

REGULAR MEETING

JANUARY 21, 2003

A regular meeting of the Arcadia City Council was held on January 21, 2003 at 6:00 p.m. in Room D of the Way Building at 23 N. Polk Avenue. Councilmembers attending were: Goodman, Fazzone, Johnson, Heine and Whitlock. Also in attendance were: Administrator Strube, City Attorney Holloman, City Marshal Lee, Police Captain Anderson, Fire Chief Rutherford, Engineer DeCheske, Ms. Way and Recorder Baumann.

Mayor Goodman called the meeting to order.

The Invocation was given by Pastor Guice.

Pledge of Allegiance to the Flag.

The minutes the of Regular Meeting of December 17, 2002 were adopted on motion of Whitlock; seconded by Johnson and carried.

Mayor Goodman proclaimed the month of February 2003 as "Black History Month" and urged all residents, businesses and government agencies to join in celebrating Black History Month. Johnson moved to endorse this action; seconded by Fazzone and carried. Mayor Goodman then presented Ms. Helen Washington with the proclamation.

Sam Abram, President of the DeSoto County/City of Arcadia Beautification Committee addressed Council to request consideration of painting the water tower located on State Road 70. Mr. Abram stated that this is a landmark when coming into the city. The Committee would like to see a color other than the gun metal gray and would also like to have the City Seal on it as well. Administrator Strube reported that the tower on the West side of town is the older model and was last painted in 1996 for a cost of \$24,000.00. The tower on the East side was done in 2000/2001 at a cost in excess of \$50,000.00. Administrator Strube also stated that gray is the color of choice for weathering. The towers are on a ten (10) year cycle for painting. The West Side tower is not scheduled for re-painting until 2006, this could be accelerated however it will cost between \$24,000.00 and \$26,000.00 which has not been budgeted. Mr. Abram requested that the schedule be moved up. Mr. Abram then noted that the next meeting of the Committee will be February 10, 2003 at the Farm Credit Bureau and the meeting is open to all residents of DeSoto County. Whitlock asked when the tower is scheduled for inspection and was informed that it is on the same ten (10) year cycle with re-painting. It was noted that the tower could be painted a different color, however it may cause it to fade and then need re-painting sooner than every ten (10) years. Painting the water towers gray is not just a color choice; it is a way of persevering the tower. Funds for painting the water towers are budgeted from the Water and Sewer Fund. Heine stated that the City is currently looking at a large expense from the Water and Sewer Fund for new water/sewer lines.

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Continued

A report of Police Fines and Forfeitures for the month of December 2002 indicates fines \$5,858.04, law enforcement \$20.00 and radios \$1,167.71.

The Recorder's report of Revenues and Expenditures for the month of December 2002 was presented.

The Planning and Zoning Board at their regular meeting of January 14, 2003 considered several requests and recommended the following to the City Council:

1. That Mr. Jorge Salpurido be granted a Special Approval to have a mortgage financing business in his home at 409 East Magnolia Street subject to its meeting all City, County and State regulations, a curb cut be made on Hernando for ingress with two (2) parking spaces and its being non-transferable. Ms. Kathey Gamiotea of Dees Realty, representing Mr. Salpurido addressed Council and presented a new site plan showing the curb cut off of South Hernando as requested by the Planning and Zoning Board. It was noted that the curb cut must be at least 15 ft. from the property line. Mayor Goodman asked for comments from the public. No one spoke. Fazzone moved to approve the request by non-transferable Resolution No. 2003-01; seconded by Johnson and carried.

RESOLUTION NO. 2003-1

A RESOLUTION GRANTING A NON-TRANSFERABLE
APPROVAL IN ZONING LAWS TO HAVE A MORTGAGE
FINANCING BUSINESS IN HIS HOME AT 409 EAST
MAGNOLIA STREET AND SETTING FORTH CONDITIONS.

WHEREAS, Jorge Salpurido has requested approval in zoning laws to permit him to have a Mortgage Financing Business in his home at 409 East Magnolia Street, and

WHEREAS, the Planning and Zoning Board has reviewed the request and recommend to the City Council that a non-transferable Special Approval be granted under the Historic Preservation overlay policy, subject to ingress from Hernando Avenue for parking, and subject to all City, County and State Regulations being met.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Arcadia, Florida, that Jorge Salpurido be granted a Non-transferable Special Approval to have a Mortgage Financing Business in his home at 409 East Magnolia Street, subject to a curb cut for ingress from Hernando Avenue with parking for a minimum of 2 spaces and also subject to all City, County and State Regulations being met.

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Continued

(Resolution 2003-1 continued)

PASSED BY THE CITY COUNCIL OF THE CITY OF ARCADIA, FLORIDA,
IN REGULAR SESSION this 21st day of January, 2003.

