

**AGENDA MINUTES  
CITY COUNCIL  
CITY OF ARCADIA  
TUESDAY, FEBRUARY 18, 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 Heine gave the invocation, which was followed by the Pledge of Allegiance and roll call.

**PRESENTATION**

Mike Moon, Special Consultant with Hanson Professional Services updated the Council, through a power point, on the three projects Hanson is working on behalf of the City at the Arcadia Municipal Airport. The first project was the airfield lighting project. He stated the taxiway lighting and runway lighting is completed. Also directional signage and precision approach path indicators have been installed. The electrical vault is the last piece of the project. It has been constructed and is waiting for delivery. He further stated this project will complete on budget approximately two months ahead of schedule. The second project was the pavement rejuvenation and marking which will extend the life of a runway or taxiway by about seven to ten years. A major runway/taxiway ramp rehabilitation would have been between \$3,000,000.00 and \$4,000,000.00. The project was completed for approximately \$146,000.00, so over the next seven years as you're getting the useful life out of it, the \$3,000,000.00 and \$4,000,000.00 worth of grant money can be used for other projects at the airport. This project also included runway, taxiway and ramp striping. The final project is the airport master plan which is just now in phase one. Phase one includes the airport requirements and inventory of existing facilities and airport activities and a forecast of aviation demand. They are preparing to present those items to the airport advisory board at their March 20<sup>th</sup> meeting. If they are adopted by the airport advisory board, then the forecast will then go to the FAA. He advised they will have two additional meetings with the airport advisory board in addition to the meeting on March 20<sup>th</sup>. He stated he

plans for one of those to be a joint meeting with City Council. Then they will have the final meeting with the airport advisory board and once adopted by them, the final plan will come back to City Council for adoption and recommendation to forward to FAA for comment and approval. He stated he anticipates having the joint meeting with City Council and AAB sometime in late June or early July. He further stated the final adoption hearing will probably be toward the end of the year, late November, early December. He stated this is a two year project from FAA, so the second year of funding will not be available until September so that's why the timeframe has been stretched out.

Gary Frierson, Chairman of the Airport Advisory Committee, gave a brief overview of the minimum standards and guidelines and the meetings and comments that led up to the final document. He stated the committee would like to get Council's approval, not adoption, then forward it to FAA for their comments. If it comes back from FAA with no comments or recommendations, he would bring it back to Council for adoption. The Interim City Administrator asked if the Council wanted to handle it as a regular agenda item or as a workshop first. Councilmember Keene felt it could be handled as a regular agenda item. Mayor Frierson opened it up to the public for comment. Deputy Mayor Fink moved for Mr. Frierson to go back with the changes to his group and then report back to Council at the next meeting. Councilmember Heine seconded the motion. No discussion followed and it was unanimously, 5-0, approved.

Beth Carsten, Finance Director, gave a brief overview of the City's budget. She pointed out that the figures are preliminary. Regarding revenues, she stated that based on what was budgeted, the City has taken in 31.8%. Regarding expenses, she stated that to date the city has expended 18%. She advised these are first quarter and should be around 25%. However, the City has actually taken in 39.2% of the revenues and expended 27.2%. It was agreed upon by Council to have the Finance Director present the budget to the Council at the second regular meeting each month. Councilmember Keene stated that he liked the format and is looking forward to seeing the updated numbers. Ms. Carsten stated there are some unknowns regarding health insurance. Councilmember Keene asked that those areas be included in the report as well. Mayor Frierson asked what areas she was concerned about. Ms. Carsten advised that she was concerned about health insurance and workman's comp. She also stated that there are a few areas regarding equipment repairs and overages, but nothing is out of control at this point, some were budgeted. Mayor Frierson pointed out budget areas that are of great concern.

### **CONSENT AGENDA**

Mayor Frierson stated the City Council would address the consent agenda at that time. Deputy Mayor Fink made a motion to approve the consent agenda (Items 3-5) and move Item 6 to discussion. Councilmember Keene seconded the motion. No discussion followed and it was unanimously, 5-0, approved.

