

**AGENDA MINUTES  
CITY COUNCIL  
CITY OF ARCADIA  
TUESDAY, MARCH 21, 2017  
6:00 P.M.**

*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.*

**INVOCATION, PLEDGE CALL TO ORDER AND ROLL CALL**

Deputy Mayor Simons gave the invocation which was followed by the pledge of allegiance. The Mayor called the meeting to order at approximately 6:00 p.m. and the following members and staff were present:

**Arcadia City Council**

Mayor Judy Wertz-Strickland  
Deputy Mayor Jaccarie D. Simons  
Councilmember Robert W. Heine, Jr.

Councilmember Susan Coker – not in attendance  
Councilmember S. Delshay Turner – not in attendance

**Arcadia City Staff**

City Administrator Terry Stewart	Utilities Director A.J. Berndt
City Clerk Penny Delaney	Projects and Airport Manager Shelley Peacock
City Attorney T.J. Wohl	Finance Director Beth Carsten

**PRESENTATIONS**

**Agenda Item 1 – Presentation – Saturday Night Lights End of Season Report**

Emily Morris, Connie Bateman and Heidi Robbins presented the Saturday Night Lights End of Season Report to the City Council (a copy of the presentation is on file in the City Clerk's office). The committee members' names were read aloud, along with the list of sponsors. Connie Bateman advised that their goal was to raise Three Thousand and 00/100 Dollars (\$3,000.00) and they actually raised Eight Thousand Five Hundred Fifty and 00/100 Dollars (\$8,550.00). Mrs. Morris advised that the money raised went toward the purchase of a new projector, the movie screen, t-shirts and they were able to have give-aways at the events. She further advised that the movie costs which included the copyrights were also paid out of the money raised. Emphasis was given to the movies provided, music, community collaborations, concessions provided by various organizations and the positive feedback received. The committee thanked the City Council for their support. City Administrator Stewart advised that

when raised funds were brought to the City Finance Department, all procedures were followed that are in place for a governmental entity and it was accomplished with no difficulty. Deputy Mayor Simons thanked the committee for their endeavors.

### **Agenda Item 2 – Presentation – Smith-Brown Community Foundation Update**

Ashley Coone addressed the City Council to provide an update regarding the Smith-Brown Community Foundation. She reminded the Council that the foundation and the City had entered into a twenty-five (25) year lease in October 2014 to explore the feasibility of renovating the Smith-Brown facilities to open a boys and girls type program so children in the community have a safe place to go. She advised that since the lease was signed, a feasibility study had been done and over One Hundred Thousand and 00/100 Dollars (\$100,000.00) had been raised for the project. She further advised that the money had been spent on architectural and engineering drawings. She pointed out that the project includes the gym and an administrative building which would include air conditioning which is very expensive and she advised they had learned it will be a One Million and 00/100 Dollar (1,000,000.00) project. She stated that it would also require funds in place to ensure sustainability and programs. She advised that Phase 1 was the administrative building and it would take approximately Two Hundred Thousand and 00/100 Dollars (\$200,000.00) to renovate it. She stated they have approximately Sixty and 00/100 Dollars (\$60,000.00) in the bank currently and also have the opportunity for funding to be matched that is donated to the project.

DeSoto County School Superintendent Adrian Cline addressed the City Council and thanked them for supporting the project and allowing the foundation and the advisory council to undertake the restoration of the facility which had initially been an educational facility. He advised the after-school programming would be an extension of the school day with the opportunity for enjoyable activities along with working with the students in areas where they are showing weaknesses in the core subjects. He stated this would also open up the opportunity to provide first class volunteers to assist in the core subjects, but he pointed out that the youth in the community would also learn about character, the value of role models and the difference between right and wrong. He advised that the US Department of Education and the Florida Department of Education are very generous with grants between governmental organizations that provide additional educational services for students. He stated that whatever can be done for our children is never wasted and they see it as an economical means to provide an additional outreach to our community.

