

REGULAR MEETING

OCTOBER 7, 2003

A regular meeting of the Arcadia City Council was held on October 7, 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, City Captain Anderson, City Special Projects Coordinator Hewitt, Ms. Way and Recorder Baumann.

Mayor Goodman called the meeting to order.

The Invocation was given by Pastor Lorenzo Dixon of the Assembly of Praise.

Pledge of Allegiance to the Flag.

Mayor Goodman gave a re-cap of the past year noting that great progress has been made downtown. She then listed several civic groups and organizations which she attended during the last year as the City's representative. Mayor Goodman reported that she was approached by HUD and USDA members to have the City apply for "Affordable Housing Grants" noting that funds are available to rural communities. Mayor Goodman then asked that the Council approve that she continue to represent them concerning housing issues. Mayor Goodman again stated that she feels there is a need for a Human Rights Ordinance for the City of Arcadia. Another item which she was not able to see implemented during her tenure as Mayor is establishing a "Youth Advisory Council". She then thanked the Council for having elected her as Mayor for Fiscal Year 2003. Heine moved to authorize Goodman to extend an invitation to a group to address Council regarding housing programs; seconded by Johnson and carried.

City Attorney Holloman then administered the Oath of Office to Roosevelt Johnson and Paul P. Whitlock, each who were elected to serve a four (4) year term on the City Council.

The minutes of the Regular meeting of September 2, 2003 were adopted on motion of Heine; seconded by Fazzino and carried.

Johnson moved that Councilman Fazzino be appointed Mayor; seconded by Whitlock and carried. This action was formalized by Resolution No. 2003-14 as follows.

Goodman then moved that Councilman Whitlock be appointed as Deputy Mayor; seconded by Heine and carried. This action was formalized by Resolution No. 2003-14 as follows:

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RESOLUTION NO. 2003-14

A RESOLUTION APPOINTING MAYOR, DEPUTY
MAYOR AND PRESIDING OFFICERS: SETTING
TERM OF OFFICE.

IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF
ARCADIA, FLORIDA:

SECTION 1. That City Councilmember RICHARD P. FAZZONE
be and he is hereby appointed to the Office of Mayor of the City of Arcadia, Florida
and Presiding Officer of City Council.

SECTION 2. That City Councilmember PAUL P. WHITLOCK be and
he is hereby appointed to the Office of Deputy Mayor of the City of Arcadia, Florida and
Presiding Officer of City Council.

SECTION 3. That said Appointees are hereby charged with all powers,
duties, functions and responsibilities of their respective offices as set forth in the Chapter
and Ordinances of the City of Arcadia, Florida.

SECTION 4. That their term of Office shall be from the date of the
Resolution through the end of the Fiscal Year 2003-2004 or until their successors are
appointed.

PASSED BY THE CITY COUNCIL OF ARCADIA, FLORIDA, at Regular
Session in Arcadia, Florida, this 7th day of October, 2003.

/s/ RICHARD P. FAZZONE
RICHARD P. FAZZONE
Mayor

/s/ SHARON T. GOODMAN, Ed.S.
SHARON T. GOODMAN
Councilmember

/s/ PAUL P. WHITLOCK
PAUL P. WHITLOCK
Vice-Mayor

/s/ ROOSEVELT JOHNSON, Ed.D
ROOSEVELT JOHNSON,
Councilmember

ATTEST:

/s/ RACHELLE M. BAUMANN
Rachelle M. Baumann
City Recorder

/s/ ROBERT W. HEINE
Robert W. Heine
Councilmember

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Mayor Fazzone was presented with the gavel by outgoing Mayor Goodman.

Administrator Strube addressed Council regarding proposed Resolution No. 2003-15 increasing water and sewer rates by 10% effective November 1, 2003. He noted that an increase in the water and sewer rates was discussed in May 2003 and again during the budget hearing for Fiscal Year 2003/2004. This increase was also a part of the recent Water and Sewer Bond Refunding. Heine moved to adopt Resolution No. 2003-15; seconded by Whitlock and carried.

RESOLUTION NO. 2003-15

A RESOLUTION ESTABLISHING WATER AND
 SEWER RATES EFFECTIVE NOVEMBER 1, 2003.

WHEREAS, in order to meet State and Federal Environmental laws, to establish proportionate user charges that place that cost of abatement directly on the sources of pollution, conserves potable water, and maintains financial self-sufficiency, and to provide the revenues for the Operations, Maintenance, Renewal and Debt Service requirements of the City's Water and Sewer Systems, and

WHEREAS, City of Arcadia Ordinance No. 822 provides that water and sewer rates shall be adopted from time to time by Resolution.

NOW THEREFORE, BE IT RESOLVED that the following water and sewer rates are hereby adopted:

SECTION 1.

