

**MINUTES
CITY COUNCIL
CITY OF ARCADIA
TUESDAY, JUNE 21, 2011 - 6:00 PM**

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

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

Arcadia City Council

Mayor Robert Heine

Councilmember Martha Craven

Deputy Mayor Keith Keene

Arcadia City Staff

City Administrator Lawrence Miller

City Attorney Jason Henbest

Marshal Charles Lee

City Recorder Dana Williams

Asst. City Administrator Judi Jankosky

Deputy Mayor Keene gave the invocation and followed by leading the Pledge of Allegiance. The Mayor announced that Dr. Johnson was ill and Dr. Goodman had had minor surgery and asked everyone to keep them both in prayer.

SPECIAL PRESENTATIONS

1. EMPLOYEE OF THE MONTH - JERRY CORDES

The Mayor presented Streets and Sanitation Supervisor Jerry Cordes with a plaque commemorating his designation as Employee of the Month. The Mayor added what a "terrific job" Mr. Cordes is doing, particularly since he had taken a portion of the Parks responsibilities and personnel; and expressed his appreciation for a job well done.

2. PROCLAMATION RECOGNIZING JUNE AS GENERAL AVIATION APPRECIATION MONTH

The City Recorder read Governor Scott's proclamation recognizing June as General Aviation Appreciation Month.

CONSENT AGENDA

- 3. MINUTES OF THE JUNE 7, 2011 REGULAR MEETING**
- 4. CHECK WARRANTS FROM JUNE 9, 2011**
- 5. AIR-CADIA FLOWAGE AND HANGER RENT REPORT FOR MAY 2011**
- 6. ARCADIA MOBILE HOME PARK REPORT FOR MAY 2011**
- 7. DECLARATION OF SCRAP AND/OR RECYCLABLE MATERIAL FROM MHP**
- 8. GOLF COURSE AND PRO SHOP REPORTS FOR APRIL AND MAY**

On motion of Deputy Mayor Keene and seconded by Councilmember Craven, the

Council voted unanimously, 3-0 to approve items #3 through #8 of the Consent Agenda printed above.

DISCUSSION ITEMS

9. DESOTO COUNTY FIRE RESCUE MOVE TO FACILITY ON HWY 72 & CLOSING OF STATION #3/CHIEF GLENN PRESCOTT

Chief Prescott made himself available to address any questions or concerns the Council or public may have related to the county vacating Fire Station #3 (next to City Hall). Councilmember Craven was concerned the Council or city staff hadn't been advised of the move in advance of its occurrence and that it wasn't discussed with the Council. The Chief apologized saying that was his fault and he didn't think of the move as abandoning the station since there were plans to keep the volunteers there. Mrs. Craven also addressed the concerns of several citizens about their insurance rates possibly rising as a result of having no manned station within the city limits. Chief Prescott assured the Council and public this move would not affect the ISO rating, of which one criteria is to have a station within five miles and that the Airport Road station is within 2.5. He added the current ISO rating is a four (4) and there was no reason the department would not stay a four.

The Mayor discussed a recent approval by Council for the volunteers to utilize Station 2 (Cypress St) which came at their request; and that the City wants the station adjacent to City Hall for a specific purpose. The Chief stated he was previously unaware of the volunteer's request.

10. DISCUSSION OF TERM LIMITS FOR CITY COUNCIL SEATS/ COUNCILMEMBER CRAVEN

Councilmember Craven broached the topic of putting the issue of term limits for Council on the next referendum, saying she couldn't think of a good reason to not allow the citizens to decide. Mrs. Craven continued that the issue would affect no one currently on the Council except for perhaps herself, and that she believes it would be a good thing for the City.

The City Administrator stated that Dr. Goodman had asked him to inform the Council of her position of opposition in this matter.

Deputy Mayor Keene agreed with Mrs. Craven, saying he believes there should be term limits and that someone serving 20-25 years keeps things stagnant. He then asked the City Attorney for clarification on the process.

