

**MINUTES  
CITY COUNCIL  
CITY OF ARCADIA  
TUESDAY, FEBRUARY 19, 2013  
6:00 PM**

*The following minutes reflect action items of the City Council of the City of Arcadia. For a verbatim copy of the minutes you may contact City Administration to obtain a copy of the recorded meeting.*

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

The meeting was called to order at approximately 6:00 p.m.

Councilman Heine gave the invocation which was followed by the Pledge of Allegiance.

**Arcadia City Council**

Mayor Keith Keene  
Deputy Mayor Robert Heine  
Councilman Robert R. Allen

Councilwoman Alice Frierson  
Councilman Joseph E. Fink

**Arcadia City Staff**

City Administrator Judi Jankosky  
City Attorney Thomas J. Wohl  
Finance Director Renee Green

City Recorder Virginia S. Haas  
Marshal Charles Lee

**PRESENTATION**

Legislative Priorities – Kathy Till, Advocacy Consultants, FLC

Mrs. Kathy Till, FLC, informed the Council of the 2013 legislative priorities and summarized bills that may effect local governments. She thanked Council for their support.

**CONSENT AGENDA**

1. February 5, 2013 City Council Minutes
2. Check Warrant Reports from 02/04/13, 02/18/13, 02/13/13, 02/14/13
3. Finance and Utility Billing Update
4. Air-Cadia Flowage and Hangar Report for January 2013
5. Special Event Permit and Street Closure for March Rodeo Parade
6. Request for Certificate of Appropriateness for demolition of structure located at 530 W. Hickory Street, Applicant, Roger Penner
7. Special Event Permit for 2<sup>nd</sup> Annual Easter Egg Hunt at Louis Anderson Park, Applicant, Men of Character

**A motion was made by Councilman Fink and seconded by Deputy Mayor Heine to approve consent agenda items 1 through 3 and 5 through 7 as presented. The motion carried 5-0.**

Councilman Fink addressed the tie down fees for January and noted that there was a plane tied down there for a month. Mrs. Jankosky explained that the tenant does in fact own a hanger and that Mrs. Minnear would be speaking with the owner regarding the tie down fees and amend the report as necessary. **A motion was made by Councilman Fink and seconded by Councilman Heine to approve item number 4 with conditions as set forth above. The motion carried 5-0.**

### **DISCUSSION ITEMS**

#### **8. Seacoast National Bank (Finance Director)**

Mrs. Renee Green, Finance Director, requested Council approval to establish a pooled cash account at Seacoast Bank which would involve moving the water and sewer accounts and the payroll account. This action would increase interest amounts and allow for liquid assets.

**A motion was made by Councilman Fink and seconded by Councilwoman Frierson to approve establishing the water and sewer accounts and moving the payroll account to Seacoast National Bank as recommended by the Finance Director. Motion carried 5-0.**

#### **9. Budget to Actual Statements: October 1, 2012 to December 31, 2012 (Finance Director)**

Mrs. Green reviewed the overall standings for the first quarter and each item should be somewhere near the 25 percent mark. She reviewed the revenues and expenditures and noted that most departments are well below the 25 percent. Council thanked Mrs. Green for the statements and the update on the Finance Department.

#### **10. Request for Certificate of Appropriateness for demolition of structure located at 205 W. Magnolia Street, Applicant Durwood C. Smith, DC Smith Leasing, Inc. (City Planner)**

**A motion was made by Councilman Allen and seconded by Councilwoman Frierson to approve the Certificate of Appropriateness for demolition of structure located at 205 W. Magnolia Street as presented. The motion carried 5-0.**

#### **11. Amended Mobile Home Park Rules (City Administrator)**

**A motion was made by Deputy Mayor Heine and seconded by Councilwoman Frierson to approve the amended Mobile Home Park Rules as presented. The motion carried 5-0.**

#### **12. Contract with DCYBS (City Administrator)**

**A motion was made by Councilman Heine and seconded by Councilman Allen to approve the Contract with DCYBS to include a change to page 3 "electricity (up to \$3,000)". The motion carried 5-0.**

#### **13. SWFWMD Fee Reduction Letter (City Administrator)**

**A motion was made by Councilman Fink and seconded by Deputy Mayor Heine to approve SWFWMD fee reduction letter as presented. The motion carried 5-0**

#### **14. Consolidating City and Way Building Offices (City Administrator)**

Mrs. Jankosky reviewed plans for consolidating City Hall and the Way Building offices. Council voiced their support for the transition. Mrs. Jankosky stated that the City must provide a 60 day notice to the Senior Friendship Center and asked if she may proceed. Council agreed.

