

**AGENDA MINUTES
CITY COUNCIL
CITY OF ARCADIA
TUESDAY, DECEMBER 17, 2013
6:00 P.M.**

CALL TO ORDER, INVOCATION, PLEDGE OF ALLEGIANCE & 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 Robert R. Allen

Councilman Robert W. Heine

Councilmember Keith Keene

Arcadia City Staff

Interim City Administrator Tom Slaughter

City Marshall Matt A. Anderson

City Clerk Penny Delaney

City Attorney Thomas J. Wohl

Councilmember Allen gave the invocation, which was followed by the Pledge of Allegiance and roll call.

SPECIAL PRESENTATIONS

1. KIMLEY-HORN & ASSOCIATES (REVIEW 60% COMPLETE DESIGN PLANS FOR LAP BICYCLE/PEDESTRIAN MASTER PLAN DESIGN)

The Interim City Administrator introduced Amy Hudson and Gary Nudo with Kimley-Horn. He advised that Ms. Hudson would be giving the presentation. He then introduced Mike Giardullo and stated that he was the County Engineer and explained that he had been instrumental in being the project manager from the county's standpoint and also the liaison over to the city staff.

Mr. Giardullo stated that he has served as the County Engineer, with a firm called Weiler Engineering. He further advised that Kimley-Horn was going to be giving a presentation on the design specifics of the downtown improvements, but he wanted to recap how we got to where we are today on this project. He stated that about a year ago a master plan was undertaken by a company named Kendall-Oliver who had multiple public coordination meetings with our board pertaining to bicycle and pedestrian improvements by the City of Arcadia. Kimley-Horn was selected by the county for its design. The design and construction were funded by the LAP program which means a local agency program. It's a pool of money that gets administered by the FDOT to the county. In this case, why the county's involved in improvements of the city is because it's funded by the state and the county is responsible for administering those contracts. In total, Mr. Giardullo stated that they had been given \$196,000.00 of construction dollars and \$76,000.00 in design dollars. Normally, it doesn't take quite \$76,000.00 to design \$196,000.00 worth of construction improvements. He stated that in this case to get the most bang for their

buck, they tasked Kimley-Horn with doing more design than they had available for construction. So, they have a two-phase design which is two completely independent plan sets that they're going to show. One is going to pertain to the intersections in the downtown area – three intersections, and another one is going to pertain to the intersection on US 17, Oak and DeSoto Avenue intersection. The second project will be on the shelf, ready to go, reviewed by the DOT, blessed by all the powers that be. He further advised that Kimley-Horn is at 60% in the design phase. The project is being reviewed by county staff, by city staff, and by FDOT. He then introduced Amy Hudson of Kimley-Horn to present the presentation.

Ms. Hudson advised the project was based on the city's master plan with the intention to maintain the existing drainage patterns. She advised that they are working within the schedule and budget constraints given. The first intersection of Phase One is Oak Street at Manatee Avenue. The improvements consist of converting this section to a four-way stop to provide for a crosswalk, and curb repairs. The next intersection of Phase One is at Oak Street and Monroe of which the improvements consist of bulb outs, to maintain the drainage patterns, to improve the pedestrian ramps, remove the signals and convert the intersection to a four-way stop to make it more pedestrian friendly, relocate the handicap parking, landscape improvements and decorative pavers and stamped asphalt. The next intersection of Phase One is Oak Street and Polk Avenue with a similar approach regarding improvements. The last intersection which is Phase Two is at Oak Street and DeSoto Avenue. The improvements for this intersection are refinement to the master plan which initially called for a turn lane, but there is not enough room to provide for such so they opted to provide for a larger area for landscaping. Other improvements include improvements to the pedestrian ramps, to improve the pedestrian signals, to maintain the existing signal, landscape improvements, and decorative pavers and stamped asphalt.