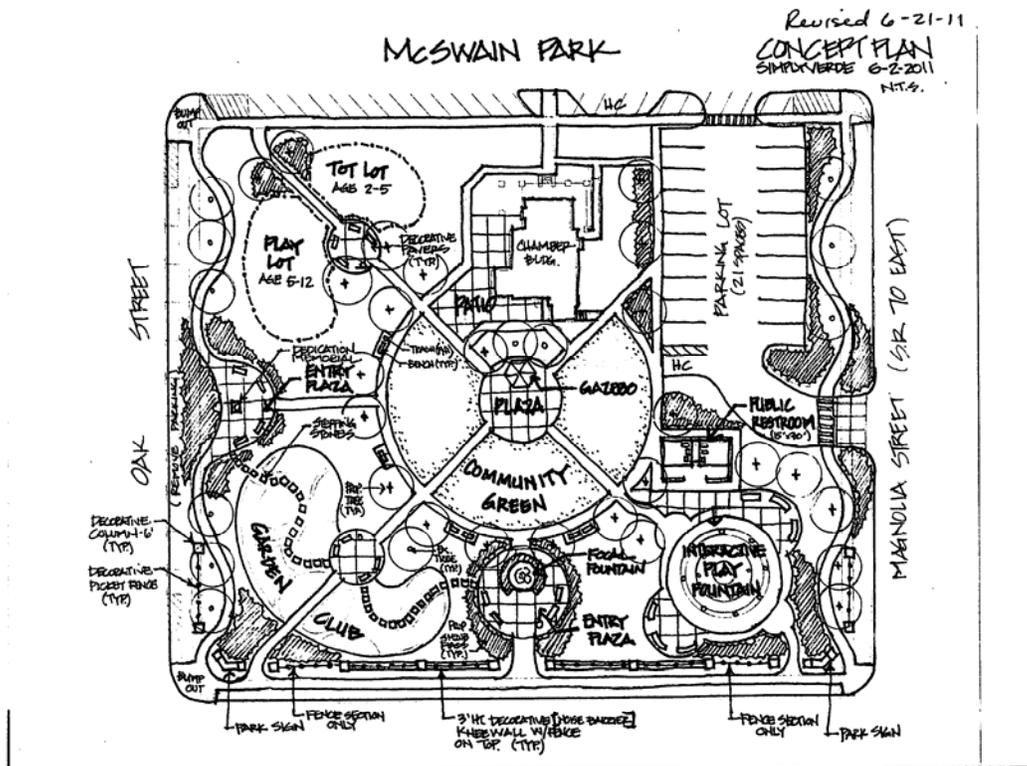
The City Attorney stated this would be a question on the September municipal ballot which would amend the Charter to include a provision for the number of terms. He went on to say that if the direction provided tonight were to proceed, the two readings would occur in July and that he would request approval to proceed with advertising for the public hearing. He also added that any changes requested, such as the number of terms, could be amended between readings of the ordinance.

The Mayor, opposed to term limits, stated he felt it was limiting and that the people speak at the ballot box. Councilmember Craven pointed out it was difficult to beat an incumbent primarily because of their name recognition; but that if term limits were good enough for our President, Governor and legislators, it should be good enough for this Council as well.

Councilmember Craven made a motion to direct the City Attorney to proceed with crafting an ordinance calling for a ballot referendum to amend the City Charter limiting Council seats to two (2) terms and authorizing the advertising for the public hearing at second reading. Deputy Mayor Keene provided a second. The Mayor voted no as did the Deputy Mayor. Councilmember Craven voted yes. The motion failed 2-1.

11. PRESENTATION ON CONCEPTUAL PLAN FOR MCSWAIN PARK / BRIAN BURNS

Mr. Brian Burns presented a revised conceptual plan for McSwain Park, first thanking Bart Arrington (DeSoto County) and Jeff Nagle (SimplyVerde) for their assistance. He explained the proposal was by no means a final drawing, but requested the blessing of Council to move forward with the planning and final design. Mr. Burns added he may need assistance from the City personnel in locating a well with submersible pump, irrigation lines, and underground utilities on the property and that they may have to be "unconstructed" as the project moves ahead. He continued that the concept was a starting point for the development of the park and a class project of Leadership DeSoto; but also one that he hopes will be continually improved upon and developed by future Leadership classes and its alumni group. The revised plan is shown below.



The City Administrator questioned whether a cost had been calculated for the proposed improvements. Mr. Burns, jokingly stated "a lot", but then clarified that the restroom facilities alone were estimated from \$82,000 - 103,000. The Administrator then questioned whether transportation enhancement dollars could be used for this project, to which Mr. Arrington responded they could.

Councilmember Craven expressed her opinion that it was an aggressive plan although a good one; but questioned the placement of the interactive play fountain on the corner of two main thoroughfares. Mr. Burns responded that there would be sound barriers and fencing along the edges, shielding the fountain area.

