

## REGULAR MEETING

MARCH 4, 2003

A regular meeting of the Arcadia City Council was held on March 4, 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. Planning and Zoning Board Members attending were: Summers, Brown, Sawyer and Whitlock. Also in attendance were: Administrator Strube, City Attorney Holloman, City Marshal Lee, Fire Chief Rutherford, Ms. Way and Recorder Baumann.

Mayor Goodman called the meeting to order.

The Invocation was given by Councilman Johnson.

Pledge of Allegiance to the Flag.

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

***Mayor Goodman called the Joint Public Hearing of the Council and the Planning and Zoning Board to order*** and stated the purpose of the joint public hearing as advertised is to provide citizens an opportunity for input regarding the request to re-zone Lots 1-7, Block 61, Original Survey from R1-C (Residential) to B-3 (Business). Petitioners Jose and Maria Castro. Attorney Holloman addressed the Council and the Planning and Zoning Board Members stating that the matter before them was a quasi-judicial matter. Attorney Holloman asked if anyone had received any written or verbal correspondence or done a site visit. Council members Goodman, Heine, Fazzone and Whitlock visited the site as did Planning and Zoning Board Members Brown and Sawyer. Councilman Whitlock also spoke to Mrs. McClure and Administrator Strube. Ex-Parte Communications Disclosure Forms were filled out. Recorder Baumann reported that notices were sent by certified mail to thirty-six (36) property owners within 300 feet and proof of publication in the Arcadian was presented. Recorder Baumann stated that a petition of objection signed by twelve (12) property owner and two (2) letters of objection were received. No letters of support were received. Mayor Goodman called for the petitioners to speak; Mr. and Mrs. Castro were not in attendance. Mr. Perez spoke for the petitioners stating that his clients have requested the re-zoning in order to take care of current parking issues. Mayor Goodman then called for objections from the public. Alice Gulla, Flois Montgomery, Mary Ann Bevans, Pat Washington, Tristian Steele and Barbara Brown all spoke in opposition to the request. Mayor Goodman asked for concerns from the Planning and Zoning Board. Chairman Summers stated that on paper the request looked fine, however the Board was not aware of the traffic and litter problems. Chairman Summers stated that the traffic and litter issues will not be resolved no matter what

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the outcome of the re-zoning request. Mr. Perez stated that his client is trying to provide adequate parking and agrees that the traffic problem will still be an issue no matter what. Johnson asked what type of business would be allowed in a B-3 district and Administrator Strube read from the Code Book noting that a B-3 district also includes everything in a B-1 and B-2. Councilman Whitlock asked why the property would need to be changed to a B-3 to accommodate parking. Johnson stated concern noting that some of the verbal and written objections were specific against "Mexicans" and possibly that alone is the reason for the majority of the objections. After discussion Fazzone moved to refer the request back to the Planning and Zoning Board for further review to see what can be done to accommodate the parking issue, and to continue the Joint Public Hearing until April 22, 2003 at 6:00 PM or as soon thereafter; seconded by Heine and carried. Original notices to property owners and publication will continue to serve as notice.

*The Joint Public Hearing was closed.*

*Mayor Goodman called the Joint Public Hearing of the Council and the Planning and Zoning Board to order* and stated the purpose of the joint public hearing as advertised is to provide citizens an opportunity for input regarding the request to re-zone all of Block 36, Original Survey from R-3 (Residential) to RPB (Residential, Professional, Business). Attorney Holloman addressed the Council and the Planning and Zoning Board Members stating that the matter before them was a quasi-judicial matter. Attorney Holloman asked if anyone had received any written or verbal correspondence or done a site visit. Council members Whitlock, Fazzone and Heine spoke to residents in the area. Planning and Zoning Board Member Sawyer visited the site. Ex-Parte Communications Disclosure Forms were filled out. Recorder Baumann reported that notices were sent by certified mail to thirty-four (34) property owners within 300 ft and proof of publication in the Arcadian was presented. No written or verbal objections or support had been received. Mayor Goodman called for the property owners to speak. Leonard G. Martin addressed the Council stating that his wife has requested the re-zoning in order to use a residence on Magnolia as a real estate office. Mr. Martin stated that they do not want to live in the home and be on call 24 hours a day. The property has recently been painted and a new fence put in place. Mayor Goodman then called for objections from the floor. Mr. Philip Santos of 524 E. Magnolia addressed the Council speaking for a group of residents who are opposed to the request. Administrator Strube then read what type of business would be allowed in a RPB district. Mayor Goodman asked for concerns from the Planning and Zoning Board. Chairman Summers believes that this re-zoning could help to preserve the older homes in the area by keeping them from becoming rental property. The large older homes require additional upkeep which is not always done when they become rentals. There was some discussion noting that the RPB district should be on Hickory and Magnolia. The entire block was requested for re-zoning in order to eliminate "spot" zoning. The petitioner does not have the required footage to request a re-zone of only their property. No one located in block 36 objects to the request since they all joined in the request. Fazzone moved to refer the request to re-zone all of Block 36, Original Survey back

to the Planning and Zoning Board for further review, and to continue the Joint Public Hearing until April 22, 2003 at 6:00 PM or as soon thereafter; seconded by Heine and carried. Original notices to property owners and publication will continue to serve as notice.

