

**AGENDA MINUTES  
CITY COUNCIL  
CITY OF ARCADIA  
TUESDAY, FEBRUARY 4, 2014  
6:00 P.M.**

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

The Mayor called the meeting to order at approximately 6:00 p.m. with the following members and staff present:

**Arcadia City Council**

Mayor Alice Frierson  
Councilmember Robert R. Allen  
Councilmember Robert W. Heine

Deputy Mayor Joseph E. Fink  
Councilmember Keith Keene

**Arcadia City Staff**

Interim City Administrator Tom Slaughter  
City Marshall Matt A. Anderson  
Finance Director Beth Carsten  
Code Enforcement Officer Carl McQuay

City Clerk Penny Delaney  
City Attorney Thomas J. Wohl

Councilmember Keene gave the invocation, which was followed by the Pledge of Allegiance and roll call.

**CONSENT AGENDA**

Mayor Frierson stated the City Council would address the consent agenda at that time. Councilmember Heine made a motion to approve the consent agenda (Items 1-3). Councilman Keene seconded the motion. No discussion followed and it was unanimously, 5-0, approved.

**Discussion Item 4 – City Administration Search Committee Update**

Mayor Frierson introduced Vice-Chairman Fazzone. Mr. Fazzone advised that a position description was provided to City Council for their approval. Councilmember Keene made a motion to approve the job summary, position description and applicable qualifications which were submitted by the City Administrator Search Committee. Councilmember Heine seconded the motion. No discussion followed and it was unanimously, 5-0, approved. Mr. Fazzone stated that they had prepared ads for the Florida League of Cities for approval and if approved, they could move ahead with the advertising. Mayor Frierson advised that it had been approved and the committee could move ahead with it.

**Discussion Item 5 – Arcadia Housing Authority – Changes to Board of Commissioners**

Becky-Sue Mercer, the Executive Director of the Arcadia Housing Authority, was not present, but the Interim City Administrator presented the agenda item. He advised that the Arcadia Housing Authority is required to submit changes of their board to City Council and pointed out the documentation which had been presented to Council. Councilmember Heine made a motion to approve the changes to the board. Councilmember Keene seconded the motion. No discussion followed and it was unanimously, 5-0, approved.

**Discussion Item 6 – Request for Special Event Permit – Speer Center Rental by Church at Arcadia**

The City Code Enforcement Officer stated that the Church at Arcadia had requested to hold their services, every Sunday for the rest of the year, at the Speer Center. Mr. McQuay recommended that it not be approved because it would lock up the rental of the facility for a whole year. He pointed out that they are a non-profit organization. Deputy Mayor Fink stated that this was an election year and if they approved it, it could run into problems with the Supervisor of Elections office in both the primary and general elections because it is a voting precinct and it could affect setup for the same. Mayor Frierson stated that she didn't know if they should go down this direction of empty buildings being used like this. She further stated if it's done now, how does the City refuse another church that comes along and wants to use the building next door. Mr. McQuay pointed out that the City has nothing to govern it or control it and as a non-profit organization, it's free. Therefore, the City is losing revenue. Councilmember Keene pointed out that the City has upcoming workshops and didn't want this to be a bump in the road for some opportunity that the City might recognize coming out of that effort. Councilmember Allen moved that the application be denied. Councilmember Heine seconded the motion. No discussion followed and it was unanimously, 5-0, approved.

**Discussion Item 7 - Ordinance Updating City's Land Development Regulations (2<sup>nd</sup> Reading)**

Mr. Carl McQuay introduced Jeff Schmucker of the Central Florida Regional Planning Council and stated this would be the second reading of Ordinance No. 994. The Interim City Administration advised that the cost of the program was approximately \$30,000.00. Mr. Schmucker stated that they went through a 2 year process with meetings with staff and almost a full year with a workshop process with the planning and zoning board. Mr. Schmucker thanked the Interim City Administrator for all his help. Councilmember Heine made a motion to read by title only. Deputy Mayor Fink seconded said motion. No discussion followed and it was unanimously, 5-0, approved. The City Clerk read title only of said Ordinance No. 994. Deputy Mayor Fink made a motion to approve the Ordinance as presented. Councilmember Keene seconded said motion. No discussion followed and it was unanimously, 5-0, approved.