Ashley Coone stated their goal was to have the building renovated and programming started by the beginning of the summer of 2018, but they needed to raise approximately One Hundred Fifty Thousand and 00/100 Dollars (\$150,000.00). She advised they were committed and could not do it without the support of the City Council. She asked if there were any questions and there were none.

### **CONSENT AGENDA**

#### **Agenda Item 3 – City Council Workshop Minutes for March 7, 2017**

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**Agenda Item 4 – City Council Regular Meeting Minutes for March 7, 2017****Agenda Item 5 – City of Arcadia Municipal Airport January 2017 Report**

Councilmember Heine made a motion to approve the Consent Agenda Items 3, 4 and 5 and Deputy Mayor Simons seconded the motion. No discussion followed and it was unanimously, 3/0, approved.

**ACTION ITEMS****Agenda Item 6 – Traffic Signal Maintenance and Compensation Agreement – Exhibit A**

Utilities Director A.J. Berndt advised this was a yearly update for compensation from the Department of Transportation to maintain the traffic lights throughout the City of Arcadia. He advised they no longer send a whole contract unless there are changes in the language, but instead send the updated exhibit. He further advised that nothing had changed in the contract with no increases or decreases from last year. Regarding the funding source received from the State, Mr. Stewart advised it was for the purpose of keeping the lighting and signals operating within the City of Arcadia and he stated Mr. Berndt has that responsibility and has done a very good job with it. Mr. Stewart stated that in years past, if the money was not all spent, it was rolled over into the general fund. He stated staff did not think such was appropriate and in last year's budget, staff had asked Council to enable staff to create a fund where if those funds were not expended, it would roll over and remain for that use and for that purpose which enables funds to be available if a major cost item were to come along. Deputy Mayor Simons made a motion to approve Exhibit A to the Amendment to the Traffic Signal Maintenance and Compensation Agreement with the FDOT in the amount of Forty-Five Thousand Eight Hundred Ninety and 00/100 Dollars (\$45,890.00) and Councilmember Heine seconded the motion. No discussion followed and it was unanimously, 3/0, approved.

**Agenda Item 7 – Approval of Small Communities Outreach Program Grant Application**

City Administrator Stewart informed Council that the work necessary to put the proposal together was done by Public Works Director Steve Underwood and he stated Mr. Underwood had done a very good job with it. He explained how the selection of roads are determined before it is turned over to City Council with a recommendation for approval of an application. He stated that if Council were to approve this, they would be approving for staff to submit the SCOP application to the State of Florida Department of Transportation and this would be to propose to pave 12<sup>th</sup> Avenue which is a current right-of-way so no right-of-way acquisition would have to be performed, but it is a totally unpaved road. City Administrator Stewart stated it would connect SR 70 north on 12<sup>th</sup> up to Maple Street which will take some of the traffic off of 10<sup>th</sup> Avenue and Turner Road. Councilmember Heine made a motion to approve submittal of the application for the State of Florida Small Communities Outreach Program (SCOP) Grant for 12<sup>th</sup> Avenue and Deputy Mayor Simons seconded the motion. No discussion followed and it was unanimously, 3/0, approved.

**Agenda Item 8 – Turf Runway Drainage Improvements Scope of Services from Hanson Task Order No. 1**

City Administrator Stewart reminded Council that they had previously given staff approval to submit a grant with the State of Florida for doing the design phase of the turf runway project. He informed Council they had received approval for the grant and the City's consultant, Hanson Professional Services, had submitted a proposal for the design services that falls within the amount that was provided by the grant which would be for their services designed through to construction. Mr. Stewart stated that once the design is done, it will be brought forward and they will be able to get construction bids which will be the next phase to be presented to the State of Florida. Deputy Mayor Simons made a motion to approve Hanson Professional Services Scope for the Turf Runway Drainage Project Task Order No. 1 in the amount of Two Hundred Forty-Nine Thousand Nine Hundred Ninety-Nine and 00/100 Dollars (\$249,999.00) contingent on State approval and Councilmember Heine seconded the motion. No discussion followed and it was unanimously, 3/0, approved.

