorney stated they could hold the yard sale at their property and it may fall under a temporary vendor's permit. He further stated that if there were other vendors that were renting a space there, they may have an issue that they did not obtain a temporary vendor's permit. Mr. Wohl stated that he didn't see an issue under the yard sale permit because a lot of people like to do a family yard sale where people gather at one location. Councilmember Fink made a motion to accept Ordinance 1001 as presented and Deputy Mayor Frierson seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

Agenda Item 11 – Arcadia Main Street Program - Update

The Interim City Administrator advised that Councilmember Frierson and she had met with Arcadia Main Street to discuss the possibility of Arcadia Main Street leasing City Hall. Ms. Carsten advised that Arcadia Main Street is seeking a lease of twenty-five (25) years. She

further advised they are willing to pay the insurance and the utilities, but they are asking that there would be no monthly lease fee for it at this point. Ms. Carsten reminded City Council that Arcadia Main Street is applying for a grant for City Hall in the name of the City to do a study for the uses of City Hall. They are planning on making the match depending on the amount of the grant and are looking at this as being some portion of a City contribution to that. Ms. Carsten asked for direction from City Council as to whether have the City Attorney begin working on a lease or what direction they wish to take. Councilmember Fink expressed his desire to have the new Council's input on this and the next item as well before Council goes into a long-term agreement because twenty-five (25) years is a long time. He expressed that he thought it was a good thing because the building should be used and Main Street is the logical choice, but he stated that he is only one voice. Deputy Mayor Frierson suggested they offer a short-term lease on City Hall until the study is done and then they return with the results of the study. Councilmember Coker stated that she doesn't agree with a long-term lease on the building. She felt Council needed to look at their options. She stated the City needed money and that a long-term lease with no rent made no sense to her.

Many members of the public made comments regarding this issue. Councilmember Fink stated that an empty building will eventually deteriorate. He further stated that he didn't think Council needed to act in haste, except Main Street does need a place to go by the end of this month. After much further discussion, it was decided that Arcadia Main Street Program would determine the status of the grant and come back to Council on December 16, 2014 with an update. Deputy Mayor Frierson made a motion to table the issue until December 16, 2014 and Councilmember Coker seconded the motion. Rob Heron of 521 E. Pine Street, Arcadia, Florida, expressed his concern regarding the payroll records which are stored at the City Hall and suggested they be moved out of the building into a secure location. No discussion followed and it was unanimously, 5/0, approved.

Agenda Item 12 – Update on Renewal of Commercial Lease between Peace River Wood Carvers and the City of Arcadia

The City Attorney stated Council had previously voted to approve the lease conditioned on it be drafted. There was a discrepancy on the last lease regarding \$35.00 a week vs. \$210.00 a month. He advised they went with the \$35.00 a week because that is what Wood Carver's was paying. The other issue involved property coverage and Wood Carver's had requested they do not have to obtain insurance to cover the property for sinkhole, windstorm, fire, etc. Due to it being a short-term lease, Mr. Wohl recommended that he does not have an issue with removing that from the property coverage. He advised Wood Carver's are required to have liability insurance and to obtain their own coverage for their personal property. Bill Moss of 87 Dogwood Street, Arcadia, Florida advised they have \$1 million worth of liability insurance. Deputy Mayor Frierson made a motion to approve the lease with the \$35.00 a week rent and to remove the property coverage. Councilmember Fink seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

COMMENTS FROM DEPARTMENTS

12. CITY MARSHAL

Marshal Anderson advised that Council had a copy of the Police Department's monthly report in their packet and asked if there were any concerns from Council or the citizens. He updated Council and stated that the Charity Softball Game between the Police Department and the Fire Department had taken place and between toys and money almost \$800.00 had been raised for Toys for Tots. He further stated that they had started the Shop with a Cop program and had taken eleven (11) children so far and it would continue for the next two (2) weeks.

Marshal Anderson advised they had received another state grant for approximately \$1700.00 which will go toward body cameras which are \$900.00 each. He stated the battery life and memory card for the body cameras are up to twenty-four (24) hours which will allow for two (2) twelve (12) hour shifts. He stated they would take a little out of the budget to add toward the purchase of two (2) cameras. The Marshal then explained how the cameras worked and welcomed the new Council Members to the Council.