**Discussion Item 8 – Budget Amendment to Lease Two New Sanitation Vehicles, Sell Four Obsolete Sanitation Vehicles and Forgo the Purchase of Two Rear Loader Sanitation Boxes**

Steve Underwood of the Sanitation Department presented a power point regarding the issue. He stated the purchase of two sanitation boxes at a cost of \$55,000/each is unjustified due to the age, condition and increasing costs to maintain the city's two rear-loader vehicles. He further stated that the public works department wishes to keep one new vehicle, trade in the sale of four older vehicles and lease two new vehicles. He stated the City has three rear-loaders and two front-loaders. One of the front rear-loaders is a 2013 with no problems except for the minor things that are under warranty. The previous existing vehicles are two rear-loaders and two front-loaders which are repaired on a weekly basis. He reviewed the costs of repairing and maintaining these vehicles and pointed out that the rear-loader runs four days a week and the front-loader runs six days a week. He further stated that the newest vehicle the City has is a 2005, and the estimated cost of repair is \$13,000.00. He advised the City has spent \$22,000.00 on a total of four vehicles and he pointed out that the City is losing money.

He introduced John Mentz of JLM Equipment which has a state contract bid for both of these vehicles that he would like to be able to purchase with the Council's approval. He advised that the trade in values are as follows: rear-loader - \$7,000.00; rear-loader - \$10,000.00; front-loader - \$18,000.00; front-loader - \$40,000.00; with a total of \$75,000.00. He stated that the City can lease these vehicles for the first year for around \$73,000.00 (rough estimate) which if the Council chooses to approve this would be a savings of \$3,000.00 back in the budget which will not affect the \$110,000.00 which was proposed and approved by council to replace the two boxes on the rear-loaders only.

Mayor Frierson asked if they could give the Council a cost if the City were to pay for these two new trucks out-right, for the five years, without a lease agreement. Mr. Mentz advised it would be \$218,577.00 for the front-loader and \$116,916 for the rear-loader. Mr. Underwood advised that at the end of the five year lease, the City has the option to buy the two trucks for \$1.00 each. The City Attorney asked as far as the lease standpoint, who maintains the trucks and any repairs. Mr. Mentz stated that both trucks would be under warranty. He further stated the chassis dealers would take care of any warranty on the chassis and they would take care of any warranty on the body and JLM Equipment would coordinate it. Mr. Mentz stated that standard warranty is three years and they could put on an additional two years. Mayor Frierson stated she had no doubt they were needed, but that the Council would be committing, with the budget problems, to over a quarter of a million dollars for the next few years in these payments. She stated that as far as she knew, the City was still on the watch list.

The Interim City Administrator pointed out that it was presented as a discussion item as opposed to a consent item. He stated that they knew with almost certainty that they would be putting off buying the two boxes because it didn't make sense and a decision didn't need to be made tonight. He advised that they could get back to Council regarding the questions they had asked and perform a more in depth analysis. Mayor Frierson asked the Finance Director for any comments. Ms. Carsten stated it was a definite issue as to where they were. She stated one way to look at it is the City would be putting off not paying out the \$110,000.00 that they were

planning on using this year which was in the budget. She stated she understands what the Mayor was saying, but that the City also needs equipment that works. Councilmember Keene stated the quarter of a million dollars was over a five year period. He then stated that if we lease, it will cost around \$335,000.00 over a five year period and to buy out-right it will cost around \$335,000.00 and with \$1.00 payment at the end of the five years if we lease, it probably does make it even closer perhaps. He further stated that he recognizes that the City needs new vehicles and that the City had made a commitment with doing our own pickup and he felt they need the tools to do the job. He advised that they had not talked about selling the obsolete vehicles and what type of impact that might make on the total opportunity here. He asked if we thought we could get \$75,000.00 for the old vehicles. Steve Underwood stated that was what they had already been offered. Councilmember Keene pointed out that one piece of information they don't have is what it would cost if they were to purchase them outright and finance them compared to what a lease might be. Mr. Mentz stated the lease is at an annual rate of 0.21931% so you would have to find someone to finance at that low a rate.