**Agenda Item 9 – Airport Master Plan (AMP) and Airport Layout Plan (ALP) Update from Hanson Task Order No. 2**

City Administrator Stewart asked Shelley Peacock to step to the podium and stated she was doing a great job with the airport management. He reminded Council that staff had brought to Council the information that there are two (2) entities who are interested in locating their businesses to the airport; one (1) is a rotary wing rebuild company and the other is a foreign based entity and Council had given staff the go ahead to continue the exploration on such. Staff has been informed by the FAA that as long as it is on the Airport Master Plan, it will be fine and there is money left on the grant to accomplish it. Mrs. Peacock advised that as soon as she learned that, she contacted the City's consultant regarding a scope for the design; updating the ALP and the AMP. She stated this was just an update from what they already have to show future business for that portion of the airport. Mr. Stewart advised this would be based on the current consulting contract even though it is being funded out of a grant that goes back several years, work will be done on the current schedule of fees that staff has with Hanson and the proposal submitted reflects such and the amount is a not-to-exceed amount. He stated there were funds left over which will cover Fifteen Thousand and 00/100 Dollars (\$15,000.00), but this is not to exceed Twenty Thousand and 00/100 Dollars (\$20,000.00) so there is a possibility that it may be a little more than the amount left in the grant. City Administrator Stewart also informed the City Council that the type of buildings may require additional water flowage to them which could be a positive for the airport in general for current operations and future improvements. He explained that Utilities Director Berndt had advised that a looping project going on out near the airport will essentially tie in some of the City's services and the pipes will be upsized as well. He stated that no decisions will be made that does not involve City Council's input and approval. Deputy Mayor Simons asked after the ALP is revised if it would need to be reviewed by the FAA and City Administrator Stewart stated that it would need to be reviewed and accepted by the FAA. Councilmember Heine made a motion to approve Hanson Professional Services Scope for the Airport Master Plan and Airport Layout Plan Revision Task Order No. 2 on an hourly basis not to exceed Twenty Thousand and 00/100 Dollars (\$20,000.00) as presented (hourly rates

per the GEC contract) and Deputy Mayor Simons seconded the motion. No discussion followed and it was unanimously, 3/0, approved.

**Agenda Item 10 – Resolution 2017-08 – Oppose House Bill 17 and Senate Bill 1158**

City Attorney Wohl advised that the Mayor sits on the Advocacy Committee for the Ridge League and the Florida League as well and there are a number of issues that are important to all municipalities. He advised two (2) other resolutions will be heard that are not on the agenda, but the City is attempting to pass the resolutions to show the legislature what the city's position is and that it objects to some of the proposed legislation that is happening. He stated that Resolution 2017-08 opposes House Bill 17 and Senate Bill 1158 which are proposed legislations that are seeking to essentially preempt the regulation of local businesses to the state. Mr. Wohl explained that municipalities in the State of Florida have home rule power and essentially are given the authority to regulate as long as it is not preempted by the state or federal government. He stated this was another example of the legislature wanting to chip away at home rule power and take some of it away from the municipalities. Mayor Wertz-Strickland stated that if this bill takes place, the City of Arcadia stands to lose approximately Thirty-Two Thousand and 00/100 Dollars (\$32,000.00) in revenue. Deputy Mayor Simons made a motion to read Resolution 2017-08 by title only and Councilmember Heine seconded the motion. No discussion followed and it was unanimously, 3/0, approved. Mayor Wertz-Strickland instructed the City Clerk to read Resolution 2017-08 by title only and the City Clerk did so. Councilmember Heine made a motion to approve Resolution 2017-08 encouraging all members of the Florida Legislature to oppose House Bill 17 and Senate Bill 1158 and Deputy Mayor Simons seconded the motion. No discussion followed and it was unanimously, 3/0, approved.