*The Joint Public Hearing was closed.*

*Mayor Goodman reconvened the regular meeting.*

Dr. W. Paul Matthews, Jr., interim pastor of Elizabeth Missionary Baptist Church addressed Council to request Council consideration to establish a formal office for the Mayor and if considered to name the room in recognition of Eugene Hickson who was the first African-American Mayor of Arcadia. There was discussion on when the Mayor would need to use an office and noting that space is the major problem. Fazzone stated that he was Mayor for four (4) terms and that he very seldom needed to meet anyone in private. Johnson was in favor of the idea. Administrator Strube stated that an office in the Margaret Way building could be used; however it would not be staffed. Johnson moved to have Administrator Strube review areas in the Margaret Way building which could be used for an office for the Mayor; seconded by Fazzone and carried.

Dr. Matthews then invited Council to attend Elizabeth Missionary Baptist Church on April 5, 2003 at 7:00 PM to hear Mayor Goodman deliver her first sermon, having received a calling to the ministry.

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

Marshal Lee then reported that Dr. Matthews will be serving as chaplin for the Police Department.

Administrator Strube addressed Council to review bids received for the Downtown sign. Bids were received from Berlin Sign Company of Venice Florida for \$3,754.00, Gulf Coast Signs of Sarasota for \$5,100.00 and Myron Wickey of Arcadia for \$8,000.00. It was noted that Mr. Wickey originally presented a design and bid in August 2002 to the Beautification Committee in the amount of \$4,450.00 which resulted in a sign contest being held. Mr. Wickey's design was the contest winner which was substantially the original design submitted to the Beautification Committee. Berlin Sign was the low bidder. Administrator Strube submitted copies of various signs created by Berlin Sign. Heine moved to authorize the Mayor to sign a contract with Berlin Sign Company of Venice Florida in the amount of \$3,754.00 to construct an 84" x 96" sign for downtown as per the design submitted; seconded by Whitlock and carried.

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Administrator Strube presented a proposed Architectural Services Agreement with Stevenson Architects for City Hall Renovation – Phase 1 with a base amount of \$24,200.00. Heine moved to authorize the Mayor to sign a contract for Architectural Services with Stevenson Architects for City Hall Renovation – Phase 1 with a base amount of \$24,200.00; seconded by Whitlock and carried.

The February 2003 Mobile Home Park report was presented.

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

Attorney Holloman reported that he sent a letter to the Commission on Ethics regarding Councilman Fazzone's situation and is waiting for a response.

The Fire Department report for the month of February 2003 was presented. Fire Chief Rutherford apologized for his tone at the last meeting.

Meeting dates for April 2003 were discussed. Several Council Members are planning to be in Tallahassee on April 1, 2003 and the Mayor will be out of town on a field trip on April 15, 2003. Whitlock moved to hold the first meeting in April on April 8, 2003 and the second meeting on April 22, 2003; seconded by Johnson and carried.

A letter from Vincent A. Sica reporting on the status of the youth basketball league was acknowledged.

Mr. Melvin Jackson of 330 La Solona Avenue addressed Council stating that when the water tower overflows it floods his yard. Administrator Strube will have staff check this out.

Dr. Matthews requested that Dorothy Simmat, Reverend George Young and Colleen Spangler be added as members of the Grants Committee. Johnson moved to appoint Dorothy Simmat, Reverend George Young and Colleen Spangler to the Grants Committee; seconded by Heine and carried.

Ms. Way thanked Council for approving the agreement to begin renovations at City Hall.

Mayor Goodman reported that the Ridge League Dinner would be held in Bartow on March 13, 2003 at 6:00 PM.

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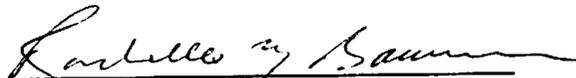
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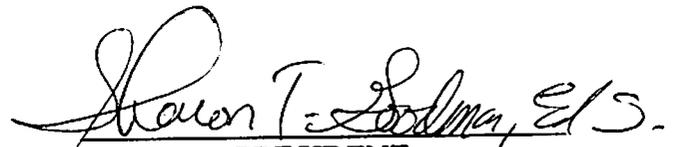
Fazzone would like to see a uniform speed limit of 30 MPH in the City. Fazzone moved to place an item on the next agenda for review of a uniform 30 MPH speed limit in the City; seconded by Whitlock and carried.

Mr. Martin Mc Clure who works in law enforcement stated that a blanket speed limit could pose problems in areas with children, particularly deaf children.

Johnson reported that there seems to be an excessive amount of oversized trash items such as furniture and appliances especially on Manatee.

There being no further business the meeting was adjourned.

  
CITY RECORDER

  
PRESIDENT