A. Water:

<u>Monthly Use</u>	<u>Rate</u>
First 3,000 gallons	\$17.50 per month base
All over 3,000 gallons	\$2.90 per 1,000 gallons

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(Resolution 2003-15 continued)

B. Sewer:

<u>Monthly Use</u>	<u>Rate</u>
First 3,000 gallons water used	\$21.25 per month base
All over 3,000 gallons water used	\$ 3.55 per 1,000 gallons

C. Miscellaneous Charges:

Establish Account	\$ 5.00
Late Payment	\$ 2.00
Reconnection During Regular Work Hours	\$ 10.00
After Hours	\$ 15.00

D. All users of the City's Water and Sewer Systems outside the Corporate boundaries shall pay an additional 50% of the Water and Sewer charges as provided in Section 1A, 1B, and 1C.

SECTION 2. Utility Deposit

Water Meter Size	Inside City	Outside City	
		Water Only	Water & Sewer
¾ "	\$ 80.00	\$80.00	\$120.00
1 "	165.00	165.00	250.00
2"	330.00	330.00	500.00
3" and larger	700.00	700.00	1,000.00

Every 12 months deposits for accounts with water meters larger than 1" may be adjusted to provide a deposit equal to 2 times the average monthly usage for the previous 12 months.

SECTION 3. The rates established in Section 1 shall be effective November 1, 2003 and shall be reflected on the November billings.

DULY PASSED BY THE CITY COUNCIL OF THE CITY OF ARCADIA,
FLORIDA, in Regular Session this 7th day of October, 2003.

/s/ RICHARD P. FAZZONE
RICHARD P. FAZZONE MAYOR

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(Resolution 2003-15 continued)

ATTEST:

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

Approved as to form and content by:

/s/ DAVID HOLLOMAN
DAVID HOLLOMAN
CITY ATTORNEY

A request by letter, from the Chamber of Commerce for Council permission to close Oak Street from Orange Avenue to Hillsborough Avenue on December 6, 2003 from 5:00PM for the annual Christmas Parade. They are also requesting that Volusia Street in front of the Chamber be closed from 5:00PM to 9:00PM on December 6, 2003 for the opening ceremony of Christmas Card Lane. Goodman moved to grant the request to close Oak Street from Orange Avenue to Hillsborough Avenue on December 6, 2003 from 5:00 PM for the Christmas Parade and to close Volusia Street in front of the Chamber on December 6, 2003 from 5:00PM to 9:00PM for the opening ceremony of Christmas Card Lane, providing that City Marshal Lee approves the request; seconded by Whitlock and carried.

Andy Andel, Administrator for the Loyal Order of Moose addressed Council to request the purchase of property from the City in order to expand the Moose facilities. The Moose currently own Lots 3,4,5,6, & 7 and the North 20 feet of Lots 8, 9,& 10, Block D Fountain Park. The City owns Lots 8, 9, & 10 less the North 20 feet and Lots 12 & 13, Block D, Fountain Park. Administrator Strube stated that this is very close to the City's water tower and there are a lot of old underground pipes from the old water plant. He noted that in 1994 the Moose had asked to use the property for parking, the City currently uses this property as a staging area when doing work on the streets or sewers. The section of property owned by the City is currently zoned M-2 General Industrial District which is the highest industrial zoning in the City. Administrator Strube believes that additional study should be done before making any decision to sell. It was noted that the Moose could add on to their existing building if the City would lease them property for parking. Heine moved to have Attorney Holloman and Administrator Strube meet with representatives from the Moose and report back to Council with a recommendation; seconded by Whitlock and carried.

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

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Marshal Lee addressed Council and reported that the new Code Enforcement Officer has begun work and he will present a report to Council in the future.

Administrator Strube addressed Council stating that the Grant Committee had received six (6) responses to the Request for Proposal (RFP's) and all six (6) were interviewed. The firms were then ranked and the top three in order were 1) Eutaw Group, Inc./Fred Fox Enterprises, Inc. of Chipley, Florida. 2) Angie Brewer & Associates, LC of Bradenton, Florida. And 3) Jordan and Associates of Orange Park, Florida. It was noted that the Fred Fox Enterprises, Inc. is the same firm that previously did grant work for the City. Dr. Matthews, Chairman of the Grant Committee stated that he felt that the Eutaw Group's closeness to Tallahassee was a benefit. Whitlock moved to authorize Council to enter into an agreement with Eutaw Group, Inc./Fred Fox Enterprises, Inc. of Chipley Florida; seconded by Johnson and carried.

Councilwoman Goodman asked Dr. Matthews if this firm could help the City with Rural Housing and was informed that they could, however the City should still have the Rural Housing people give a presentation to Council. Administrator Strube reported that the City currently has three (3) USDA Projects which account for about 80 units, along with the Oaks Trail Apartments and Jacaranda Apartments which were recently built to assist very low and low income families. The City also just committed funds towards the renovation of the McPines Apartments which are for low income families. Councilman Whitlock thanked Dr. Matthews and all the Grant Committee members for their work on the committee.

