

**MINUTES
REGULAR MEETING
ARCADIA CITY COUNCIL
NOVEMBER 3, 2009
6:00 PM**

The meeting was called to order at approximately 6:00 PM with the following members and staff present:

Arcadia City Council

Mayor Roosevelt Johnson
Councilmember Sharon Goodman

Deputy Mayor Robert Heine
Councilmember Keith Keene

(Councilman Lorenzo Dixon was absent)

Arcadia City Staff

City Administrator Markae Rupp
Finance Director Rachelle Baumann
Lt. Gary Evans

City Recorder Dana Williams
City Attorney Jason Henbest

Councilmember Goodman gave the invocation which was followed by the Pledge of Allegiance. Mayor Johnson called the roll with all members of Council being present with the exception of Mr. Dixon.

CONSENT AGENDA

1. MINUTES OF THE OCTOBER 20, 2009 REGULAR MEETING
2. AIR-CADIA FLOWAGE AND HANGER RENT REPORT

On motion of Deputy Mayor Heine and seconded by Councilmember Keene, the two items listed on the consent agenda printed above were unanimously, 4-0, approved.

PRESENTATIONS

4. DESOTO COUNTY MURAL SOCIETY - CHARLOTTE & FRED CARTER

Ms. Charlotte Carter provided some background as to the formation of the DeSoto County Mural Society and plans for its upcoming projects. She discussed how murals bring art to a public domain and enhance or invigorate the community through history. Ms. Martha Craven then reported on the planned murals for Arcadia, explaining the first would be at the corner of Polk & Magnolia Streets honoring the rodeo, the second in recognition of people of history, the third emphasizing education, and the fourth, commemorating the Black community and Black History.

5. DeSOTO COUNTY DEPARTMENT OF HEALTH - WALKABLE COMMUNITIES

Ms. Kirby Hollingsworth of the DeSoto County Department of Health covered her presentation materials which discussed the Walkable Communities Project initially presented in Chicago. The program strives to integrate health into city design. Ms. Hollingsworth covered the correlation to obesity and preventable diseases as well as incorporating streetscapes, traffic calming measures, and community cohesiveness into a downtown design.

6. MAINTENANCE PROGRAM FOR WATER TANK - TIM MCDANIEL, UTILITY SERVICE

Mr. Tim McDaniel spoke about his company's ongoing maintenance program for water tanks to include annual inspections per the DEP, regulatory compliance, engineering reviews, clean out, and painting. He explained the best reason for encompassing such a program was to list the tank as an asset to the City rather than as a liability.

The Deputy Mayor pointed out the City would have to put the program out for bid, to which Mr. McDaniel confirmed with the City Attorney there was a provision in the *Florida Statutes* which allowed continuing contract engineering services under Chapter 287.055 without competitive bids. Nonetheless, the Mayor suggested a workshop on the matter and that Mr. McDaniel check with the Administrator for date availability.

COMMENTS FROM DEPARTMENTS

7. CITY MARSHAL

Lt. Evans representing the Marshal's office gave no report but was available to answer any questions.

**8. ATTORNEY
A) NEGOTIATIONS ON THE AIR-CADIA LEASE AGREEMENT**

The City Attorney briefly discussed his memo summarizing negotiations between the City and the Minnear's regarding the purchase of the remainder of the airport lease. He pointed out specifically that the buy out would be reduced by any clean-up or mitigation costs; and suggested that were the Council inclined to move forward, an appropriate action would be to authorize further negotiations between staff and the Minnear's.

Councilmember Keene made a motion to authorize the City Attorney and City Administrator to negotiate the purchase agreement with the Minnear's which would then come back to the City Council for final approval. The motion was seconded by Councilmember Goodman and a voice vote recorded unanimous, 4-0, approval.

**9. ADMINISTRATOR
A) AMENDING UTILITY BILLING CYCLES**

The Administrator explained it had come to her attention that because some months have five weeks, many residents were being billed for a few days "extra" which put them over

the minimum limit even though their next cycle was a few days "short" but still subject to the minimum monthly utility bill. She therefore recently implemented a change to the billing cycle which would commit to reading meters on specific dates each month (e.g. 1st, 8th, 15th and 22nd) rather than on a day of the week, therefore eliminating any 5th week billing issues.

