

## REGULAR MEETING

APRIL 8, 2003

A regular meeting of the Arcadia City Council was held on April 8, 2003 at 6:00 p.m. in Room D of the Way Building at 23 N. Polk Avenue. Councilmembers attending were: Goodman, Johnson, Heine and Whitlock. Absent: Councilman Fazzone was absent due to surgery. Also in attendance were: Administrator Strube, City Attorney Holloman, City Marshal Lee, Fire Chief Rutherford, Assistant Fire Chief Wells, Ms. Way and Recorder Baumann.

Mayor Goodman called the meeting to order.

The Invocation was given by Reverend Ted Land.

Pledge of Allegiance to the Flag.

The minutes of the Regular Meeting of March 4, 2003 were adopted on motion of Johnson; seconded by Whitlock and carried.

Proposed Ordinance No. 898 was presented on first reading. Each Councilmember had previously been given a copy for study. Johnson moved to waive the rules and read the proposed ordinance by title only; seconded by Heine and carried.

## ORDINANCE 898

AN ORDINANCE PROHIBITING THE USE OF ROLLER SKATES, SKATEBOARDS, COASTERS, TOY VEHICLES, OR SIMILAR DEVICES UPON CERTAIN DESIGNATED STREETS AND SIDEWALKS WITHIN THE CITY LIMITS OF THE CITY OF ARCADIA, FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING PENALTIES; PROVIDING AN EFFECTIVE DATE.

Johnson then moved to approve Ordinance No. 898 on first reading; seconded by Heine. Mayor Goodman called for comments from the public, there were none. The motion carried on roll call vote. Ayes: Heine, Johnson, Whitlock and Goodman. Nays: None.

Marshal Lee addressed Council and presented information from the State of Florida Web Site -Florida Statutes (F.S.) which addressed previous concerns regarding potential liability should the City build a skateboard park. Attorney Holloman stated that F.S. would be applicable if either the City or County were to create a skateboard park. The F.S. does not have any effect on the proposed ordinance which prohibits skateboards in certain areas. The specific prohibited streets as presented in the ordinance were read. Administrator Strube then presented information on grant funds from the Tony Hawk Foundation noting that one of the main requirements in order to receive funding is that "parental forms are not required" and "no supervision is required" this is in direct conflict with F.S. 316.0085 Skateboarding; inline skating; freestyle bicycling; which does requires parental consent forms for any child under seventeen (17) years of age. Administrator Strube reported that the Grants Committee will continue to seek funds for a skateboard park. It was suggested that the City and County look at working together to create a park.

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Mayor Goodman proclaimed the week of April 27<sup>th</sup> through May 3<sup>rd</sup>, 2003 as "National Volunteer Week" and thanked all citizens who volunteer their services for the well being of our community. Johnson moved to endorse this action; seconded by Whitlock and carried.

Council reviewed proposed By-Laws changes for the Ridge League of Cities noting that membership fees would increase from \$100.00 to \$500.00 per year in order for the League to hire a full time Executive Director. Heine moved to approve the proposed By-Law changes to the Ridge League of Cities and to prepare the ballot for the Mayor's signature; seconded by Whitlock and carried.

Maria Moreno addressed Council to request traffic control and police security for the Cinco de Mayo parade. The time of the parade will be changed from 11:00 AM to 1:00 PM in order not to interfere with church schedules. Marshal Lee has approved the schedule and route. After discussion Heine moved to approve the Cinco de Mayo parade to be held on Sunday May 4, 2003 from 1:00 PM till 2:00 PM, parade will begin at Orange Avenue, proceed down Oak Street and end at Volusia Avenue, no streets will be closed; seconded by Johnson and carried.

A request from the Parks and Recreation Department to close Volusia Avenue for the annual Easter Egg Hunt was presented. Heine moved to approve the request by the Parks and Recreation Department to close Volusia Avenue between Magnolia and Oak Street on Saturday April 12, 2003 from 9:00 AM till 12:00 PM for the annual Easter Egg Hunt; seconded by Whitlock and carried.

A report of Police Fines and Forfeitures for the month of March 2003 indicates fines \$9,677.44 law enforcement \$70.00, radios \$1,300.08 and investigative cost \$50.00.

The Police Activity Report for the month of March 2003 was presented.