Deputy Mayor Fink was concerned that approving the agreement would limit the city's ability to expand its utility services out on US 17 and suggested the matter be tabled until the City Attorney and County Attorney would meet to discuss specific boundaries. The City Attorney recommended the council approve the theory of the interconnect agreement, without stating a specific location of connection. He further advise that he would meet with county staff in the next month and would return with a revised agreement by the council's meeting on January 21, 2014. The Interim City Administrator questioned as to whether they were just looking for consensus to proceed and the board approved. Mr. Giardullo confirmed. Mr. Giardullo further informed the council that the groundbreaking for the project would be probably the middle of next year. Deputy Mayor Fink questioned once the groundbreaking has taken place, how soon for completion. Mr. Giardullo advised that all three intersections of Phase One should be completed in 2014.

Mayor Frierson opened it up to the public for questions. Rob Herron, who runs a local bike shop, inquired as to a provision for bicycle parking. Mr. Giardullo commented that they would look into how they could accommodate that. Councilman Keene questioned Mr. Giardullo for confirmation that he believed there was provision for bicycle parking in the long run. He stated that there was a plan for the entire corridor of Oak Street and some other streets as well. He further expressed his excitement over this project and stated that the only thing that would please him more would be for the provision of a pedestrian crosswalk down south on US

17. Several years ago we had a walk ability audit done of downtown Arcadia and a lot of these things were mentioned and it's so exciting to see it coming to fruition.

2. STAFF UPDATE BY CITY ADMINISTRATOR

The Interim City Administrator advised of a few staff changes. Ana Reyes was transferred from the Utility Billing section of the Finance Department to the City Administration Department to fill the vacant Planning and Administrative Specialist position. He stated we also have Penny Delaney, our City Clerk, here with us tonight. She started about a week ago. Tonight, I would also like to bring in our selection of Finance Director, Beth Carsten. One of the things we were looking for, in addition to the balance between education and experience, Beth is a city resident, she has lived here for quite some time. She also has an advanced degree in finance and has experience in running an office and we felt that was critical for the management team. There are two specific decision points for council that he wanted to bring forward. The first point had to do with the health coverage issue. She has asked that the health coverage be provided for immediately as the city has done with other senior staff members. He stated the second is, as she indicated in her interview, she had planned on a vacation that had been in the works for some time, so we wanted to be able to accommodate both issues. The Interim City Administrator asked if there were any comments or questions. Councilman Heine advised that he was just happy to have her on board. No other questions or comments were brought forward. Ms. Carsten was then given the opportunity to make any statements of which she thanked the council for the opportunity to fill this position.

The Interim City Administrator advised that Ms. Carsten would be working with Erika Larson of the Purchasing Department and Ashley Killmon of the Finance Department to host a workshop in January on the budget. Beth, along with her staff, will also be taking a hard look at the budget which was prepared last year to come up with some strategies for introducing some of those difficult decisions and discussions that the city had to make it easier.

The Interim City Administrator further wanted to thank the Finance Director Renee Green personally and publicly for staying on as this will allow an overlap for about a week or so to help Renee to leave gracefully and for Beth to be brought onboard and be able to have someone train her on some of the policies and the software program.

Mayor Frierson asked when Ms. Carsten's starting date was and the Interim City Administrator advised that it was December 23, 2013. Mayor Frierson pointed out that since Ms. Carsten was one of the nominees for the panel regarding the search for a City Administrator, she assumed Ms. Carsten will be resigning from that position to which Ms. Carsten agreed.

The Interim City Administrator returned to decision points one and two regarding health care coverage and vacation. Councilman Heine had a motion to approve. Councilman Bob Allen seconded the motion. No discussion followed and it was unanimously, 5-0, approved.

CONSENT AGENDA

3. SPECIAL EVENT PERMIT - ANNUAL GOLF TOURNAMENT

Mayor Frierson advised that Consent Agenda No. 1 had been cancelled so 2-8 would be heard by council.

4. CONSENT ITEMS 2-8

Councilman Heine made a motion to approve No. 2-8. Councilman Allen seconded the motion. No discussion followed and it was unanimously, 5-0, approved.