Deputy Mayor Fink stated that the maintenance deal is for three years. He asked what it would be for five. Mr. Mentz stated that to do an additional two year warranty would probably be no more than a couple thousand dollars per vehicle and it would warranty the hydraulic system. Deputy Mayor Fink further stated that he would suggest that if it's that inexpensive, he would want to have the extra two years to avoid serious problems. Councilmember Heine asked if one broke down, would the City get a loaner. Mr. Mentz stated that they would get one. Deputy Mayor Fink stated that with the recommendation of the Finance Director, he didn't know if they wanted to put this off. He further stated that his only question is what it will cost, in writing, for the next two years of maintenance because he felt the lease option is the way to go. The City Attorney asked if they would bring the lease agreement forward with the exact numbers before the Council voted. He clarified the \$335,000.00 did not include the trade-in value. Mr. Mentz stated it would be \$335,000.00 and the \$75,000.00 would come off of that.

The Interim City Administrator asked if it was the consensus of the Council to come back at the next meeting with a couple of the alternatives further analyzed. Deputy Mayor Fink agreed and also the contract with the agreement for five years. The Interim City Administrator stated that it would include the value of the lease at the full cost, but at the expiration of it, what is that cost if we choose not a three, but a five year warranty schedule, what would it cost to buy the same two vehicles brand new, and what the value about five years later estimated. Deputy Mayor Fink made a motion to have the Interim City Administrator provide Council with the information previously discussed at the next council meeting. Councilmember Keene seconded the motion. Mayor Frierson opened the discussion to the public. Gary Frierson questioned whether the purchase was for two or three vehicles. Councilmember Keene answered stating that it was two new vehicles and that they were keeping an existing vehicle. Deputy Mayor Fink asked if he could amend his motion slightly to include that the Interim City Administrator come back with a list of how those repairs deal with whether it's the horse or the wagon. Mr. Underwood stated that it was a combination of both. Deputy Mayor Fink stated that he just wanted to find out the percentage. Councilmember Keene seconded the motion. Mr. Underwood pointed out that, that mainly on the front-loader trucks, if both of those trucks go down at the same time he's going to have to run a truck. He stated the longer this is prolonged,

the more chance this is going to happen and that goes for the rear-loaders also. Councilmember Heine asked how long it would take to get the vehicles. Mr. Mentz stated that the rear-loader could be here within 45 days and the front-loader would be 45-60 days after the receipt of the chassis at the factory. The chassis normally takes about 75-80 days to have built. Mayor Frierson opened the discussion to the public. James George asked if the City have an in-house maintenance or is it down outside. Mr. Underwood advised that 90% of the maintenance is done in-house. No discussion followed and it was unanimously, 5-0, approved.

## **COMMENTS FROM DEPARTMENTS**

### **1. CITY MARSHALL**

Marshal Anderson apologized for not getting the Police Department Report to them prior to today, but stated that it had been provided to them prior to this meeting. The computer software has been installed and officers have been trained on how to use it. All equipment, software and computers were purchased through grant money or drug confiscated money so the cost to the taxpayers was zero dollars. A new grant cycle just opened up as of February 1<sup>st</sup> and our new Code Enforcement Officer will have a crash course on how to use the system. That grant was for \$1536. He stated that he had put in for two additional computers and two monitors. The grant will pay for all of that except for \$73.00 which will come out of the Police Department's budget. He stated that before the month is out, we'll have seven new hardware systems and our new computer system going.

### **2. CODE ENFORCMENT OFFICER**

Carl McQuay stated that they are scheduled for another Special Master hearing next month. Councilmember Heine asked if the house on Effie had sold yet. Mr. McQuay advised that it was going up for a tax deed sale on February 5, 2014. He stated that there is a recorded lien on the property and he will ask for the amount of the lien. He further stated that he will then bring it before City Council to make that decision.