15. Computer Purchase (City Administrator)

**A motion was made by Deputy Mayor Heine and seconded by Councilman Allen to approve the purchase of 15 computers for the City of Arcadia. The motion carried 5-0.**

16. Hazen and Sawyer Specific Authorization #17 – Hwy. 17 Utility Engineering (City Administrator)

**A motion was made by Deputy Mayor Heine and seconded by Councilman Allen to approve Specific Authorization #17, Highway 17 Utility Engineering, Hazen and Sawyer as presented. The motion carried 5-0.**

16a. Health Insurance

**A motion was made by Councilman Fink and seconded by Deputy Mayor Heine that those retirees presently retired from the City of Arcadia will continue to receive benefits as promised by past practice. The motion carried 5-0.**

**A motion was made by Councilman Fink and seconded by Deputy Mayor Heine directing the City Administrator to return to Council with specific costs and options for retirees that will be retiring in the system. The motion carried 5-0.**

**ORDINANCES**

**17. ORDINANCE NO. 978; SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY OF ARCADIA, FLORIDA, PROVIDING FOR THE AMENDMENT OF THE CITY OF ARCADIA'S COMPREHENSIVE PLAN, REVISING THE INFRASTRUCTURE, CONSERVATION, INTERGOVERNMENTAL COORDINATION, AND CAPITAL IMPROVEMENTS ELEMENTS; AND ADOPTING THE CITY OF ARCADIA'S TEN-YEAR WATER SUPPLY PLAN; PROVIDING FOR TRANSMISSION OF THIS ORDINANCE TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY FOR REVIEW AND A FINDING OF COMPLIANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE. (CFRPC)**

**The City Recorder read Ordinance No. 978 by title only.**

**Mayor Keene opened the public hearing for second reading.**

**A motion was made by Deputy Mayor Heine and seconded by Councilman Fink to adopt Ordinance No. 978 at second and final reading. There was no comment from the public. The motion carried 5-0.**

**Mayor Keene closed the public hearing.**

**18. ORDINANCE NO. 984; FIRST READING AN ORDINANCE AMENDING DIVISION 3 OF ARTICLE IV OF CHAPTER 2 OF THE CODE OF ORDINANCES OF THE CITY OF ARCADIA BY RENAMING THE TITLE OF CITY RECORDER TO CITY CLERK; DELETING SEC. 2-115 CUSTODY OF CITY FUNDS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (City Attorney)**

Councilman Fink questioned who would be in the custody of City Funds since the City Recorder was removed. Councilman Fink requested that an additional Ordinance be introduced to identify who would be the custodian of funds.

**A motion was made by Councilman Fink and seconded by Deputy Mayor Heine to table Ordinance No. 984 to the March 5, 2013 Meeting to allow an additional Ordinance to be drafted addressing the custody of funds. The motion carried 5-0.**

**19. ORDINANCE NO. 985; FIRST READING OF AN ORDINANCE AMENDING SECTION 11 OF THE CHARTER OF THE CITY OF ARCADIA TO CHANGE THE ELECTION DATES FOR THE OFFICE OF THE CITY COUNCIL; PROVIDING FOR THE ONE TIME EXTENSION OF THE TERMS OF THE CITY COUNCIL MEMBERS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (City Attorney)**

Attorney Wohl stated that an additional Ordinance would need to be drafted to amend 46-264 amending the Marshal's term of office. The City Recorder read Ordinance No. 985 by title only.

**A motion was made by Deputy Mayor Heine and seconded by Councilman Allen to approve Ordinance No. 985 at first reading. Councilman Fink stated that he did not question whether the Ordinance was legal however he feels it is not a prudent act when the Council could shorten the terms. He felt the Ordinance may be legal however he could not support passage of this Ordinance. The motion carried 4-1 with Councilman Fink dissenting.**

**COMMENTS FROM DEPARTMENTS**

**20. City Marshal**

Councilman Fink reported to Marshal Lee on a parking issue downtown that was reported to the Police Department three times. Marshal Lee replied to Mayor Keene that there is no violation during the daytime however it is illegal at night.

**21. Attorney**

- a. Update on 342 S. Orange Avenue Code Enforcement Lien

Attorney Wohl reported that he would conduct a title search on 342 S. Orange Avenue as soon as he receives the recorded lien from the Police Department.

## b. Air-Cadia

Attorney Wohl reported that the Minnear's Attorney stated the main complaint was the doors not functioning at the Butler Building during 2009 and 2010 rendering it inoperable. The Minnear's are requesting applying that credit towards the amount owed (\$6,600). Attorney Wohl stated that he would review to find if any notices were sent to the City. Mayor Keene requested an update for the next meeting.

## c. Friends of Arcadia Airport Contract

Attorney Wohl reported that he spoke with Mr. George Chase regarding use of the Airport for events like the pancake breakfast. Mr. Chase submitted an agreement, however Attorney Wohl feels the agreement is not necessary. The Council agreed to allow pancake breakfasts in the hangar at the Airport and Attorney Wohl will confirm that nothing in the lease disallows these types of activities.

**A motion was made by Councilman Fink and seconded by Councilman Allen to allow Friends of Arcadia Airport to hold pancake breakfasts out of a hangar subject to the review of the lease agreement. The motion carried 5-0.**

## 22. City Administrator – No Report

**PUBLIC** (PLEASE LIMIT PRESENTATIONS TO FIVE MINUTES)

No Public comment

**MAYOR AND COUNCIL MATTERS**

No Reports

**ADJOURN**

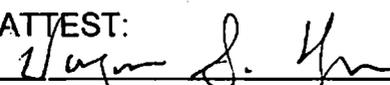
There being no further business the meeting adjourned at 7:20 p.m.

**APPROVED THIS 5th DAY OF MARCH, 2013.**

By:

  
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 Keith Keene, Mayor

ATTEST:

  
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 Virginia S. Haas, City Recorder