/s/ SHARON T. GOODMAN
SHARON T. GOODMAN, MAYOR

ATTEST:

/s/RACHELLE M. BAUMANN
RACHELLE M. BAUMANN, CITY RECORDER

2. That Harold and Shelia Jackson be granted a Special Approval to have their living quarters in the rear of the business at 29 South Polk Avenue subject to its meeting all City, County and State regulations and its being non-transferable. Mr. and Mrs. Jackson were out of state and not able to attend the meeting. It was noted that they have requested 600 square feet for the apartment. Mayor Goodman called for comments from the public. No one spoke. Fazzone moved to grant the request by non-transferable Resolution No. 2003-02; seconded by Whitlock and carried.

RESOLUTION NO. 2003-2

A RESOLUTION GRANTING A NON-TRANSFERABLE
APPROVAL TO HAVE THEIR PERSONAL LIVING
QUARTERS IN THE REAR OF THEIR BUSINESS
AT 29 SOUTH POLK AVENUE AND SETTING FORTH
CONDITIONS.

WHEREAS, Harold and Shirley Jackson have requested approval to have their personal living quarters in the rear of their business at 29 South Polk Avenue which is located in a B-2 Business District, and

WHEREAS, the Planning and Zoning Board has reviewed the request and recommended to the City Council that a Non-transferable Approval be granted subject to all City, County and State Regulations being met.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Arcadia, Florida, that Harold and Shirley Jackson be granted a Non-transferable Approval to have their personal living quarters in the rear of their business at 29 South Polk Avenue subject to all City, County and State Regulations being met.

(Resolution 2003-2 continued)

PASSED BY THE CITY COUNCIL OF THE CITY OF ARCADIA, FLORIDA,
IN REGULAR SESSION this 21st day of January, 2003.

/s/ SHARON T. GOODMAN
SHARON T. GOODMAN, MAYOR

ATTEST:

/s/ RACHELLE M. BAUMANN
RACHELLE M. BAUMANN, CITY RECORDER

3. That a Joint Public Hearing be called to consider rezoning lots 1 thru 7, Block 61, Original Survey from Residential – R1C to Business – B-3. After discussion Heine moved to call a Joint Public Hearing for Tuesday, March 4, 2003 at 6:00 PM or as soon thereafter to consider the request to rezone lots 1 thru 7, Block 61, Original Survey from R1C to B-3; seconded by Whitlock and carried.
4. That a Joint Public Hearing be called to consider rezoning all of Block 36, Original Survey from Residential R-3 to Residential-Professional-Business RPB. It was noted that all of the property owners in Block 36 have joined the request for rezoning. Johnson moved to call a Joint Public Hearing for Tuesday, March 4, 2003 at 6:00 PM or as soon thereafter to consider the request to rezone all of Block 36, Original Survey from R-3 to RPB; seconded by Whitlock and carried.

The December 2002 Public Works report was presented.

Fire Chief Rutherford addressed Council to request a waiver of greens fees for the Arcadia Volunteer Fire Department Tournament scheduled for February 20, 2003. Johnson moved to grant the request to waive the greens fees for the Arcadia Volunteer Fire Department Tournament on February 20, 2003 seconded by Fazzone and carried.

Council congratulated the Fire Department on receiving a Federal Grant in the amount of \$147,060.00 to help purchase personnel protective equipment and wellness and fitness training. The City will contribute \$16,340.00.

Mr. Sam Abram again addressed the Council to inquire about the sign contest. He was informed by Administrator Strube that at this time only the award for the contest has been presented. A list of specifications – dimensions, materials, and wording will need to be

put out for bid. There was some discussion regarding the final design. Council stated that they will keep the design as submitted. Administrator Strube will put the item out for bid.

Mr. Abram then inquired about the Street Lighting Grant. Administrator Strube reported that the contractor had submitted an Irrevocable Letter of Credit, however Farmers Home is requiring a Payment Performance Bond and will not accept the Letter of Credit. The contractor is prohibited from getting his one (1) year financial information until April which effects the Payment Performance Bond. Only two (2) bids were received.

Ms. Geine Martin asked if Mr. Wickey had been contacted about winning the sign contest and was informed that Mr. Wickey was contacted and did receive his \$200.00 award.

Administrator Strube reported that Mr. Corbit Alday of Summit Professional Services, Inc. has been contacted to present a proposal for a Community Development Block Grant (CDBG) for funds to help with the downtown or Smith Brown Center, but to date has not responded.

Ms. Helen Washington reported that the road in front of her home has been repaired. Ms. Washington then thanked the Arcadia Police Department for their assistance with the Martin Luther King Day Celebration. She also thanked the City for the Black History Proclamation.

