

MINUTES
CITY COUNCIL
REGULAR MEETING
TUESDAY, JANUARY 5, 2010
6:00 PM

CALL TO ORDER, INVOCATION, PLEDGE OF ALLEGIANCE & ROLL CALL

The Mayor called the meeting to order at approximately 6:02 PM with the following members and staff present.

Arcadia City Council

Mayor Roosevelt Johnson
 Deputy Mayor Robert Heine
 Councilmember Lorenzo Dixon

Councilmember Sharon Goodman
 Councilmember Keith Keene

Arcadia City Staff

City Administrator Markae Rupp
 City Recorder Dana Williams

City Attorney William Galvano

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

CONSENT AGENDA

1. **MINUTES OF THE DECEMBER 15, 2009, PERSONNEL HEARING**
2. **MINUTES OF THE DECEMBER 15, 2009, REGULAR MEETING**
3. **MOBILE HOME PARK REPORT FOR DECEMBER 2009**
4. **ENVIRONMENTAL SURVEY PROPOSAL FOR THE FORMER ARCADIA STOCKYARD**

The Mayor asked that item #1 be pulled for further discussion and similarly, Councilmember Keene requested item #4 to be pulled.

On motion of Councilmember Goodman and seconded by Councilmember Keene, items #2 and #3 from the Consent Agenda printed above were unanimously, 5-0, approved.

Regarding the minutes of the December 15th personnel hearing, the Mayor requested that the specifics of the Council's disclosure of ex-parte communications be included. The City Recorder stated she would include that portion specifically and bring the minutes in their entirety back for approval at the next meeting.

Councilmember Keene, discussing the quote from Environmental Services, stated his agreement for the most part with the environmental (soil, groundwater, asbestos) testing, but was unsure about the cattle dipping vats and about the \$15,000 price tag. He felt there was no requirement that it was to be cleaned up at this time, although acknowledged the liability if seepage leaches onto other property. Mr. Keene was concerned about the expenditure, particularly if the City is not required to do the clean up at this point in time. The City Administrator responded that

the City is getting close to completion of the clean up, aside from the testing and that during several conversations she had had with representatives from the DEP, their biggest concern was the dipping vats and the disturbance of soil around them. The Administrator felt if the vats were an issue for the DEP, then the City would be better off to determine whether or not it was a legitimate problem and if so, try to get the State to mitigate the same. She also stated the demolition permit for the Livestock Market expires on January 16th and that an extension would not be granted in excess of six (6) months. The Councilmember asked if state funding was available for clean up to which the Administrator answered she was not certain and the City Attorney added it would be the responsibility of the State of Florida to mitigate the problem. The Administrator also reported that Environmental Services would do the Phase I study at the airport for a discount if they are awarded this proposal, making the total for both properties about \$18,000 or \$9,000 each.

On motion of Councilmember Keene, and seconded by Councilmember Dixon, the Council voted unanimously, 5-0, to approve the proposal of Environmental Services, Inc. for a Cattle Dip Vat Assessment and Asbestos/Lead Survey at the former Arcadia Stockyard in the amount of \$15,500.00.

COMMENTS FROM DEPARTMENTS

5. CITY MARSHAL

The Marshal noted his report had been placed on the dais and that the Special Master had met earlier in the day on several Code Enforcement issues, although they did not finish. He added he would have that report ready for the next meeting

**6. ATTORNEY
STATUS UPDATE ON THE AIR-CADIA LEASE PURCHASE**

The City Attorney reported the draft of the lease agreement was based on the general principals discussed and that it had been forwarded to the Minnear's attorney for review. He added there would be an environmental audit but that any funds expended to come into compliance would be offset from the purchase price. The Attorney added that a payment schedule had been proposed as well. Councilmember Keene asked if there was a time restraint on the lease agreement to which the Attorney responded it will be completed as soon as possible but that the other parties' attorney had only recently received the agreement for review.