B) CITY DISASTER PLAN

As a result of attending the FEMA Crisis Leadership for Local Officials conference recently, the City Administrator explained the need for a City-specific disaster plan. She noted that in the event of a large scale disaster, the City would be covered under the County's Emergency Management Plan; but that any localized emergency such as a bridge collapse, the County would not become involved and therefore it was important the city initiate its own plan. The Administrator continued that by creating and implementing such a plan, the city would then be eligible for State or Federal financial assistance if needed. She therefore requested permission to form a committee of essential employees and community stakeholders (FPL, Health Department, hospital, school district, etc.) to meet over the next several months to formulate a City of Arcadia Disaster Plan.

The City Attorney confirmed this would be a working committee of various personnel and agency representatives and not be subject to the Sunshine Law since as a committee they would not be making recommendations to the Council directly.

On motion of Councilmember Goodman, seconded by Deputy Mayor Heine, the Council voted unanimously, 4-0, to authorize the City Administrator to create a working committee for the purpose of creating a City of Arcadia Disaster Plan.

C) COMMUNITY SERVICES DIRECTOR POSITION

The City Administrator outlined the need for a Community Services Director whose responsibilities would include grant writing, CRA development and special events among other things. She requested and was given consensus of the Council to advertise and fill the position.

10. OTHER DEPARTMENTS

A) AUTHORIZATION TO USE FACSIMILE SIGNATURES ON ALL CITY ACCOUNTS

The Finance Director explained that with the passage of Ordinance #951, the City changed authorized signers on all City bank accounts to reflect the Finance Director, City Administrator and one councilmember. Although signature cards and letters of authorization had been submitted detailing the change, it is now necessary for the Council to take formal action to allow for the use of facsimile signatures in place of an original and to have documented in the minutes that this discussion and any subsequent action occurred. The Director continued that in doing so, the action will allow for the completion of additional forms as required by each bank.

On motion of Councilmember Keene and seconded by Deputy Mayor Heine, the Council voted unanimously, 4-0, to authorize the use of facsimile signatures in place of an original on all City bank accounts.

B) REAPPOINTMENT OF GARY EVANS AS COUNCIL'S APPOINTEE TO THE POLICE & FIRE PENSION BOARD FOR A 4-YEAR TERM EXPIRING 12/31/2013

The Finance Director explained that Lt. Gary Evans has been the Council's appointee to the Police & Fire Pension Board for a number of years and requested that if it were the Council's desire, he be reappointed for another four year term.

Councilmember Goodman made a motion to reappoint Gary Evans to serve as the Council's appointee to the Police & Fire Pension Board for a four (4) year term to expire December 31, 2013. Deputy Mayor Heine offered a second to the motion, which passed unanimously, 4-0, upon voice vote.

c) ACKNOWLEDGE RECEIPT OF THE ANNUAL REPORT OF INVESTMENT ACTIVITY FOR THE POLICE & FIRE PENSION BOARD THROUGH SEPTEMBER 30, 2009.

The Mayor confirmed receipt of the Annual Report of Investment Activity through September 30, 2009, for the Police & Fire Pension Board.

Upon motion of Councilmember Goodman with a second by Councilmember Keene, the Council voted unanimously, 4-0, to acknowledge receipt of the Annual Report of Investment Activity for the Police & Fire Pension Board through September 30, 2009.

The Finance Director also reported that auditors would be in on Monday to begin the FY-09 audit.

MAYOR AND COUNCIL MATTERS

The Mayor expressed some concern about appointments to the Planning and Zoning Board and requested that applications be presented to the Council for appointment. The City Administrator responded that she would post a notice of vacancy in the newspaper and supply applications to those persons interested.

The City Administrator also brought forth a letter from former Mayor Richard Fazzone requesting the City provide him retirement benefits in recognition of his many years of public service. The Mayor stated he had, at one time, done research on this issue but would have to again review the regulations. He noted that although the Council could change the rules, he thought it best for everyone to review them prior to making a decision.

ADJOURN

Having no further business at this time, the meeting was adjourned at 7:20 PM.

APPROVED THIS 17th DAY OF NOVEMBER 2009.

By:



Dr. Roosevelt Johnson, Mayor

ATTEST:



Dana L.S. Williams, CMC, City Recorder