DISCUSSION ITEMS

5. US 17 POTABLE WATER INTERCONNECT AGREEMENT

The Interim City Administrator introduced A.J. Berndt as the Utility Director/Operator. Also with A.J. was Eddie Miller who is with DeSoto County Utilities. He stated A.J. and Eddie will be doing a presentation that actually walks you through the project. Mr. Miller stated that they had contracted Broyer-Singleton on the US 17 Phase Three Project. It goes from CR 760A up to the interconnect with the City and Martin Luther King (MLK) Street. He advised that they will be doing water and wastewater if our board so chooses to approve the project. He stated that he and A.J. had talked, along with their water supervisor, about some potential interconnects. They currently have the interconnect over near Tractor Supply and it has been a benefit to the City. They wanted to recommend one at the MLK intersection as well as one on Skates Road to provide some potential water pressure and quality to the San Juan Bosco Project Phases Two and Three that are currently on hold because of water pressures. It is a big benefit to the City and an emergency interconnect for the County should the pipe that feeds this water from the authority break at some point, the County would be stuck and it would be an opportunity to feed the County from the interconnect on Turner as well as this side of the City as well.

A.J. agrees that to have an interconnect on the other side of town would be a good thing to have from an emergency aspect. The only thing he cautioned the council with was at the beginning of the year, the Interim City Administrator and the rest of the team is going to have a strategic plan just to make sure we're moving into the right steps for the city. Councilman Keene asked to confirm that the City has infrastructure up to the northwest corner of MLK and US 17. Mr. Miller advised that the 8 inch main will come through the mobile home park and be south of the interconnect close to MLK. A.J. further advised that they are proposed a third interconnect out by San Juan Bosco. He stated that they are developing a second and third phase which will help with the pressure. Right now the Fire Marshall will not let a second and third phase happen because of the pressure issue.

A.J. advised that this is not an agreement, but a proposal to move forward with the interconnect on US 17. Councilman Keene made a motion to approve the interconnect. Councilman Heine seconded the motion. Councilman Keene as the City Attorney if there was anything he would like to say about it. The City Attorney wanted to touch on what A.J. said, that this was not an agreement. He advised that he and Don Conn, the County Attorney would get together on this. He further advised that we do currently have an interlocal agreement with the County for the other interconnect and that includes which parties are responsible for certain equipment. He stated he needed to discuss with Mr. Conn about how long a term this interconnect is going to be included as part of that agreement. He agreed with A.J. about it being

beneficial to wait and see where we're going to go from there. Deputy Mayo Fink questioned as to whether it would limit their expansion of rights anywhere. The City Attorney stated that he could not see where it would limit their rights anywhere.

Comments were made from Gary Frierson questioning where the county line is coming from. He questioned if someone south of MLK wanted to hook on then they would become a county utility customer. So when this interconnect goes in, the City will not be able to expand any further south so it will essentially draw a line for the expansion that Deputy Mayor Fink was talking about. His other question was if a third interconnect goes in off Skates, who's line will it be between San Juan Bosco down to Skates? He questioned if that section of property between Hillsborough and Airport Road were to grow, would it be off of our City's waterline, but if any section were to grow off of US 17, it would be the County's waterline.

The City Attorney stated that he thought they were talking about an emergency situation, but after hearing the current discussion, it seems that we would be expanding an area the County could expand into and essentially the City is prohibited from moving their utilities into. To now answer the question, to the extent that this broadens the area that the County can now serve, yes, there could be some areas that the City would no longer be able to serve. Florida Statute states where one public utility is currently serving an area, another public utility cannot move into that area. He advised that for now, it should be an approval subject to some limitations that we would want with the approval. Deputy Mayor Fink stated that while he understands it's essential, that perhaps the City Attorney and the Interim City Administrator should look at this. If they proceed, they are putting into place something that could dramatically affect the expansion of anything within the City of Arcadia. Deputy Mayor Fink advised that he would like to have a joint planning agreement with the County so we know exactly where we can expand and develop and where they can expand and develop. Deputy Mayor Fink suggested it be tabled until the City Attorney comes back after discussing it with the Interim City Administrator with a plan and to approach the County regarding a joint planning agreement.