### **3. CITY ATTORNEY**

The City Attorney advised that he had placed a call to the State Attorney who is prosecuting the former Marshal Charles Lee and the first day of trial date is set for March 3<sup>rd</sup> and it will be here at the DeSoto County Courthouse.

### **4. INTERIM CITY ADMINISTRATOR**

The Interim City Administrator asked that Gary Frierson step up to the podium. Mr. Slaughter advised that the Airport Advisory Board has been working developing minimum standards for the airport that most communities use. He stated this is beneficial both for safety and day to day operation. He further stated that it possibly opens the door to future grants. Mr. Frierson advised that a copy of the minimum standards had been provided to City Council at the last council meeting with a request for comments. He advised that the FAA doesn't necessarily

approve the standards. He stated that the committee has a meeting scheduled for February 6, 2014, and advised they will try to wrap up a final draft and bring the same before City Council and hopefully get Council's approval as is and then they will send it to FAA and the Florida Department of Transportation. He advised that this document will primarily give guidelines to be used for a person who wants to open a business at the airport. It will also provide a complete list of what is required of the individual. The Interim City Administrator suggested it be heard at a special meeting or on a meeting where City Council has a light agenda where Council could review what the committee is bringing forward, the resolution and ideas regarding leasing the airport. Deputy Mayor Fink made a motion for City Council have a workshop at 5:00 prior to the regular scheduled 6:00 Council Meeting and defer to any action with an agenda item on the agenda so they could deal with it that evening afterwards. Councilmember Heine seconded the motion. No discussion followed and it was unanimously, 5-0, approved.

Mr. Frierson advised that there is a lot of theory about fuel and how much money fuel makes and doesn't make. The committee would like permission from council to authorize the Interim City Administrator to have us get wholesale prices of what fuel costs and get a history regarding the volatility of fuel. Council had no objection.

Mr. Frierson then reminded City Council that the tractor is still broken and the grass is being mowed by the dixie chopper which is not providing a smooth environment. He stated that eventually the dixie chopper will be destroyed and a new one will have to be purchased, a tractor and a mower. Steve Underwood added that when summer comes around, the street department is on limited personnel, 3 people. He further advised that the existing tractor that is used at the airport is worn out and they have been using the street department tractor to mow the airport.

The Interim City Administrator reviewed the workshop agenda. He stated that regarding the changes to the personnel policy, he had two concerns. He wasn't sure if all the policies that were changed were addressed specifically and when distributed to staff, there was no review of the managers. He asked how Council wanted the document to be amended in the future. He stated that he didn't think staff was notified that there was a major revision to the personnel policies that they would operate under. Deputy Mayor Fink stated that he wanted to address the issue that City Council budgets the positions, but don't have control over the positions. He stated that City Council pays the bill and it needed to be addressed. Mayor Frierson stated that there are several things she wants to address as well and possibly add a few items that are very important.

The City Attorney asked if City Council wanted him to attend the workshop. He stated that upon reviewing the agenda, he didn't see much need for legal input, but would attend if they thought he should. Mayor Frierson stated that she didn't think it would be necessary for him to attend. The Interim City Administrator pointed out that if there were going to be any changes made, it would be brought before City Council at a regular scheduled meeting.

**PUBLIC**

NONE

**MAYOR AND COUNCIL MATTERS**

Mayor Frierson stated her surprise regarding the passing of Carol Jones' husband. She stated anger and disappointment that some of the Council was not notified of it and hoped that in the future the administration would see that the Council is told of such an occurrence. The Interim City Administrator stated that he would take responsibility for that. He stated that she was very private and quiet about the arrangements and he took it as a signal to leave it alone. He was concerned about violating her privacy. Mayor Frierson stated that she still felt City Council could be notified that it was a private family occurrence and still be notified about it.

**ADJOURN**

Having no further business at this time, the meeting was adjourned at 8:10 P.M.

ADOPTED THIS 18<sup>th</sup> DAY OF FEBRUARY, 2014

By:



Alice Frierson, Mayor

ATTEST:

  
Penny Delaney, City Clerk