Marshal Lee presented a list of streets for consideration of a 20 MPH speed limit. No action was taken.

Marshal Lee then proposed that Cypress Street be changed to 20 MPH noting that a child was injured this week. Heine moved to change the speed limit to 20 MPH on Cypress Street from Mills on the West to Turner on the East. The motion died for lack of a second. Johnson recommends that Cypress be added to the list of streets so that all streets are considered at the same time. Mayor Goodman requests action now due to the recent accident. Administrator Strube stated that funds may be available from the Department of Transportation (DOT) to have sidewalks from Turner Road to Mills Avenue, he will check on this. Whitlock believes that this street should be on the list for the Street Committee to review. Mayor Goodman

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again stated that she would like to see Council take action now. Marshal Lee has the authority to change the speed limit if he deems it in the best interest of the public, he will have new 20MPH signs placed on Cypress.

Attorney Holloman reported that he, Administrator Strube and Dr. W. Paul Matthews met today at 4:00 PM to discuss a proposed Human Rights Ordinance. They have no report for Council at this time.

The Flowage report of Air-Cadia, Inc. for the month of March 2003 for the Municipal Airport was presented.

The March 2003 Mobile Home Park report was presented.

The March 2003 report of Arcadia Golf Course receipts and number of play was presented.

Council again discussed nonconsensual towing service fees. Attorney Holloman stated that under Florida Statutes the City is not required to adopt an ordinance, one is in place only because until now the County did not have an ordinance setting such fees. After discussion Heine moved to repeal City Ordinance 878 addressing nonconsensual towing service fees and Resolution No. 2001-01 which established such fees in the City and to defer to the authority of County Ordinance No. 2003-01 for nonconsensual towing service fees; seconded by Johnson and carried.

Whitlock moved to accept as information the minutes of March 4, 2003 Grants Committee Meeting; seconded by Johnson and carried.

Marshal Lee then addressed Council to introduce Vetrina Burns, Victims Advocate for the Arcadia Police Department and Deborah Clifton, Victims Advocate for DeSoto County Sheriffs Office. Ms. Burns then invited Council to attend a "Candle Light Vigil" Wednesday, April 9, 2003 at 6:00 PM at the Tree of Knowledge Park. The Vigil is being held in recognition of victims of crimes in our area.

Mr. Tony Roan, representing the employees club at DeSoto Correctional Institute addressed Council to request the waiver of fees in order to use JimSpace Park for a fund raising softball tournament. Whitlock moved to grant the request to waive the fees for the use of JimSpace Park for a fund raising softball tournament sponsored by the employees club of DeSoto Correctional Institute providing the schedule is approved by the Parks and Recreation Department and DCYAA (DeSoto County Youth Athletic Association); seconded by Heine and carried.

Reverend Ted Land of First Presbyterian Church of Arcadia addressed Council to request the use of Lake Katherine for a sunrise service Easter Sunday, April 20, 2003. Whitlock moved to approve the request to hold a sunrise service Easter Sunday, April 20, 2003 at Lake Katherine; seconded by Johnson and carried.

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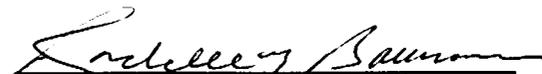
Heine inquired about unusable fire hydrants and was informed that the Systems Department replaces all fire hydrants. Assistant Fire Chief Wells stated that you can not perform maintenance on the inside valves. Administrator Strube will get with the Systems Department about this matter.

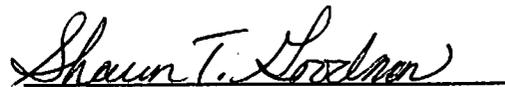
Whitlock reported that he will attend the Central Regional Planning Council meeting tomorrow.

Johnson expressed concern about mattresses and other large items being placed in front of vacant homes. Administrator Strube stated that the County will be having landfill amnesty days soon and possibly the City could get rid of some of these items then.

Mayor Goodman read a letter from Cassandra Wiley requesting the closing of McKinley Avenue for a birthday party. After discussion Marshal Lee stated that he does not recommend closing the street for a birthday party as this could cause a problem for rescue vehicles and possibly set a precedent, however he will have an extra police detail in the area during the event.

There being no further business the meeting was adjourned.

  
CITY RECORDER

  
PRESIDENT