Mr. Miller advised that if they don't get their appropriation in by March, US 17 will not happen. Councilman Keene made a motion to approve the interconnect and Councilman Heine seconded the motion. Deputy Mayor Fink recommended waiting until the City Attorney and Interim City Administrator can meet. The City Attorney agreed and stated that there was not enough information to proceed. Councilmen Keene and Heine withdrew their motion and second. A.J. stated that we have no contract to approve this. It's just the theory. Councilman Heine suggested it be brought to the second meeting in January. A.J. agreed that would be helpful to the county. Deputy Mayor Fink made a motion to table the issue until January 21, 2014. Councilman Heine seconded the motion. No discussion followed and it was unanimously, 5-0, approved.

6. VALVE MAINTENANCE TRAILER

Fred Lewis, Systems Department Supervisor, brought forward a request for the systems department regarding the purchase of a valve maintenance trailer. The reason this is needed is for FDEP compliance on the valve exercises. This trailer is more efficient and safer for the employees. Councilman Heine inquired as to whether it was part of the budget. The Interim

City Administrator advised that it was part of the budget. Mr. Lewis commented that Thirty Thousand and //100 Dollars was budgeted for the machine and one was located for Twenty-Two Thousand Sixty-One Dollars. Councilman Heine made a motion to approve the purchase. Council Allen seconded the motion. No discussion followed and it was unanimously, 5-0, approved.

7. ORDINANCE REGULATION SOLICITATION

The City Attorney advised this was brought forward from the last meeting. Marshall Matt Anderson stated the boundaries would be the east side would be Hillsborough, the west side would be Manatee, north would be Whidden/Cypress and south would be Pine. That was the only change to that particular ordinance from the last meeting, as long as there is still a consensus as to the balance of the terms and council is okay with the zone. Councilman Keene asked if there were any proposed penalties for violation of the ordinance. The City Attorney advised that it would be the same penalties for anyone could be cited for violation of any ordinance as found in the first chapter of the Code of Ordinance, citations, imprisonment for repeated violations, etc. He further stated it's really for the Marshal and his guys to have some type of enforcement. Mayor Frierson asked for any other comments. The City Attorney advised that the title would need to be read. Councilman Heine made a motion to read by title. Deputy Mayor Fink seconded the motion. A vote was taken and it was and it was unanimously, 5-0, approved. The City Clerk read the title only of the Ordinance. Deputy Mayor Fink made a motion to approve the reading. Councilman Heine seconded the motion. No discussion followed and it was unanimously, 5-0, approved.

8. ORDINANCE REGULATING BEHAVIOR IN PUBLIC PLACES

The City Attorney advised that once again, this was brought forward from the last meeting. He stated that unfortunately, you cannot regulate someone from not having a dwelling to sleep in, so the issue is to try to resolve that particular issue. It's more of the sleeping in right of ways and shelter space and the lack of public shelters in the City of Arcadia or DeSoto County. He advised that the only way to get around this ordinance being deemed unconstitutional is if the officer approaching the individual offers to transfer that individual to a public shelter and they decline, then they can be cited. If they accept, and there is public shelter available, then they won't be cited. However, if there is no public shelter available, the City Attorney didn't see how you can cite that individual because again, you can offer alternatives to go to a public shelter, but if there is no public shelter available, he would be very cautious of trying to cite someone. Deputy Mayor questioned the City Attorney regarding private property. The City Attorney advised that regulation of private property could not be done.