Regarding the County Flush Water (Interconnect) agreement, the Attorney reported the County Commission would be considering it at their meeting of January 26th and that the format is "within the red zone" of being agreed upon. He added once approved by the County it would come back before the Council for the final time.

He also reported that in response to a question by the City Recorder, there is no statutory provision for having to "waive the rules" to read an ordinance or resolution by title only. He continued that a few months prior, the Council had revamped their procedure for adoption of ordinances and this extra motion was no longer necessary.

7. ADMINISTRATOR
DEP REPORT ON LIVESTOCK MARKET SITE VISIT

The City Administrator referenced a report, complete with photographs, from the DEP confirming there had been no renovation or demolition on contaminated buildings at the Livestock Market.

She also reported on a letter dated December 28th from the DEP in regard to the consent order of the Wastewater Treatment Plant stating no outstanding balance and that the case had been closed.

The Administrator provided a booklet outlining events of the upcoming first annual Arcadia Days to be held at DeSoto Park January 16-17, 2010 and that in exchange for a full page ad, the sponsor is requesting 2-3 volunteers from the City to park cars. She also reminded the Council of the Veterans Celebration at the Turner Center on January 16th. Councilmember Goodman requested an email be sent to the Council reminding them of these dates and times.

Lastly, the Administrator referenced a memorandum prepared by the Parks & Recreation Director on the Southern Shockers softball team who had done work totaling approximately \$5,000 on the fields at the Speer Center in anticipation of being selected as a tournament sponsored city. Arcadia was competing with Punta Gorda, Bartow and Ft. Myers and had been selected. The Administrator added the City was guaranteed ten tournaments in the current year, which is expected to bring roughly 4,000 people into the City for each tournament.

PUBLIC

Mr. Ernest Graham stated he had dropped off a resume to the City to volunteer his time and had checked on its status at least four times, but was told his services were not needed. He added that he had included his experience and references and that between the two he should be able to fill a need. Mr. Graham added he wanted to lend his expertise to the City.

The Mayor questioned whether or not the City had procedures in place for volunteers and suggested that perhaps some were needed. He added volunteers could provide an enhancement for the City and that the School Board would be lost without their volunteers. Councilmember Goodman agreed, and suggested the Administrator contact Ms. Sylvia Jenkins for details on the school district's guidelines.

Councilmember Dixon asked what the salary for the Parks and Recreation Director was and whether it was in line with the instruction by Council to reduce the salary range at the time of advertising. He requested the City Recorder provide that figure to him.

Ms. Martha Craven asked if there was a point during a Council workshop for the public to ask questions. The City Attorney and Council stated there was not, that it was a time designated for discussion among the Council.

Ms. Craven then questioned whether the Councilmembers had read the "Viewpoint" opinion column in the *Arcadian* issue of December 24th regarding a duplication of services by the

City and County for first responder services. Councilmember Goodman said she had not and would put more stock in a reputable point of view from a writer who signs his/her name to an article. She was "tired of paying to be lambasted in the paper."

The City Attorney explained that city resident's pay the same county tax for police services in addition to paying for a City police department to be the first responder and that it is an enhanced benefit issue.

MAYOR AND COUNCIL MATTERS

Councilmember Keene asked about the City's website, saying he was tired of it showing up in Japanese. The City Administrator responded that the City Recorder and the IT Consultant had been working on design and contractual issues, but that it was expected to be on-line within the next month.

Councilmember Keene also asked the City to look into a blind intersection at Luther Avenue in front of Memorial School. He stated that if a vehicle is heading south and looking to the east, the driver cannot see what's coming and hoped some tree trimming could be done in that area.

ADJOURN

Having no further business, the meeting was adjourned at 6:45 PM.

APPROVED THIS 19th DAY OF JANUARY 2010.

By: 
Roosevelt Johnson, Ed.D., Mayor

ATTEST:


Dana L.S. Williams, CMC
City Recorder