Deputy Mayor Keene appreciated the plan being brought forward, adding it ties in to the downtown enhancement plan and that it was a great beginning. With that, **he made a motion to endorse the conceptual plan of McSwain Park by the Leadership DeSoto Class. Councilmember Craven provided a second to the motion, which passed unanimously, 3-0, upon voice vote of the Council.**

12. REPAIR/REPAVING OF NURSING HOME DRIVE - VINCE SICA, CEO, DESOTO MEMORIAL HOSPITAL

Mr. Sica discussed the condition of Nursing Home Drive, adjacent to the hospital, and the road on which ambulances must travel en route to the emergency room. He presented several slides showing the potholes and roadway patches, before launching a video made while traveling supine in a rescue squad and trying to steadily hold a camera fixed on the ceiling. According to estimates provided by the County's engineering office, the average annual daily traffic is between 200 and 500 trips per day and the cost for repairs according to FDOT standards would be \$39,256.

The City Administrator responded that he had requested the Public Works Director to secure quotes for the repairs last January; and that he had contacted the hospital and [previous] County Administrator about cost sharing the project, although he had not received an answer. The Administrator felt the three entities should work together to find a solution, believing it to be a collective issue.

The Public Works Director recommended consideration of the water and sewer lines beneath that roadway prior to any resurfacing, stating that work needs to begin from the bottom up. He also pointed out that many other roads are in similar need of repair.

Deputy Mayor Keene suggested looking into grant opportunities for the project, but added he had driven Nursing Home Drive and felt there were other roads needing equal or more desperate repairs. He recommended staff compile a priority list of roadways so that when the City is more flush, work can begin in systematic order.

The City Administrator cited an example of availability of a USDA grant for \$300,000 but with a \$100,000 match requirement; but added he was under the impression it was Council's desire to steer away from grants which require a matching commitment. He briefly

discussed the water renewal and replacement fund would ultimately be used for these types of repairs, although it had to build itself up first.

Councilmember Craven felt a 25% match was a good deal and questioned the value of the R&R fund at this point. The Administrator did not have the numbers available at hand but stated he would provide the figures at the next meeting.

13. DISCUSSION OF RV RATE SCHEDULE AT ARCADIA MUNICIPAL MOBILE HOME PARK

The Assistant City Administrator stated she had been researching RV rental rates from the local and surrounding area and had provided a comparison from five local RV parks/campgrounds as compared to the City's. The local market comparisons indicate the City's RV rental rate could be increased, but that the bigger question concerned payment for electric service, with only one of those compared providing electric although their monthly rental rate was \$960 as compared to the City's \$300. She continued that the current RV utility (water, sewer, electric and garbage) expenditure is 70% of the gross revenue and that the proposed rental rate increase along with discontinuing city-paid electric would bring those expenditures down to approximately 32% of the gross revenue or 53% if the city did continue providing electric service.

The Assistant Administrator also briefly discussed needed repairs at the mobile home park which the residents have requested on numerous occasions.

Deputy Mayor Keene expressed appreciation for the research provided and liked both the projections and the idea of having RV'ers pay their own electric. He also pointed out that Oak Haven is the closest park to Arcadia's but that they also offer a swimming pool.

Councilmember Craven, drawing on experience, stated that RV'ers don't want to be responsible for utility service, the majority would rather pay one price and have all amenities included. She favored raising the rental rate to \$450 and have the City retain the electric service payments.

The City Administrator suggested perhaps incorporating a surcharge for those that abuse electric service. The Assistant City Administrator also suggested an option to monitor usage and charge a deposit. Additional projections will be provided at the next meeting.

14. DISCUSSION OF ARCADIA MUNICIPAL GOLF COURSE AND PRO-SHOP RATE SCHEDULE FOR 2011-2012

The Assistant City Administrator provided a simplified rate structure designed to provide flexibility to members of the golf course. She briefly covered the major changes to include both a winter and summer membership, a summer special, and simplified daily rates.

The Deputy Mayor said he was uncomfortable with the proposal in that it appears the city is lowering its rates. The Assistant Administrator confirmed that was the case in some instances but also briefly talked other facilities in the area and the need to be competitive.

The City Administrator added that many organizations have chosen to hold tournaments and other events at The Bluff's course and that he would encourage the public to "take care of home first". After a brief discussion, the Assistant City Administrator was directed to bring back competitors rates at the next meeting.