The subject of tent areas was discussed. Deputy Mayor Fink stated that he was advised of the existence of one in the City. He then opened the discussion to Valerie Gilchrist of the DeSoto County Homeless Coalition to inquire as to the existence of one of which she advised that there was. Marshall Anderson confirmed that there is on located at Magnolia Street and Lee Street and it ranges from 3 individuals to 6 or 7 individuals at any given time. Mayor Frierson asked if it was private property and Marshall Anderson stated that it was owned by an individual and that individual has not complained so they may have permission to be there. Deputy Mayor

moved that the ordinance be read by title only. Councilman Heine seconded the motion. No discussion followed and it was unanimously, 5-0, approved. The City Clerk read the title only of the Ordinance. Councilman Heine made a motion to approve the reading. Deputy Mayor Fink seconded the motion. It was unanimously, 5-0, approved. Councilman Keene asked for a discussion to inquire of Deputy Mayor Fink if he could report back to council about the meeting last night. Deputy Mayor Fink stated that it was attended by approximately 20-25 people. He advised that there was no conflict and lots of denominations were represented and lots of stakeholders in the community were represented as well. There were people from Pinellas County who attended to lend their expertise and how they dealt with it. The report that has been distributed to you states what Deputy Mayor Fink spoke about and that the City was not able to contribute any financial aid to this. However, it was offered that we may be able to help if they were in need of assistance and maybe the City could fast-track.

Valerie Gilchrist carried the discussion further. She suggested maybe using the area on Palm and Hillsborough that was used after Hurricane Charley for FEMA trailers. Councilman Heine informed her that the lines had been destroyed at the property she was suggesting and there were no showers there. Deputy Mayor advised that the County is a half-step behind us and their financial reports are not much better than ours. They don't have any money for this either. He stated we should step forward and suggest to the County that this is something that we all need to be involved in.

Councilman Keene stated that was why he wanted Deputy Mayor Fink to report back to the council because he feels that some sort of dialogue has now begun. He suggested that maybe they can now begin to do some brainstorming and try to come up with some sort of solution.

Deputy Mayor Fink made a motion to revisit the issue and same was seconded by Councilman Keene. No further discussion followed and it was unanimously, 5-0, approved.

9. RESOLUTION CREATING A CITY ADMINISTRATOR SEARCH COMMITTEE

The City Attorney advised this was the resolution they came back with and an Exhibit A has been attached and he advised that he has tried to develop an outline for the City Council to have some say in how the committee you appoint operates and has some guidelines. He had made Mayor Frierson aware that she needed to appoint a new appointee. Mayor Frierson advised that the person to replace Beth Carsten is John Super. The City Attorney wanted to provide the search committee with an absolute deadline to submit the final five names. He recommended that it be read to the public at a council meeting. He asked for any dates and recommended at least three weeks out. He advised that on Exhibit A it was listed to develop a plan schedule and a budget and submit that to your approval no later than the January 21, 2014, meeting and the next meeting should include the summary job description. Councilman Heine recommended that no one be compensated for coming for an interview. It has never been done before and it could be quite expensive. Councilman Keene said he wasn't sure that would be an issue and it would depend on the caliber of the candidate and we can make that decision later.

The City Attorney pointed out that one of the other items is a salary range. He asked for guidance from the council and advised that Former Administrators Miller and Jankosky both received an annual salary of \$70,000.00. Former Administrator Miller's was actually \$73,495.70 because he had his own insurance. He advised that he thought the salary range was actually in the city council's court. Councilman Keene recommended that we set a range of between \$60,000.00 and \$70,000.00. Councilman Heine agreed. Deputy Mayor suggested \$60,000.00 to \$80,000.00. Councilman Keene stated he was okay with that. The City Attorney asked if they had a date that they wanted the search committee to come back with the top five candidates. Councilman Keene replied with March 4, 2014. The City Attorney pointed out that in the event the Interim City Administrator elects to apply and the search committee doesn't find any reason to disqualify him as a candidate, that he would be included as one of the top five candidates. So subject to the change to have Mr. John Super replace Ms. Carsten, he thought think a motion needed to be made to incorporate those three items, Mr. Super's replacement as Mayor Frierson's appointee, the March 4th deadline, and the salary range from \$60,000.00 to \$80,000.00. Deputy Mayor asked if this needed to be read by title. The City Attorney confirmed that it did need to be read by title. Deputy Mayor Fink asked the City Clerk to read it by title only. The City Attorney stated that he wanted get the approval with those changes. Deputy Mayor Fink made a motion with Councilman Keith Keene seconding the motion. No discussion followed and it was unanimously, 5-0, approved. The City Clerk read the title only of the Ordinance. Deputy Mayor Fink made a motion to adopt the resolution with the changes of Mayor Frierson's appointment to be Mr. Super, the date for conclusion on page 3 March 4, 2014, and the salary range to be \$60,000.00 to \$80,000.00. Mayor Frierson seconded the motion. No further discussion followed and it was unanimously, 5-0, approved.