### **Discussion Item 6 – Request for Special Event Permit – Jehovah’s Witness Literature Distribution Table**

Deputy Mayor Fink asked where the group was planning to set up. Carl McQuay advised that it was to be at the Tree of Knowledge and that they are looking at the second Saturday of every month which is the only open Saturday as the other are already taken by other groups. Mr. Maybell of the Jehovah’s Witness group advised that they will only have a small table and two individuals with literature. No one will be approached. The City Attorney advised that there will be no reason for a permit, no need for additional insurance, no need to block streets. It was agreed to allow an area for the group to set up. Mr. McQuay will meet with Mr. Maybell regarding a location. Deputy Mayor Fink made a motion to not approve the special events permit but instruct staff to deal with the gentleman and his organization to set up in a manner that does not impede traffic flow or occupancy of the property. Councilmember Heine seconded the motion. No discussion followed and it was unanimously, 5-0, approved.

### **Discussion Item 7 – Release of Lien on 301 S. Dade Avenue**

Mr. McQuay advised the City had a lien on property located at 301 S. Dade. Last year, it was bought on the courthouse steps by a company and then resold to a gentleman. He came in and paid the lien. He didn’t ask for any reductions, but paid the total amount. Councilmember Keene made a motion to approve the Release of Lien. Deputy Mayor Fink seconded the motion. No discussion followed and it was unanimously, 5-0, approved.

### **Discussion Item 8 – City Council Minutes for September 3, 2013, September 17, 2013, October 1, 2013, October 15, 2013 and November 29, 2013**

The City Clerk advised that upon reviewing previous minutes, it came to her attention that minutes for September 3, 2013, September 17, 2013, October 1, 2013, October 15, 2013 and November 29, 2013 had either been approved and not signed (that City Recorder is now no longer employed by the City) or they were never approved. She asked for approval of the minutes so the website and records book could be brought up to date.

Lew Ambler with DeSoto Insurance addressed the Council. He asked for clarification regarding what was voted on in the October 15, 2013 meeting. In that meeting, he advised that there was a fairly lengthy discussion regarding the alternatives of the insurance program and what they provided. The Council voted to make changes that were substantial. The minutes presented only stated that Mr. Ambler was at the meeting and the potential changes and savings that the City could implement were reviewed. He stated he would like clarification on that for his protection and for the City’s protection. Deputy Mayor Fink asked the City Clerk if there were copies of the dvds of that particular meeting. The City Clerk advised she had not had an opportunity to go through all of the dvds/cds, only the records book, but that she would look into it. Mayor Frierson instructed the City Clerk to check on it and get in touch with Mr. Ambler. The Interim City Administrator suggested, if the cds can be located, to provide a verbatim of the specific action for Mr. Ambler. Deputy Mayor Fink moved that the Council approve the minutes for September 3, 2013, September 17, 2013, October 1, 2013 and November 19, 2013, holding in

abeyance minutes from October 15, 2013. Councilmember Heine seconded the motion. No discussion followed and it was unanimously, 5-0, approved.

#### **Discussion Item 9 – Change Order for Water Treatment Plant Construction**

A.J. Berndt of the Utilities Department stated this is a loan given by the FDEP that will have no impact upon the City. It's money that is being given to the City with the loan that we already have to keep refurbishing the wells, the SCETA system and also for technical support to complete the water treatment plant. He advised the City has six wells and they're down to four wells. Two need to be re-lined and new motors need to be put on them. The casing is completely gone. They're 60 year old wells. Councilmember Heine made a motion to approve and Deputy Mayor Fink seconded the motion. No discussion followed and it was unanimously, 5-0, approved.

#### **Discussion Item 10 – Lease Agreements with Standard/Extended Warranties re Sanitation Trucks**

Steve Underwood of the Sanitation Department advised that on February 4, 2014, Council instructed the Sanitation Department to come back before them with extended warranties on a proposed lease of two sanitation trucks. He advised that all of the options to be addressed will be to purchase the trucks outright. Mr. John Mintz of JLM Equipment advised that it could best be described as option one will give you a three year lease with a standard warranty, option two will give you a five year lease with a standard warranty and option three will give you a five year lease with the extended warranty which will give you the coverage for the entire length of the five year lease.

