

MINUTES
CITY COUNCIL WORKSHOP
CITY OF ARCADIA
TUESDAY, SEPTEMBER 21, 2010
5:00 PM

The meeting was called to order at approximately 5:00 PM with the following members and staff present:

Arcadia City Council

Mayor Roosevelt Johnson
 Councilmember Sharon Goodman
 Councilman Lorenzo Dixon

Deputy Mayor Robert Heine
 Councilmember Keith Keene (entered 5:20 PM)

Arcadia City Staff

City Administrator Lawrence Miller
 City Attorney Jason Henbest

City Recorder Dana Williams
 City Marshal Charles Lee

WORKSHOP

1. Proposed Ordinance 961 related to Rental Halls

The City Attorney explained the impetus for this ordinance was initially proposed by the city's police department; however had been questioned by Councilman Keene and others during it's first review several weeks ago. He continued the ordinance exempts any establishment with a "consumption on premises" license issued by the State, adding they already have a vested interest in not allowing problems and that they also carry high liability limits on insurance. The City Attorney went on to say this ordinance is a policy choice for how and what the Council wants to regulate and that it should incorporate input from the Marshal, but that aside from one email from Councilman Keene, no recommendations had been received by his office.

Councilmember Dixon stated he believed when Mr. Galvano had initially presented the ordinance, several concerns had been expressed; and that he hoped the Marshal and Attorney would have discussed those concerns prior to this workshop. Dr. Dixon did not wish this ordinance to adversely affect any certain group, but would allow the police department to adequately provide enforcement. Still he was concerned that no recommended changes had been incorporated into the version being presented this evening.

The Marshal spoke next saying he had not talked with the attorney, but had discussed the issue with Mr. (Paul) Hoover and Mr. (Steve) Game; and believes he can rely on State Statutes for enforcement authority. The Marshal added he was simply looking for a mechanism to control "things" when "things" got out of hand and to hold someone accountable for damages and/or violations. He cited an example in Punta Gorda where a teen was killed, the murderer caught, but no one was held accountable for events surrounding that death. However, the Marshal added he does not want to restrict anyone's business or opportunities by over-regulating.

The Deputy Mayor suggested implementing a regulation that if a guest comes in, they stay in; and if the guest goes out, they leave the premises. He also discussed clean up of the property surrounding the event immediately after, so that others are not left to do it.

Mr. Paul Hoover addressed the issue of clean up, saying that others had commented on red cups being strewn around his property, but that his establishment does not use red cups, nor can he be held responsible for litter from other people. He added that after each event, he or his staff goes completely around the building, side alley and parking lot, cleaning up litter/trash. Mr. Hoover felt the ordinance, as proposed, was "way too cumbersome" and that the main problem was the police department has no authority to come in and do inspections unless they have a warrant, a call to the premises, or a complaint. He suggested perhaps the zoning application for occupational licenses could incorporate an agreement clause, which would authorize / permit the PD to inspect the premises at any point and to have clearly designated security personnel onsite.

The City Attorney responded that regulations, if adopted, would be from this point forward and that every zoning category has a list of permitted uses. He cautioned against trying to "spot zone."

Discussion followed on the particulars of designating 'x' number of security people for every 'xx' guests, arranging for identifiable security personnel, having the property owner on-site at the event, specifically naming the individual responsible for the event, providing for clean-up following the event. The Mayor stated the ordinance should apply only to organizations without a food or alcohol license; and Capt. Anderson (APD) agreed, adding the state alcohol license holders are already heavily regulated. Others who spoke to the particulars of the ordinance and its pros and cons were: Steve Game, Brian Burns, James O'Leary and Dorothea McCall.

At the conclusion of the discussion, it was agreed that first reading of the ordinance would be deferred from the regular meeting agenda, and that the City Attorney would amend the proposed ordinance to include the exceptions as noted including security, owner's representative, and litter issues discussed; and to apply the regulations for rental halls on an annual basis rather than per event.

ADJOURN

Nearing time for the regular meeting, the workshop was adjourned at 6:02 PM.

APPROVED THIS 5th DAY OF OCTOBER 2010.

By:



Dr. Roosevelt Johnson, Mayor

ATTEST.



Dana L.S. Williams, CMC, City Recorder