

WORK SESSION

FEBRUARY 12, 2008

A Work Session of the Arcadia City Council was held on February 12, 2008, at 5:30 p.m. in the Margaret Way Building at 23 North Polk Avenue. Council members attending were Goodman, Fazzino, Heine, Johnson, and Dixon. Also in attendance were Administrator Strube, Attorney Holloman, Marshall Lee, Captain Anderson, Special Projects Hewett, and Recorder Baumann.

Mayor Goodman called the Work Session to order and stated that the purpose of the work session is to review the City Charter and Ordinances covering the City's form of government. Mayor Goodman noted that the work session is a result of the December 4, 2007 Council meeting at which time the Council brought up the idea of looking at a "strong" Mayor form of Government. Mayor Goodman stated that the citizens hold the Council accountable and feels that a "strong" mayor may give the Council more say in the day-to-day operations.

Administrator Strube addressed the Council noting the he feels the most recent issue was the situation at the golf course and feels that some of the issues might need to be reviewed. He also feels that neither administration, nor the Council handled the situation in the best manner. Administrator Strube stated that there is a need for a clear cut form of government and that under the current charter the Council is legislative not administrative.

Mayor Goodman did not agree that the Council does not want to hear that they are only legislative stating that if administration is handled as it should be there would not be a problem. She feels that because the golf course was not taken care of administratively then the Council needed to take care of the situation. She also noted a complaint from a citizen regarding the need for bushes to be trimmed that are blocking several intersections which had been brought before the Council more than once. She feels the reason issues get out of control is that they are not being taken care of administratively. She noted the need for respect from the Council to Administration and from Administration to the Council. She feels that a well informed Council is necessary.

Councilman Johnson asked if the problem is the form of government or is it that the form of government is not being followed. He reported that he researched various types of government being used and noted that a weak mayor system is most often used in small governments. He believes that if the current form of government were being followed systemically the Council would not be facing some of the issues they currently are. He feels the Council should be cautious in any decision it makes noting that a "strong" mayor system would give the mayor control and veto power which is the reason many small cities have moved away from this form of government to a "weak" mayor system. It was noted that a "weak" mayor system is also the most affordable form of government. Councilman Johnson stated that he is not in favor of a "strong" mayor form of government.

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Councilman Fazzone believes that tightening up the Code is the answer and does not feel that the City can afford a "strong" mayor. He also addressed a concern regarding the Council's request that department heads attend Council meetings, noting that some of the issues or complaints coming before the Council could be addressed by the department heads. Councilman Fazzone stated that the current form of government has worked for a long time and does not see any alternative to a "weak" mayor system.

Councilman Dixon reported that Baker County has an elected mayor and it is not necessarily as expensive as some may believe noting that their mayor is paid \$350.00 per month. Councilman Dixon believes that the language would need to state that the mayor does not have veto power. He feels that the City should have the form of government that the people want, noting that Lake City changed to an elected Mayor because that was what the people wanted.

Councilman Heine noted that the current Charter was changed in 1973 from an elected mayor to the current system. It was noted that the elected mayor was ceremonial and did not have any administrative duties or power. He stated that he has spoken with many business owners and they are not in favor of a "strong" mayor.

Attorney Holloman stated that the first step would be for the Council to adopt an ordinance to adopt a referendum to change the Charter. The ordinance would need to be read at three (3) Council meetings.

Councilman Dixon stated that this would give the public time to give the Council feedback on if they wanted to proceed with a change in the form of government. Councilman Dixon then stated that he is fine with the way it is. He feels that the problem is that if the administrator did what he is suppose to do the Council would not have a problem. Councilman Dixon stated that if the administrator can not handle the problems in a professional manor then maybe the Council needs to look at a new – different administrator. He feels that there needs to be more accountability by holding people accountable for what they are required to do.

Mayor Goodman also stated that the form of government is not the problem, it is the implementation that is the problem, and the Council can not look at what has worked in the past. Mayor Goodman noted that she was not pleased with what was said in a previous meeting about the mayor not having any power. She then stated that there appears to be a riff between the Council and the Administrator and staff noting that this needs to be taken care of.

Councilman Dixon then stated that the Council could hold a public hearing to amend or revise the section regulating the duties or authority of the city administrator.

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Mayor Goodman then read City Code Chapter 2, Division 2, regarding the duties of the city administrator.

Councilman Johnson believes that any city administrator needs to be a resident of the City, this is not a current requirement.