13. CITY ATTORNEY

The City Attorney reviewed the Sunshine Law. Deputy Mayor Frierson asked the City Attorney regarding the mandatory four (4) hours of certification for all public officers and asked if he would be handling that. The City Attorney advised they are requiring certification for it and stated the Florida League of Cities would have DVDs and possibly online webinars. He stated they are not done yet, but when available, he would provide the information to Council. Deputy Mayor Frierson asked if it had to be completed before they file all their financial work with the County and Mr. Wohl stated that was correct.

14. INTERIM CITY ADMINISTRATOR

The Interim City Administrator advised the City would be getting the inmate squad back next week. Deputy Mayor Frierson asked if it was in the budget and Ms. Carsten advised that it was.

She then advised that the Vietnam Traveling Wall would be in town tomorrow and the City would be in charge of manning the area in front of the Speer Center between 12:00 and 12:30 p.m. She stated City staff and most of Council will be there and felt it was an exciting thing for our community and further stated that the City wanted to welcome them. Ms. Carsten advised the Christmas parade would be Saturday at 6:00 p.m.

PUBLIC

Charles Conklin of 301 Bridle Path, Arcadia, Florida, stated that he was happy with the progress being made at Bridle Path. He advised the company had brought in problems, but stated that once it was all done, he was hoping the City would know where the lines are.

Judy Hunter of 5702 SE CR 763, Arcadia, Florida, stated that she and others are interested in the special events ordinance and asked the status of same. The City Attorney advised that they presented a draft to the citizens for review and comments. He further advised that there was no timetable for the first reading. She stated this document could be a good document for special events for the City to recoup its costs. She stated she manages a market on the fourth Saturday of each month from September through April for the Trinity United Methodist Church. She advised that Council had waived previous permits. She spoke of specific instances of conflict that she has had with Sheri Fink and the Antique Association regarding her market. Ms. Hunter stated that she would like to see the resolution regarding the fees to be posted. She also advised that she had been told that the Antique Association had requested from the City exclusive rights from the Tree of Knowledge on Oak Street to Orange Street. She stated that if Council allows this to occur, the City will have shut off an access point to the parking lot that they keep open for emergency vehicles if needed. She further stated that if this is approved, the City will have set up the church for fines and jail time. She felt that Section 22-19 must be deleted in its entirety.

Mattie Clark of 407 Singleton Avenue, Arcadia, Florida expressed her concern with the condition of Oak Ridge Cemetery. The Interim City Administration advised that she knew it was an issue and explained the issue the City has with being short staffed, but advised that the inmate contract had been renewed and the cemetery was the first job that would be addressed. She apologized on behalf of the City and stated that it will be taken care of. Ms. Clark expressed her appreciation.

Susan Laubhan of 1680 NE Hansel Avenue, Arcadia, Florida, stated that she represents Trinity United Methodist Church and wanted to address the ordinance regarding special event permitting. She stated she also would like to see Section 22-19 removed or at least revised. She stated Trinity United Methodist Church is a good citizen of the City and they felt it would prevent them from doing their parking lot sale. She explained the funds made helps to feed thousands of people a year for free on their own dime. The sale is on the church's own personal property and they do not use any of the City's facilities for that.

William Bailey of 422 W. Magnolia Street, Arcadia, Florida, welcomed the new members of the Council and wished them luck and hoped all goes well.

MAYOR AND COUNCIL MATTERS

Committee Member Fink stated that he was a representative of the Charlotte Harbor National Estuary Program and they asked him to deliver calendars to everyone. He further stated that he would make no comments on the comments made about his ex-wife or himself.

ADJOURN

Having no further business at this time, Councilmember Fink made a motion to adjourn and Councilmember Coker seconded the motion. The meeting was adjourned at 8:06 P.M.

ADOPTED THIS 16th DAY OF December, 2014.

By:


Judy Wertz-Strickland, Mayor

ATTEST:


Penny Delaney, City Clerk