**Walk-On Item – Resolution 2017-09 – Oppose House Bill 687 and Senate Bill 596**

City Attorney Wohl advised that Resolution 2017-09 and 2017-10 are walk-on agenda items that the Mayor just received yesterday which will be forwarded to the legislature. He stated that Resolution 2017-09 has to do with the micro wireless antennas that they are essentially preempting to the state the ability to regulate said antennas that are located in the public right-of-ways. He explained that currently, the municipalities such as the City of Arcadia can determine height requirements, location requirements and fees and this would take away from such. He advised this was the result of some strong lobbying efforts, geared for a certain industry and is funded by well heeled corporations in the technology business. Councilmember Heine asked what their purpose was for doing so and City Attorney Wohl stated they are locating these wireless facilities, would place a tower in a right-of-way and then lease off the rights for certain cell companies to put satellites on it to increase their coverage and cell service. City Administrator Stewart stated that the legislature, over the past decade, has been working very hard to remove any local government control over businesses. He further stated that the idea that has been often expressed is that they want the control over that to be centrally located in the Florida legislature so that businesses only have one set of rules to go by and it is less expensive and less onerous to be in business in the State of Florida. He stated that what is not thought through often is how it will impact local governments and the ability of local governments to have self determination nor is it thought through about how it is going to impact the budgetary

concerns of local governments. Deputy Mayor Simons made a motion to read Resolution 2017-09 by title only and Councilmember Heine seconded the motion. No discussion followed and it was unanimously, 3/0, approved. Mayor Wertz-Strickland instructed the City Clerk to read Resolution 2017-09 by title only and the City Clerk did so. Councilmember Heine made a motion to approve Resolution 2017-09 encouraging all members of the Florida Legislature to oppose House Bill 687 and Senate Bill 596 and Deputy Mayor Simons seconded the motion. No discussion followed and it was unanimously, 3/0, approved.

### **Walk-On Item – Resolution 2017-10 – Oppose House Bill 13**

City Attorney Wohl stated that Resolution 2017-10 opposes House Bill 13 which is proposed legislation that would terminate the ability of local governments to create new community redevelopment agencies and provide a process by which existing Community Redevelopment Agencies (CRAs) would have to be phased out. He explained that CRAs are essentially vehicles for tax increment financing. He further explained that once a CRA is established and a community redevelopment district is established for that CRA to control, they provide property values for properties within that district that are frozen and that is the value that the local government receives. He stated that any increases in property values over and above that amount go into the community redevelopment trust fund and the CRA gets to utilize those funds for private entities for facade grants, neighborhood revitalization, street repair and infrastructure repair. He explained it was another way to take blighted areas and provide another revenue stream for those areas to be revitalized. City Attorney Wohl stated this was another bill where they are seeking to not give local governments the chance to determine whether they want the CRA for themselves and establish a community redevelopment district in a blighted area. He further stated this is the State telling local governments, at a date certain, they will eliminate any existing CRAs. After further discussion Deputy Mayor Simons made a motion to read Resolution 2017-10 by title only and Councilmember Heine seconded the motion. No discussion followed and it was unanimously, 3/0, approved. Mayor Wertz-Strickland instructed the City Clerk to read Resolution 2017-10 by title only and the City Clerk did so. Councilmember Heine made a motion to approve Resolution 2017-10 encouraging all members of the Florida Legislature to oppose House Bill 13 and Deputy Mayor Simons seconded the motion. No discussion followed and it was unanimously, 3/0, approved.

### **COMMENTS FROM DEPARTMENTS**

No one attended the meeting from the Police Department.

City Attorney Wohl had nothing to report.