Administrator Strube noted that the City did operate with a city manager prior to 1961, and that the Home Rule Powers Act of 1973 put Charter revisions and local ordinance into the hands of the local government.

Councilman Dixon asked if it is possible to revise or amend the current code as it relates to the duties of the city administrator.

Attorney Holloman stated that he would need to know the specifics of the proposed changes before he could say if it could be changed by ordinance or if it would be a referendum issue. He noted that a change of charter, such as changing the form of government is a referendum; a change of ordinance is done by the Council.

Councilman Johnson proposed a consensus or straw vote be taken to keep the current form of government and review ordinances relating to the duties and responsibilities of the city administrator; this was seconded by Fazzone. Council members in favor of keeping the current form of government and reviewing ordinances to give the Council more "teeth" were Fazzone, Johnson, and Heine. Councilman Dixon and Mayor Goodman were opposed.

Mayor Goodman believes that if the Council keeps with the current system they will continue to have the same problems. She feels that some revisions are necessary in order to give the public an understanding of where to go to get answers.

Councilman Dixon addressed the issue of the golf course noting that he was not here when the problems first began.

There was some discussion regarding potential criminal activity at the golf course and it was noted that the matter had been turned over to the Sheriff's Department for investigation. Attorney Holloman stated that he wanted to set the record straight that there has been no proof of any criminal activity at the golf course. He then stated that the Council requests the he and the administrator make decisions; however they then are criticized for having made a decision without consulting the Council. Attorney Holloman stated that he does not believe that anyone could please the Council.

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Councilman Heine stated that everyone on the Council gets complaints and he noted that Administrator Strube does make notes about specific items; however if we are not happy with the administrator then we should fire him.

Councilman Dixon said that he did not want to fire him; he would prefer that he resign gracefully on his own.

Councilman Johnson asked if department heads receive compensation for attending the meetings to which Administrator Strube stated that they do not receive overtime; however they do receive comp time. Administrator Strube then stated that there are only two (2) actual department heads Don Waters for Parks and Recreation and John Reed for Public Works. He noted that their attendance is usually been dictated by what is on the agenda.

Councilman Johnson requests that a phone be installed in the Council Chambers in order for Council to have a conference call with department heads if an issue comes up and they are not in attendance.

Administrator Strube noted that the issue regarding the bushes could be a re-occurring issued do to them growing back. He then stated that concerning the golf course issue and possible criminal activity, he met with the Sheriff who is the highest law enforcement in the County. He noted that City Marshall Lee also felt that the DeSoto County Sheriff's office should do the investigation as the golf course is located in the county. There was some additional discussion as to what happen at the golf course. Councilman Johnson asked that the Council receive a memo on items like this so that they are aware of the situation and what is being done.

Councilman Dixon asked if the city had begun advertising for a new City Attorney to which Administrator Strube stated that a draft of the ad would be ready for the Council to review at their next meeting.

Councilman Heine inquired about bids received for the City Street Restoration Program to which Administrator Strube reported that twelve (12) bid packets were picked up; however only six (6) were submitted for review. It appears that Apac is the lowest bidder with a bid of \$310,000.00.

Councilman Johnson asked when the Council would begin fine tuning / reviewing ordinances on the administrator's duties etc. It was decided that they will begin meeting at 5:00 PM prior to their regular Council meeting.

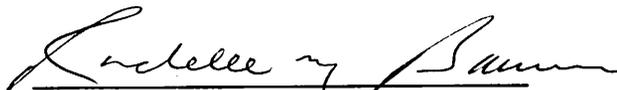
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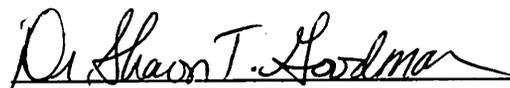
Captain Anderson addressed the Council to state that they are still working on a bid for wrecker services. It was noted that the City Council previously rescinded Ordinance No. 878 and went with the County's towing ordinance. Attorney Holloman asked Captain Anderson if there would be a problem doing what he is suggesting under the County Ordinance to which he stated there would not be a problem. Council then told Captain Anderson to proceed.

Mayor Goodman announced that furniture for the Mayor's office has been donated to her to cover her term, after that the City will need to purchase a desk and an executive chair. She did not want to cost the City any money.

Councilman Dixon stated that she should not take her own furniture to use; the right thing is to purchase a desk and chairs. His objection was possible excessive or wasteful spending.

There being no further business the meeting was adjourned


CITY RECORDER


PRESIDENT