The Interim City Administration asked to clarify Section 8 for staff. He stated that the reason he asks is because he has already been getting comments from some of the members of the search committee and he's reluctant to get the ball rolling simply because 1) this resolution had not been adopted, 2) he wanted to assign a staff member to the effort – the City Clerk. The City Attorney advised that typically the City Clerk would be responsible for notices and advertising needs. The Interim City Administrator stated that if there is a job description and other documents that could be made available. He further stated that there is a conference office behind this room and other things that he would like to see the Clerk take a lead on with the community. The City Attorney stated that due to the Sunshine Law, any meetings should probably be held in this room for any public to attend and he'd be happy to attend on the first one or any of them that they request. The Interim City Administrator asked the City Attorney if he had prepared any documentation that deals with citizen advisory boards. The City Attorney replied that would be a better way to go, to advise them of the Sunshine needs, rather than him attending in person. It could be sent to the City Clerk to be distributed to them prior to the first meeting. Mayor Frierson stated that they would need to post when they're going to meet since it's going to be under the Sunshine Law. The City Attorney agreed and stated that had to be done, and should be posted on the site where the council meetings are advertised.

COMMENTS FROM DEPARTMENTS

10. CITY MARSHALL

Marshall Anderson stated that he had nothing to address to the Council. However, he stated that he would like to brag on some of the guys and some of our community involvement

that we've had. One of our detectives at the Police Department, Detective Carrillo and Lieutenant Kevin Joens came up with a very good idea called Take a Cop Shopping. We went to the three elementary schools, West, Memorial and Nocatee, and between the three elementary schools, we gathered eight kids. We gave a tour of the Police Department, let them try on some of our big heavy vests, helmets and riot shields. Parents were taking pictures. We took them out to the squad cars and let them play with the sirens and lights. Then we took them out to Wal-Mart in a squad car with an officer fully dressed in our blue uniforms. Lieutenant Evans was one of the officers today who took one of our kids out there. We gave them \$50.00 and we encouraged the parents and children to make a Christmas list and it could be what the kid wanted to buy, if they wanted to buy something for their teacher, best friend, etc. All but one bought for people in their family. One bought something for herself which is fine. One was quite the bargain shopper. She bought 15 or 16 items for \$50.00. It was a great idea and we're hoping to do it again next year. There have been a lot of interests from other businesses in our community, Mosaic, Wal-Mart, the Mayor too. He wanted to publicly announce the four that did donate to us, Gator Guns, Home Owner's, Animal Ark, and DeSoto Transportation, and also several members of the Arcadia Police Department donated some money. We helped them wrap their presents and put bows on them and the kids did a really great job.

Councilman Heine mentioned that he had heard the Arcadia Police Department had caught someone breaking into a store. Marshall Anderson confirmed and advised that it was Hibbit's. The initial call was a suspicious person. The manager saw this person coming and going 3 or 4 times. We got there about 7:00 p.m., identified him, got all of his information, trespassed him and told him to not come back to the store. At 2:00 a.m., we got an alarm call. We go there, the back door was open and he was in there, lying on the floor. He ended up getting a free ride.

11. CITY ATTORNEY

I will hopefully be coming to the next meeting with an impound ordinance that I've talked to Matt and Kevin Joens about and hopefully bringing that should be a little less controversial than the more recent ones we've been working on.