Mayor Frierson advised that there is another company who would like to come and address the Council. Deputy Mayor Fink stated that since Mr. Mintz has the state contract, it could change the entire scheme of things by putting it off for Council to go through a bidding process which they don't have to do. The City Attorney advised that was correct. Mayor Frierson stated that she felt Council needed to recognize that the City has budget problems and is on the Tallahassee watch list and this Council needs to learn to say no. She advised that didn't mean that Council couldn't look at it at a later date when they have a better handle on the budget. She stated that the Council has given out \$50,000.00 in raises that was not in the budget, a vacuum truck was purchased that was not in the budget, and Council has already committed future budgets to a quarter of a million dollars and this annual payment is \$76,000.00 if Council goes with the extended warranty. She stated there has to be some responsibility with this Council and they're not giving it.

Councilmember Keene stated that the City has to decide whether they're in the garbage pick-up business or not. He stated he agrees with Mayor Frierson, but stated there are other ways to pick up garbage than the City buying trucks. It can be contracted out, but in meetings in the past, no one wanted to do that. Mayor Frierson advised that upon reviewing the budget, the budget audit was only \$55,000.00. She further advised this audit is costing the City over

\$85,000.00; that's a \$35,000.00 deficit right there. She stated insurance is going through the roof and we have no place to get this money from.

Deputy Mayor Fink advised that if we give the contract to Womack, then it will be for the next five years because that's state statute. Steve Underwood stated the first year would be paid for and the second year and a half will entail the \$110,000.00 this year that has already been budgeted for. So it will cover two and a half years between the trade-in and what's already been budgeted for. Mayor Frierson opened the discussion to the public. Janie Watson stated that she agrees with Mayor Frierson. She doesn't feel Council is addressing the issue. The money is not there.

Deputy Mayor Fink made a motion to go with the rental agreement for option three. Councilmember Heine seconded the motion. No discussion followed and it was approved, 4-1. Mayor Frierson cast the dissenting vote.

### **Discussion Item 11 – Police Department Impound Ordinance (First Reading)**

Lieutenant Kevin Joens of the Arcadia Police Department addressed Council regarding an impound ordinance to generate revenue for the police department for training and equipment that was cut from last year's budget. He stated that basically when they arrest someone for a criminal charge and their vehicle is towed, their vehicle will go to the police impound yard and the individual will have to pay the impound fee. The City Attorney advised that the owner of the vehicle is entitled to due process, so there is a right to a preliminary hearing and a final hearing. Those hearings are conducted by a Special Master so this may result in additional work for the Special Master. The City Attorney stated that he had spoken with him and he stated that it would be lumped in with the same time that he may be coming down for a code enforcement hearing. Councilmember Heine made a motion to read the ordinance by title only. Councilmember Keene seconded the motion. No discussion followed and it was unanimously, 5-0, approved. The City Clerk read title only of said ordinance. Councilmember \_\_\_\_ made a motion to approve the first reading. Councilmember \_\_\_\_ seconded the motion. No discussion followed and it was unanimously, 5-0, approved.

### **Discussion Item 12 – Personnel Policy Manual Update**

The Interim City Administrator directed Council to the agenda packet, section twelve which was a short memorandum that was to be used as a guide by staff to make changes to the personnel policy manual that will be brought to Council. He addressed the issue of vacation/sick leave buy back. Councilmember Keene stated that what had been laid out by the Interim City Administrator is palatable to him and he felt it is what should be done for all staff, including the due process staff. He felt that as the Council gets through the personnel policy changes, he felt they would get there. Councilmember Keene made a motion that to proceed and Deputy Mayor Fink seconded the motion. No discussion followed and it was unanimously, 5-0, approved. Councilmember Keene asked the Interim City Administrator if he was just looking for clarification on the discussed changes to the personnel policy and he will be coming back to Council with those changes. The Interim City Administrator asked if Council wanted to see it

first as a workshop or just as an agenda item. He reminded Council that it will be in a legislative format so it should make it easier to see where the changes from the latest document to the proposed document that would be brought forward for consideration.