15. HOUSING AUTHORITY CANDIDATES – REV. THEODORE HANUS

Ms. Christine Engles, on behalf of Rev. Hanus, briefly covered the biographies, qualifications and credentials of the candidates recommended for appointment to the Arcadia Housing Authority.

On motion of Deputy Mayor Keene and seconded by Councilmember Craven, the Council voted unanimously, 3-0, to appoint Ernesto Gonzalez as the Tenant Representative and Luis Velasco and Howard Foster each as members of the Arcadia Housing Authority Board of Commissioners for a term of four (4) years.

RESOLUTIONS

16. RESOLUTION 2011-11, SUPPORT FOR REVERSION TITLE TO THE FHP STATION PROPERTY

The City Administrator stated this resolution was the next step for the City to try and secure reversion of the property currently occupied by the Florida Highway Patrol.

On motion of Councilmember Craven and seconded by Deputy Mayor Keene, the Council voted unanimously, 3-0, to approve Resolution 2011-11 as printed below.

RESOLUTION NO. 2011-11

**A RESOLUTION OF THE CITY OF ARCADIA, FLORIDA,
EXPRESSING A DESIRE TO RECEIVE REVERSION
RIGHTS TO CERTAIN REAL PROPERTY FROM THE
STATE OF FLORIDA AND FLORIDA HIGHWAY
PATROL.**

WHEREAS, in 1955, the City of Arcadia donated certain real property within its corporate limits to the State of Florida for Florida Highway Patrol's exclusive use and benefit; and

WHEREAS, the Florida Highway Patrol intends to vacate said property in the near future and relocate its operation within another county; and

WHEREAS, the City of Arcadia desires the return of that property to the City once that relocation occurs; and

WHEREAS, the Arcadia Police Department plans to utilize and has a need for the vacated buildings as office space and other secure needs.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Arcadia,

Florida, as follows:

1. The Arcadia City Council declares its desire to have all property rights and title for the property commonly described as Arcadia Highway Patrol Station and more specifically described on Exhibit "A," attached hereto, revert to the City.

2. The City hereby declares that said lands will serve a valid public purpose.

3. The Arcadia City Council endorses the use of the land and structures currently located on said property for office space and secure storage as may be required by the Arcadia Police Department.

4. The Arcadia City Council hereby formally requests the State of Florida and specifically the Department of Highway Safety to convey said property to the City.

SO DONE THIS 21st DAY OF JUNE 2011.

By: /s/ Robert W. Heine, Mayor

ATTEST:

/s/Dana L.S. Williams, CMC, City Recorder

Exhibit "A"

Gilchrists & Baldwins Subdivision Lots 1 to 5 Inclusive & N 6 ½ Ft of Lot 6 BLK C
Parcel ID 30-37-25-0168-00C0-0010

and

Gilchrists & Baldwins Subdivision Lots 1, 3, 5, & 7 Lying W of Hwy BLK D
Parcel ID 30-37-25-0168-00D0-0010

COMMENTS FROM DEPARTMENTS

17. CITY MARSHAL

The Marshal stated the conflict with the Sheriff over the FHP property has been resolved. He also was available to answer any questions related to his monthly report, but pointed out one item of significance, namely the first foreclosure which will bring an asset back to the City and that there will be more forthcoming in the future.

18. ATTORNEY

The Attorney reported on a draft Interlocal Agreement with the county pertaining to Building and Permitting and that it will be moving forward in the near future.

19. ADMINISTRATOR
A) SPECIAL OLYMPICS

The City Administrator stated he had been contacted by Ken Clark regarding utilization of the golf course for the Special Olympics on Monday, June 27th from 10 AM - 12 PM. He requested approval of the Council to allow use of the facility.

On motion of Deputy Mayor Keene and seconded by Councilmember Craven, the Council voted unanimously, 3-0, to approve use of the Arcadia Golf Course by the Special Olympics on June 27th, 2011, from 10 AM to Noon.

B) BONUSES

The City Administrator briefly discussed the Governor having signed legislation prohibiting municipalities from providing bonuses to employees other than those based on performance. He added the City currently has two employees - Angie Allred and Steve Rowley - who are eligible for the 20-year service bonus pay within this fiscal year but after the July 1st legislative deadline; therefore he was requesting authorization to immediately proceed with payment to these two individuals. He added the pay was budgeted in the current fiscal year and that the total for the two would be \$1,246.