12. FINANCE

Ashley Killmon advised that in their packets, they would have two check runs for accounts payable. She stated that she know Ms. Beth was already gone, but she wanted to thank everyone, the department is glad to have her aboard. It will be the start of a new year with a lot of changes, but it will be good. She wanted to thank Marshall Anderson due to one of his guys coming out to the Farmer's Market to assist an individual. Thank you.

13. CITY ADMINISTRATOR

The Interim City Administrator had nothing to bring before council, but wanted to point out that there were two individuals from FDOT that he would like to speak with the mayor afterward to obtain signatures for particular documents. He advised that we have been working with FDOT on a number of projects to bring them up to conclusion from the planning stage and now the design stage. Having the change in administration leadership, providing a little bit of a hiccup, they have been very gracious with their time and effort in helping us out.

PUBLIC

Mr. Jerry Cordes advised he was terminated in September and has been filing appeals to the Administrator and been doing his end by the book by the policy manual. Four weeks ago, the Interim City Administrator said he tried to contact his attorney. He did not. Two weeks ago, he said that he would get with us from last meeting to this meeting. He did not. He stated he had give times that his lawyer tried to contact the Interim City Administrator and he hasn't returned the calls. He stated that he didn't know what to do to get this done, that he knew the council was tired of hearing about it, and he was tired of coming to the meetings. He advised that according to Section 21-15, Steps to Approval, this was to have been done within five working days. He stated that it's been almost sixty days and he hasn't gotten any further than he was before. He further stated that according to the Personnel Manual, 22-25, it states one of the reasons for termination is not following policy. He advised that he's doing on his end and somebody needs to do something on the City's end. Mayor Frierson asked the Interim City Administrator if there was a reason nothing had been done. The Interim City Administrator replied yes, just simply because of the staff shortages. I have actually had a chance to go through the file and will be contacting the City Attorney to provide my findings to him in support of my recommendation and then we'll move forward with it. I understand from Jerry's standpoint, but it's better to be right than to be simply following dates that are in the book. Mayor Frierson stated that she would like to see it resolved and Jerry be given an answer. She said she felt he deserved one after this length of time. Councilman Heine commented to handle this as soon as possible. Mr. Cordes asked if they had any idea of a timeframe. The Interim City Administrator said he would have something provided to the City Attorney by the end of the week.

Ms. Valerie Gilchrist thanked the City for providing the tables and chairs for their hot meals on Saturday.

MAYOR AND COUNCIL MATTERS

Councilman Keene inquired as to the City Christmas Party. The Interim City Administrator asked Ashley Killmon to walk him through what was decided and how it was advertised to staff. Ms. Killmon advised that the Christmas Party will be this Friday, the 20th, at the Golf Course at 6:00 p.m. Councilman Keene asked if Council was invited and Ms. Killmon acknowledged that they indeed were, adding that city staff and all volunteers were invited as well. Ms. Killmon also stated that on Thursday, the 19th, there would be a little something in the finance area. It was done last year and anyone that would like to stop by, there's going to snacks, so anyone who wants to stop by and check out finance or any other department, please stop by. It's going to be from 10:00 a.m. to 3:00 p.m.

Councilman Keene stated that he wanted to question the items that were up here for us tonight on the land development regulation. The Interim City Administrator advised that the planning commission had an opportunity at first reading to go through the entire unified land development code. With that, Jeff Schmucker submitted one additional item for Council's information. It was at this time that it was discovered that packets had been provided to Council, but not the binders with other pertinent information. The Interim City Administrator advised that he thought it was Mr. Schmucker's intention to have the three-ring binders provided to council in advance of the January public hearing, along with the packets. The binders were

then distributed to council. The Interim City Administrator stated that the packets provided to council were to actually go in the binders as additional information.

Deputy Mayor Fink advised that he had attended the Tourist and Development Tax Meeting and something they're going to suggest to the County Commission with use of their tax funds is something called kiosks. They're suggesting several kiosks on stands, one at the Tree of Knowledge Park, one for the Chamber of Commerce and one at the Turner Center. The one at the Tree of Knowledge Park, they're going to ask a local shopkeeper to pull it in and out at the start and end of day so they can charge it to a double battery pack. They're around \$400.00 or \$500.00 a piece. It's like having a cell phone with an application on it that would give you a map of things to do in the City and the County, and what events are planned with months ahead. It's really a neat thing and it's cutting edge technology because according to Mike Trawick, no other city or county does this at this time.