### **COMMENTS FROM DEPARTMENTS**

#### **1. CITY MARSHALL**

Lieutenant Gary Evans informed Council that there had been a Spanish/Mexican event week before last and everything was organized with the exception of a couple of cars that were broken into. At all times the noise level was kept before the ordinance level. He advised that approximately 7,000.00 people attended the event.

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

Code Enforcement Officer Carl McQuay stated that Mr. Gaines of Stonegate Apartments is having meters placed in. Mr. Gaines tried to say that he had an agreement with the City exempting him from permits which was not true. He is required to pull permits for each individual meter that is placed in the apartment complex. He has an outstanding bill with the City. He has been informed that once the meters are placed in, the water will not be reactivated until the past due amount is paid. Mr. McQuay advised that tomorrow he will go out and perform a cease and desist. Mayor Frierson asked if he has a permit at all. Mr. McQuay advised he has no permit whatsoever. The Interim City Administrator advised that Mr. Gaines is on City water. He advised there is another issue outstanding that has to do with unpermitted work and hooking on to a private well and violating certain state standards. The Mayor asked if he was keeping the water bill current on the current charges and this is just the past due charges. The Finance Director advised that he had a bill of \$4800.00 due today and it is now past due and there will be a new bill next week which will place it at around \$9,000.00. He has the nine days that were allotted for upgrades and he's been told he has until the 26<sup>th</sup> and if not paid, the City will cut it off with no notification to the tenants. The Finance Director advised that there is another account that he owes \$18,000.00 on.

#### **3. CITY ATTORNEY**

NONE

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

NONE

### **PUBLIC**

NONE

MAYOR AND COUNCIL MATTERS

Councilmember Heine addressed the issue of check warrants being provided in the councilmember's packets. He felt it was time consuming and a waste of paper. Mayor Frierson pointed out that the paper is expensive. She also stated that she felt the Finance Director could cover it with her monthly report to the Council. Councilmember Keene stated that he didn't need a copy printed out for him as long as nothing has changed before he comes to the meeting. He felt that it should be his decision to print out what he wants to print out at his expense, but he felt it should be available to at least look at on the website. Mayor Frierson stated that if a councilmember wants a copy of it, they will ask for it, but to not include it in the printed packets.

Deputy Mayor Fink advised that he had spoken with someone who is with the Arts and Humanities Council and they were wondering if Council would be willing to allow them to grace the City's walls with some of their art as they do in other public buildings. All council members were in agreement.

Regarding agenda item eight, Deputy Mayor Fink stated there had to be some type of thing where if she were ever to come back to the City and ask for a reference, he asked if the Interim City Administrator had written the thing regarding there not being a reference because no one else needs that kind of trouble with minutes. He stated that he hated to think the Council would pass that along to someone else and he hoped it would be reviewed and if Council were asked a question, it would be not hired under any circumstance. Mayor Frierson stated that she didn't want to be that harsh. She further stated they are gone, let it be. Councilmember Keene stated that it brings up a good point as to what should the Council's position be for giving references.

Mayor Frierson asked John Super if he had any more information for Council regarding the search. Mr. Super stated that the committee has five applicants at this point. The next meeting is scheduled for March 3, 2014. He stated on another matter, they had over 45 cars at the last car show with people attending from Naples, Bradenton and Port Charlotte

ADJOURN

Having no further business at this time, the meeting was adjourned at 8:20 P.M.

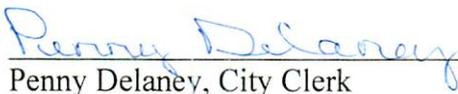
ADOPTED THIS 4<sup>th</sup> DAY OF March, 2014

By:



Alice Frierson, Mayor

ATTEST:

  
Penny Delaney, City Clerk