Attorney Holloman addressed Council to review Council options regarding non-consensual towing issues. He reported that the Council did adopt an Ordinance regulating non-consensual towing in 2001, however that Ordinance was repealed after the County adopted an Ordinance in 2003 which the City elected to fall under. Attorney Holloman stated that the current County Ordinance is adequate and has a mechanism for addressing any complaints. Marshal Lee reported that he did not speak with Pursells Wrecker Service yet and that Pursells are to meet with the County. Marshal Lee then stated that he is in favor of using the County Ordinance and likes the idea of a "Special Master" for hearings, noting that this may be helpful to the City in other areas as well. Attorney Holloman recommends that no additional action be taken and Council agreed no action is needed.

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

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

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Councilman Heine asked about the lights on US 17 South, Administrator Strube will check on them. It was noted that they have not worked since they were installed by DOT and the City is waiting for parts from DOT in order to complete the necessary repairs.

Councilwoman Goodman asked where the City was in adopting a Human Rights Ordinance and was informed by Dr. Matthews that he will meet with Attorney Holloman to begin work on it. Attorney Holloman stated that the Florida State Statutes has a remedy in place and individuals with a complaint should contact the State Attorney's Office. Dr. Matthews stated that the Florida Commission is designed by the State to file complaints, however there is no investigator for this area. The Federal Law only looks at employers with fifteen (15) or more employees, if the City has their own ordinance they could look at smaller employers. Dr. Matthews will have a completed ordinance for Council review for the first meeting in December 2003.

Martha Craven with the Arcadia/DeSoto Beautification Committee reported that a candlelight tour of the downtown and several historic homes is scheduled for December 13, 2003, this will be a fund raiser for the group.

Dr. Matthews expressed concern and stated that it might be helpful for the Council to revisit how the City should be run in the 21st century. Dr. Matthews stated that he was at one time a strong critic of Administrator Strube, however having worked with him on the Grant Committee he now realizes that Administrator Strube is only one person and it is very difficult for him to get everything requested of him accomplished. Mayor Fazzone noted that the City recently hired an employee who should be able to assist the Administrator and take some of the workload off of him.

Ralph Myers addressed Council with a complaint regarding the placement of tees at the Arcadia Golf Course. Mayor Fazzone reported that the course is currently looking at joining several national golf associations and they may have a say in where the tees can be placed in order for the Arcadia Golf Course to hold sanctioned tournaments.

Pastor Lorenzo Dixon stated that he was grateful to have the opportunity to run for Council and congratulated both Councilman Johnson and Whitlock on their election.

Dr. Matthews reported that Sunday October 12, 2003 at 4:00 PM Councilwoman Sharon Goodman will be ordained as a minister of Elizabeth Missionary Baptist Church and invited all Council to attend.

A letter, from Rev. W. Paul Matthews summarizing the Smith Brown Foundation meeting of September 10, 2003 was acknowledged.

A letter, from J. Kevin Brown of South Florida Community College (SFCC) thanking Council for supporting the new paramedic program was acknowledged.

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A Town Hall Meeting with Senator Bill Nelson on Wednesday, October 8, 2003 at 9:00 AM was announced.

A Joint City/County Meeting concerning a possible merger of the two fire departments scheduled for Thursday, October 8, 2003 at 4:00 PM in the Way Building was announced.

Councilman Whitlock reported that he will attend the Central Florida Regional Planning Meeting tomorrow.

Councilman Johnson reported that he just returned from the Florida League of Cities Budget Workshop in Key West. He will be attending a Ridge League Board meeting this week. Councilman Johnson stated he would like to have a workshop to set goals for the City. Johnson then moved to hold a workshop in November (date to be decided) to set goals for the City; seconded by Goodman and carried.

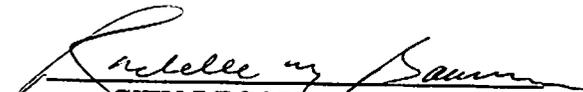
Councilman Johnson then reported that he has been nominated to the Steering Committee for the National League of Cities and he is seeking a scholarship from the Florida League of Cities to help defray the cost of being on a national board.

Ms. Way congratulated Councilman Johnson and Whitlock on their re-election to the Council.

Administrator Strube reported that he recently attended a Florida League of Cities Intergovernmental Meeting.

Mayor Fazzone thanked past Mayor Goodman for a good year and stated he is glad Councilwoman Goodman will continue to represent the City where needed.

There being no further business the meeting was adjourned.


CITY RECORDER


PRESIDENT