Another thing he asked the Council to consider was with all the strategic planning and things we're expecting the Interim City Administrator to do, he stated that he still hears comments about how the code is not acceptable. People worry about the community standard and that sort of thing and he suggested that the Council might want to think about putting together a committee of citizens to tell us what they think the community standard is, whether it's still the community standard that's presently adopted and I would suggest further that we consider having Code Enforcement Officer/City Planner McQuay to act as a liaison for that committee because he's the perfect person for that, if you think it's important. It's their city and it's always nice to ask them. If they think the standard is good or if they think it needs changing and if they think it needs changing, then they can ask us. We don't have to take their advice, but we can at least ask them. What do you think? Councilman Heine pointed out that the problem is trying to get people to serve on committees. Deputy Mayor Fink stated that he's had a lot of people wanting to serve on committees. Councilman Keene stated that he supported the idea, but he felt that they would need to give the committee some direction and some commitment as to how we would take their recommendation. This may work better in our strategic planning that we've got coming up. Mayor Frierson pointed out that part of the problem with everything that needs to be done, involves money. Deputy Mayor stated that he's not suggesting council spend any money on this. What he was suggesting is that if you're not happy with the appearance, then tell us, where in code, what we can do to change it. Look at the code. Has the code been changed in the last twenty to thirty years and if it hasn't, don't you think we need to update it? Adrian Daily made comments about residents picking up their trash etc. The City Attorney responded by saying that he, the Code Enforcement Officer, and the City Marshall had gotten together regarding minimum housing maintenance standards that included completed painting of houses, roof issues, and yard maintenance issues and when it was discussed it was decided to put it on as a workshop. He stated that he could forward that to the beautification of Arcadia group and let them take a look at it. Mayor Frierson stated that it is difficult to regulate how people live. Councilman Keene advised that it's about community pride and he stated that he didn't know how you accomplish that. The Code Enforcement Officer stated that one of the bigger issues that he has is bringing these cases to the Special Master. He stated that we just do not have the funds or a Special Master every week or every two weeks. He further stated the he is only bringing cases to the Special Master every other month and that has already taken him way deep into his budget for the year. The Mayor suggested that maybe something other than the

Special Master should be discussed, maybe a committee of the community. The Code Enforcement Officer acknowledged that had been brought up. He advised that the City of Sebring has a code enforcement board that meets every week. He stated that it's broken down where they have representation from all parts of their city and that seems to work well for them. It's all volunteer and it would speed things up. Their turn around is a lot quicker. If someone was cited on a Monday, by the following Monday, they were in front of a board and only give a few days to correct it. As where he may cite someone today, they won't be in front of the Special Master for another month. He advised that his last hearing cost him approximately \$1,100.00. Mayor Frierson asked the council if they would be open to a meeting regarding a code enforcement committee and council agreed. Councilman Heine asked how much authority the committee would have and the Code Enforcement Officer stated that they would have the same authority as the Special Master. The City Attorney advised that where Arcadia is regarding population, statute would require a seven member board and so many of them would have to be made up of certain occupations. He further advised with a Special Master, you'll have more consistency. Money aside, for the Code Enforcement Officer, it would be easier to know what he's going to get every time he goes before the Special Master. Code Enforcement Boards are sometimes not as consistent, but it's cheaper, you do have to have 7 individuals who are willing to take that amount of time, and tough choices will have to be made sometimes about people they know.

ADJOURN

Having no further business at this time, the meeting was adjourned at 8:30 p.m.

ADOPTED THIS 7th DAY OF DECEMBER, 2013. ^{January 2014}

By:



Alice Frierson, Mayor

ATTEST:



Penny Delaney
City Recorder