Finance Director Carsten presented the finance report as of March 10, 2017 and advised the revenues were at fifty-one point nine percent (51.9%) and expenses were at thirty-one point five percent (31.5%). She advised the investment update, to date, regarding interest coming from the money deposited into the Florida Safe is at Six Thousand Three Hundred Thirty-Four and 71/100 Dollars (\$6,334.71). She then reviewed the highlighted revenues as follows: ad valorem taxes currently were at seventy-nine point seven percent (79.7%), building permits were at sixty-

two point one percent (62.1%), cemetery lots were at one hundred two point seven percent (102.7%), code enforcement fees were at seventy-two point fifty-eight percent (72.58%) and golf course membership fees were at eighty-two point zero percent (82.0%). Regarding the golf course membership fees, City Administrator Stewart advised the outside play for non-members (where most of the money is made) has increased a great deal and staff will be bringing something to City Council in the near future. He stated they were about half-way through the second year of the original three (3) year program that staff had asked City Council to allow and the reputation of the golf course had improved tremendously.

City Administrator Stewart reminded City Council that Friends of Arcadia Airport had come before Council a few months ago and expressed a desire to get restrooms at the airport and Council authorized staff to work with them to come up with a solution. He advised that staff had offered to Friends of Arcadia Airport to do an interim piece that would have provided a septic system at the site, along with a small building that could be used for washing hands, using the restroom, etc., but Friends of Arcadia Airport came back and said the City was better off to spend money to provide a structure for the new tractor that the City will be getting in April. He thanked Friends of Arcadia Airport for recognizing the need there and being willing to set aside the interim solution for the restrooms.

Regarding the infrastructure, he stated that it was a significant hurdle for the City, but hidden from sight are the utilities, the distribution waterlines which date back to the beginning of the 1900s, sewer lines as well, the need for updates regarding the waste water plant, the practically non-existent stormwater, the videoing and mapping project, the paving of approximately four (4) miles of roads in the last two (2) years and the approaching of two hundred (200) tons of asphalt that have been used in the pothole patching program. He advised he had spoken with the City Engineer and they determined (ballpark estimate with no study done) that it will cost One Hundred Million and 00/100 Dollars (\$100,000,000.00) to get the work out there done and to get to a place of stability. City Administrator Stewart stated that the City is a ready community and eligible for seventy-five percent (75%) grants. He further stated that if the City were to get seventy-five percent (75%) worth of grants for the One Hundred Million and 00/100 Dollars (\$100,000,000.00), the City would still need to come up with Twenty-Five Million and 00/100 Dollars (\$25,000,000.00). He commented that you do not let a massive task like this scare you off, but you dig in and find ways to solve the problems. Mr. Stewart advised that staff had just completed a selection for a grant writer which will be brought to City Council and he stated that was as important right now as anything that the City would be doing. He stated that at some point, after he has more information from the analysis of the sewer system, the water distribution system and the analysis of the wastewater plant, he will come back to Council with a better understanding of what the total costs will be and will be asking Council to authorize staff to do the engineered analysis of the infrastructure and where the City stands. He thanked Council for the support they had given staff to accomplish the many things Council has made happen over the months. Councilmember Heine expressed his appreciation of Mr. Stewart and his handling of the many issues that need to be dealt with and Mayor Wertz-Strickland agreed.

PUBLIC

None

MAYOR AND COUNCIL REPORTS

Mayor Wertz-Strickland stated she appreciated City Attorney Wohl for his help and support.

ADJOURN

Deputy Mayor Simons made a motion to adjourn and Councilmember Heine seconded the motion. No discussion followed and it was unanimously, 3/0, approved. Having no further business at this time, the meeting was adjourned at approximately 7:51 P.M.

ADOPTED THIS 4<sup>th</sup> DAY OF April, 2017.

ATTEST:

By:

Judy Wertz Strickland  
Judy Wertz-Strickland, Mayor

Penny Delaney  
Penny Delaney, City Clerk