On motion of Deputy Mayor Keene with a second by Councilmember Craven, the Council unanimously, 3-0, authorized immediate 20-year bonus pay to Angie Allred and Steve Rowley in the total amount of \$1,246.

C) BUDGET

The City Administrator reported on early budget preparations, saying it has problems in that the City is facing a roughly \$900,000 deficit due to declining property values. He cited examples such as last years expenditures were estimated at \$5,767,952 but this year's are projected as \$6,185,976. Similarly, last years' revenues were \$5,793,652; however this year's projection is \$4,868,510. The Administrator continued that he had spoken to all the different departments about trying to lower their numbers in terms of fine-tuning spending. In addition, the property appraiser has provided a proposed appraisal value of \$177,000,000 as compared to last year's \$220,000,000. He added he will continue to work with staff and the Marshal's office but that some hard choices will have to be made.

D) INTERCONNECT AGREEMENT WITH DESOTO COUNTY

The existing Interconnect Agreement with DeSoto County was to be in place by December 31, 2010, and therefore is currently out of date. The City Administrator has directed Julie Karleskint of Hazen & Sawyer to put together a revised agreement. He added as written the City was supposed to take 200,000 gal. of water per day in order to give our wells a rest; but there shall be no minimum GPD of flush water delivery under the revised agreement.

E) LIVESTOCK MARKET GRANT APPLICATION

The City Administrator stated the Livestock Market grant application has been recommended to the US Dept. of Environmental Protection for funding and that if approved, it will be in the next funding cycle beginning October 1. He went on to say this would be for assessment but that the contaminants will still need to be addressed, although the Department of Agriculture and Consumer Services is working with the State on that since it was their cattle dipping vats. The Administrator added there are still many twists and turns before a final determination is made on the grant, but that he is also working with the Central Florida Regional Planning Council on ways to work together to address this problem as well as economic development.

F) DISASTER PREPARATION, PROPERTY INSURANCE REVIEW

The City Administrator addressed the issue of liability insurance, particularly as it pertains to disaster preparedness. He wanted the Council to be aware of where the City stands relative to insurance in order to be proactive in addressing loopholes such as those which arose with the T-Hangers following Hurricane Charley. He would like to hold a workshop on the insurance issue with the current insurer fully explaining the status of the city's policy.

It was the consensus of Council to hold a workshop for the purpose of discussing the City's liability insurance on Tuesday, July 19, 2011, at 5 PM.

G) HIGHWAY 17 CONSTRUCTION

The Administrator said he had met with Congressman Vern Buchanan related to the Highway 17 improvement project and that DOT contractors on the project will be encouraged to hire local workers whenever possible.

H) TRANSPORTATION (TRUCK STOP AND TRAFFIC CALMING INITIATIVES)

With respect to Transportation and Economic Development, the Administrator expressed a need for traffic calming measures along highways 17 and 70 as a method to slow down motorists so that they may take advantage of shopping in the downtown area. He also briefly mentioned an idea for a truck stop with overnight parking and showers at the site of the former Livestock Market.

PUBLIC

Ms. Ann Pepper, 1539 N. Arcadia Avenue, complimented the City's sanitation crew, saying anything she puts out is picked up in less than 24 hours, the overall City is looking much better and that they are doing a great job.

MAYOR AND COUNCIL MATTERS

The City Recorder reported on a request by *The Arcadian* for sponsorship in a coloring book to be printed and distributed to children at the July 4th festivities and Rodeo. The pages

are 8.5x11" and the sponsorship banner at the bottom will be 7x2" for a cost of \$85. The Mayor responded that he would cover the cost personally on behalf of the City.

The City Administrator briefly mentioned the Interlocal Agreement for Fire and EMS services; and in particular the reverter clause contained within the deed for the former Coca-Cola property. He specifically noted that although the Interlocal Agreement does not expire until 2036, the deed does contain a provision that if the two parcel(s) "are not utilized for fire/rescue/EMS service by the [County] within ten (10) years from this date (July 25, 2006), then all the right, title and interest in and to the property shall revert to and revest in the [City], its successors and assigns." The Administrator wanted to make certain the Council was aware the two parcels commonly referred to as the "old Coca-Cola plant" would revert to the City as of July 2016.

The Mayor also complimented Mr. Cordes and his department on how clean the City is looking.

ADJOURN

Having no further business at this time, the meeting was adjourned at 7:32 PM.

APPROVED THIS 5th DAY OF JULY 2011.

By:

Robert W. Heine, Mayor

ATTEST:
