

## REGULAR MEETING

JUNE 3, 2003

A regular meeting of the Arcadia City Council was held on June 3, 2003 at 6:00 p.m. in Room D of the Way Building at 23 N. Polk Avenue. Councilmembers attending were: Goodman, Fazzino, Heine, Johnson and Whitlock. Also in attendance were: Administrator Strube, City Attorney Holloman, City Marshal Lee, Police Captain Anderson, Engineer DeCheske, Public Works Superintendent Waters, Ms. Way and Recorder Baumann.

Mayor Goodman called the meeting to order.

The Invocation was given by Dr. W. Paul Matthews, Pastor for Elizabeth Baptist Church.

Pledge of Allegiance to the Flag.

The minutes of the Regular Meeting of May 6, 2003 were adopted on motion of Whitlock; seconded by Johnson and carried.

Attorney Holloman stated that the two proposed re-zoning ordinances are a quasi-judicial matter and asked Council to report any site visits or communication written or verbal since the public hearing of April 22, 2003. No one had anything to report.

Proposed Ordinance No. 901 was presented on third and final reading. Johnson moved to waive the rules and read the proposed ordinance by title only; seconded by Heine and carried.

## ORDINANCE 901

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF ARCADIA, FLORIDA, TO REZONE LOTS 1,2, & 3, BLOCK 61, ORIGINAL SURVEY OF THE CITY OF ARCADIA, FLORIDA, AS RECORDED IN THE PUBLIC RECORDS OF DESOTO COUNTY, FLORIDA, FROM ONE-FAMILY DWELLING R-1C DISTRICT TO PLANNED BUSINESS CENTER B-1A DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Fazzino then moved to adopt Ordinance No. 901 on third and final reading and that it become an ordinance of the City of Arcadia; seconded by Johnson. Mayor Goodman called for comments from the public, there were none. The motion carried on roll call vote. Ayes: Heine, Whitlock, Johnson, Fazzino, and Goodman. Nays: None.

ORDINANCE NO 901

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF ARCADIA, FLORIDA, TO REZONE LOTS 1,2 & 3, BLOCK 61, ORIGINAL SURVEY OF THE CITY OF ARCADIA, FLORIDA, AS RECORDED IN THE PUBLIC RECORDS OF DESOTO COUNTY, FLORIDA, FROM ONE-FAMILY DWELLING R-1C DISTRICT TO PLANNED BUSINESS CENTER B-1A DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

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Continued

Ordinance 901 continued)

WHEREAS, the Planning and Zoning Board of the City of Arcadia, Florida, in joint session with the City Council of the City of Arcadia, Florida, on Tuesday, April 22, 2003, held a Public Hearing, with proper notice of Public Hearing being given as required by law; and,

WHEREAS, the Planning and Zoning Board of the City of Arcadia, Florida, recommended to the City Council of the City of Arcadia, Florida, that the following parcel of land be rezoned as follows:

LOTS 1, 2 & 3, BLOCK 61, ORIGINAL SURVEY OF THE CITY OF ARCADIA, FLORIDA, AS RECORDED IN THE PUBLIC RECORDS OF DESOTO COUNTY, FLORIDA, BE REZONED FROM ONE-FAMILY DWELLING R-1C DISTRICT TO PLANNED BUSINESS CENTER B-1A DISTRICT.

and,

WHEREAS, the City Council of the City of Arcadia, Florida, deems it to be in the best interest of the citizens of the City of Arcadia, Florida, that said recommendation be adopted and made a part of the zoning map of the City of Arcadia, Florida; and

WHEREAS, in order for this zone change to be in agreement with the City of Arcadia Comprehensive Plan, the City of Arcadia Future Land Use Map is required to be amended in accordance with minor amendment provisions of the Florida Statutes.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ARCADIA, FLORIDA, as follows:

Section 1. That Lots 1, 2 & 3, Block 61, Original Survey of the City of Arcadia, Florida, as recorded in the Public Records of DeSoto County, Florida, is rezoned from One-Family Dwelling R-1C District to Planned Business Center B-1A District and the zoning map of the City of Arcadia is so amended.

Section 2. If any subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional, the remainder of this Ordinance shall not be affected by such invalidity.

Section 3. That this Ordinance shall take effect pursuant to Chapter 73-403 of the laws of the State of Florida.

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(Ordinance 901 continued)

UNANIMOUSLY PASSED BY THE CITY COUNCIL OF THE CITY OF  
ARCADIA, FLORIDA, ON THIS 3<sup>rd</sup> DAY OF June, 2003.

ATTEST: CITY OF ARCADIA, FLORIDA

By: Rachelle M. Baumann  
Rachelle M. Baumann, City Recorder

By: Sharon T. Goodman  
Sharon T. Goodman, Mayor

PASSED ON FIRST READING May 6, 2003.

PASSED ON SECOND READING May 20, 2003.

PASSED ON THIRD READING June 3, 2003.

APPROVED AS TO FORM:  
DAVID C. HOLLOMON, CITY ATTORNEY

Proposed Ordinance No. 902 was presented on third and final reading. Fazzone moved to waive the rules and read the proposed ordinance by title only; seconded by Johnson and carried.

ORDINANCE 902

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF  
ARCADIA, FLORIDA, TO REZONE ALL OF BLOCK 36, ORIGINAL  
SURVEY OF THE CITY OF ARCADIA, FLORIDA, AS RECORDED IN  
THE PUBLIC RECORDS OF DESOTO COUNTY, FLORIDA, FROM  
MULTIPLE DWELLING R-3 DISTRICT TO RESIDENTIAL-  
PROFESSIONAL AND BUSINESS RPB DISTRICT; PROVIDING FOR  
SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Johnson then moved to adopt Ordinance No. 902 on third and final reading and that it become an ordinance of the City of Arcadia; seconded by Whitlock. Mayor Goodman called for comments from the public, there were none. The motion carried on roll call vote. Ayes: Heine, Whitlock, Johnson, Fazzone, and Goodman. Nays: None.

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Continued

ORDINANCE NO 902

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF ARCADIA, FLORIDA, TO REZONE ALL OF BLOCK 36, ORIGINAL SURVEY OF THE CITY OF ARCADIA, AS RECORDED IN THE PUBLIC RECORDS OF DESOTO COUNTY, FLORIDA, FROM MULTIPLE DWELLING R-3 DISTRICT, TO RESIDENTIAL-PROFESSIONAL AND BUSINESS RPB DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Board of the City of Arcadia, Florida, in joint session with the City Council of the City of Arcadia, Florida, on Tuesday, April 22, 2003, held a Public Hearing, with proper notice of Public Hearing being given as required by law; and,

WHEREAS, the Planning and Zoning Board of the City of Arcadia, Florida, recommended to the City Council of the City of Arcadia, Florida, that the following parcel of land be rezoned as follows:

ALL OF BLOCK 36, ORIGINAL SURVEY OF THE CITY OF ARCADIA, FLORIDA, AS RECORDED IN THE PUBLIC RECORDS OF DESOTO COUNTY, FLORIDA, BE REZONED FROM MULTIPLE DWELLING R-3 DISTRICT, TO RESIDENTIAL-PROFESSIONAL AND BUSINESS RPB DISTRICT.

and,

WHEREAS, the City Council of the City of Arcadia, Florida, deems it to be in the best interest of the citizens of the City of Arcadia, Florida, that said recommendation be adopted and made a part of the zoning map of the City of Arcadia, Florida; and

WHEREAS, this zone change is in agreement with the City of Arcadia Comprehensive Plan and the City of Arcadia Future Land Use Map.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ARCADIA, FLORIDA, as follows:

Section 1. That all of Block 36, Original Survey of the City of Arcadia, Florida, as recorded in the Public Records of DeSoto County, Florida, is rezoned from Multiple Dwelling R-3 District, to Residential-Professional and Business RPB District, and the zoning map of the City of Arcadia is so amended.

Section 2. If any subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional, the remainder of this Ordinance shall not be affected by such invalidity.

Regular Meeting  
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Continued

(Ordinance 902 continued)

Section 3. That this Ordinance shall take effect pursuant to Chapter 73-403 of the laws of the State of Florida.

UNANIMOUSLY PASSED BY THE CITY COUNCIL OF THE CITY OF  
ARCADIA, FLORIDA, ON THIS 3rd DAY OF June, 2003.

ATTEST:

CITY OF ARCADIA, FLORIDA

By: /s/ Rachele M. Baumann  
Rachele M. Baumann, City Recorder

By: s/s Sharon T. Goodman  
Sharon T. Goodman, Mayor

PASSED ON FIRST READING May 6, 2003.

PASSED ON SECOND READING May 20, 2003.

PASSED ON THIRD READING June 3, 2003.

APPROVED AS TO FORM:  
DAVID C. HOLLOMON, CITY ATTORNEY

Dr. W. Paul Matthews, Pastor for Elizabeth Baptist Church and Chairman of the Grants Committee addressed Council to report that the committee met today at 5:00 PM. Dr. Matthews noted one item discussed by the committee was a request from the Police Department to seek grant funds for twenty-five (25) lap top computers to be used in Police vehicles. Marshal Lee is trying to get a grant, however it looks doubtful and if received would be a 75/25 which would require 25% in matching funds. The committee is on record that they will pursue seeking grant funds for the computers. Dr. Matthews believes that this should be a community effort and he has pledged \$500.00 toward the \$40,000.00 needed as have Marshal Lee, Assistant Marshal Anderson and Stan Abram. The funds will be deposited into a local bank account and handled by Dr. Matthews. Pastor Lorenzo Dixon stated that he will pledge at least \$500.00 noting that it will actually be a more substantial contribution than that. Mayor Goodman then pledged \$500.00 to go toward the computers. Fazzone moved to approve the request for Dr. Matthews to seek community contributions to purchase twenty-five (25) lap top computers for the Police Department and for the funds to be turned over to the City in a lump sum when collected in full; seconded by Heine and carried.

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Dr. Matthews reported that the Grants Committee will prepare a Request for Proposal (RFP) for a grants writer. The committee will review all applications and present Administrator Strube with a list of 3 or 4 possible candidates for the Council to select from.

Dr. Matthews stated that the committee may hold a meeting in September to discuss possible projects for CDBG funding.

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

Marshal Lee reported that the Street Speed Limit Committee held their first meeting at which time officers were elected. Marshal Lee then requested clarification on how the committee should move forward. Fazzone stated that he would like to see a uniform speed limit throughout the City. Heine noted that new 20 MPH speed signs had just been purchased. Administrator Strube asked if the City went to 25 MPH would signs need to be posted and was told yes; because it would be different from the State speed limit of 30 MPH. Marshal Lee was directed to review all streets on a street by street basis and to then suggest the proper speed limit.

Marshal Lee then asked for clarification concerning the Women's Club and if the Police Department or the Sheriff's Department had jurisdiction. Ms. Way was under the impression that when Section 26 was ousted the City was asked to leave the American Legion and the Women's Club in the City. Attorney Holloman was asked to determine the legal status and report back to the Council.

Administrator Strube addressed Council to recommend the purchase of a new backhoe for the Systems Department. He noted that the City currently owns two (2) backhoes; however the 1985 does not run and can not be economically repaired. Funds for the purchase would be 40% from the Local Option Gas Tax Fund and 60% from Water & Sewer Enterprise Funds. Fazzone moved to authorize the purchase of a new backhoe for the Systems Department from Briggs Equipment under State Contract in the amount of \$61,500.00; seconded by Whitlock and carried.

The May 2003 report of Arcadia Golf Course receipts and number of play was presented. Fazzone noted that the golf course summer rates are now in effect at a savings of 50% off regular play.

The Fire Department report for the month of May 2003 was presented. The report shows revenue collections are up significantly from last year. This is the result of collections efforts by Lewis Wells.

A thank you letter and request for funding in FY 2003/2004 from the Selby House was acknowledged.

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Mayor Goodman reported that she did speak with County Administrator Chisholm and Commissioner Altman regarding indigent burials. The County requests that the funeral home directors address this issue directly with the County. Dr. Matthews will get the item placed on the County agenda for July 22, 2003 at 6:00PM.

Mr. Abram with the Arcadia DeSoto County Beautification Committee asked if there would be any type of event to mark the lighting of the Street Light Project when complete. Administrator Strube stated that the City is still waiting for a release from Department of Transportation (DOT) regarding the placement of nine (9) lights on Magnolia Street/State Road 70 East. Administrator Strube said that he will see if the lights that are completed can be lit without the remaining 9. Mayor Goodman said she would be happy to work with Mr. Abram, Ms. Martin and Ms. Daly to plan a Street Lighting Celebration.

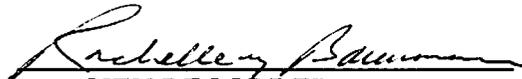
Police Captain Anderson reported that the softball team he coaches the DeSoto Cardinals took second place, in the district.

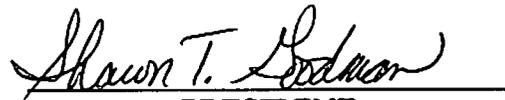
Councilman Whitlock reported that he recently attended a Florida Regional Planning Council meeting.

Administrator Strube gave a report on a skateboard park stating that he spoke with a firm that just completed a park in Charlotte County. The firm is in the business to make money and would need to do a marketing study to see if there would be enough revenue from such a park in Arcadia. Charlotte County will send some additional information on skateboard parks to Administrator Strube for review.

Mayor Goodman reminded all Council Members that the Florida League of Cities annual conference is scheduled for August and recommends that all Council plan to attend.

There being no further business the meeting was adjourned.

  
CITY RECORDER

  
PRESIDENT

**June 17, 2003 – NO MEETING – SUMMER SCHEDULE**