Dr. W. Paul Matthews, Jr., interim pastor of Elizabeth Missionary Baptist Church addressed Council to express concerns from the community regarding the CDBG grant application not being submitted in a timely manner to the State Department of Community Affairs (DCA). Dr. Matthews stated that his research showed that the DCA remained open for one hour past the closing of 5:00 PM until 6:00 PM noting that the City application did not get there. It was noted in the Council meeting/minutes of January 7, 2003 that the City's application did not meet the deadline of December 19, 2002 at 5:00 PM. The City did attempt to courier the application to Tallahassee on December 19, 2002 when it became known that Federal Express had lost the package and it would not be delivered in time by them. The courier Mr. Steve Weeks did not get to the DCA office before the 5:00 PM deadline. It had been noted that DCA is not lenient regarding the deadline of 5:00 PM and that even if the office was open, they could not accept the City's application after 5:00 PM without accepting those of other cities. Dr. Matthews called for the termination of Mr. Steve Weeks as Grant Consultant and that Administrator Strube be placed on administrative leave pending a full investigation into the matter. Heine asked if this was the second time that grant funds were lost and was informed yes. The first time the City did not receive funding due to having lost points, that application was submitted in time. A grant application in 2001 was rejected due to the Public Hearing date not being advertised at least five (5) days before the date of the hearing. Administrator Strube stated that Mr. Weeks has been the City's grant writer since the 1980's and has assisted the City in receiving six (6) previous CDBG Grants. Administrator Strube said that he had no idea that the application would not be in Tallahassee on time since it was timely picked up by Federal Express at 10:30 AM on

December 18, 2002. He called Federal Express on December 19, 2002 to check on the status of the mailing and was informed by Federal Express that they could not locate the package. Administrator Strube then took an extra copy of the application to Fort Meade where he met Mr. Weeks who had volunteered to drive the application to Tallahassee. Administrator Strube noted that Council did not give the green light to proceed with seeking housing funds until November 19, 2002. The ad was published November 25, 2002 and the first public hearing was December 3, 2002 and the second public hearing was on December 17, 2002. On December 19, 2002 Mr. Weeks was in Tallahassee with the grant and on the phone with the receiving clerk at DCA who informed him that based on where he was in the city at the time of the call he would not make it to the DCA office by the 5:00 PM deadline. Mr. Weeks was never informed that the office would be open until 6:00 PM. or that the deadline had been extended to 6:00 PM. Mayor Goodman stated that she spoke to Ms. Libby Lane in DCA to see if any waiver could be granted due to the Federal Express issue and was told no. The City's grant application was rated and did appear that funding would have been forthcoming. Ms. Lane suggested that City apply for other CDBG funding. Johnson asked about Fred Fox vs Mr. Weeks and was informed that Mr. Fox did get the City one (1) or two (2) grants before Mr. Weeks took over. Administrator Strube stated that the Smith Brown Center was an issue for consideration in the May grant, however Council went with Housing because more points were available. Mayor Goodman stated that she has been pushing for funds for Smith Brown and she would like to see an urban grant. Mayor Goodman stated that if more meetings are necessary to meet grant deadlines then they will need to be scheduled. Mayor Goodman noted that Mr. Weeks does not have an exclusive agreement with the City. Fazzone stated that the City should advertise for a grant writer and as Mr. Weeks does not have a contract with the City, the City can not terminate him. Fazzone then noted that it appears that other Cities have had problems in getting their grants up to Tallahassee in time. Johnson stated that he had received a lot of calls from citizens regarding missing the deadline and said we must figure out a way to meet the deadline next time. Ms. Helen Washington stated she was concerned about the grant and had called someone in Atlanta who then called the Florida office of DCA to inquire about Mr. Weeks's performance record and was told it was poor. Fazzone moved to have Administrator Strube send a letter to request a written response from DCA as to the performance of Mr. Weeks (since they made the comment we should get it in writing); seconded by Heine and carried. The item will be back on the agenda when a response from DCA is received. Johnson noted that the Florida League of Cities had a program on grants at their annual conference. Mayor Goodman then asked Dr. Matthews to help form a committee to look for grant funds. Administrator Strube, Mr. Abram and Pastor Guice will also serve on the Committee. It was noted that all meetings must meet the "Government in the Sunshine" rules.

Mr. Abram will get with Mayor Goodman to get a list of all of the Churches in order to send notification of the Beautification Committee meetings.

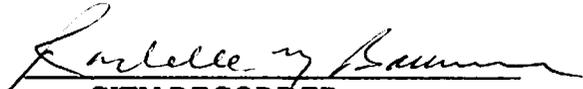
Whitlock stated that the City can not run without grants. He then reported that he attended the Ridge League Meeting and that the State projects a deficit of 1.8 million which means that they will be holding back on funds to cities. He gave all Council a handout on the "City of Wonders" Exhibit.

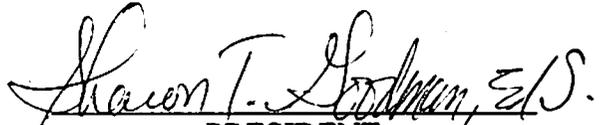
It was noted that the City had previously received a request by letter from the City of North Port requesting that Counties not be admitted to the Florida League of Cities and that a letter has also been received from Indian Rocks Beach.

Johnson noted that he will attend Legislative Day in Tallahassee and encouraged all Council to attend.

Mayor Goodman stated that the Legislative Session is a great process. She then inquired about the railroad track repairs and was informed that Administrator Strube has been in contact with the Railroad. Mayor Goodman then asked that the street light at Bay and Orange be reported as being out.

There being no further business the meeting was adjourned.


CITY RECORDER


PRESIDENT