

**MINUTES  
CITY COUNCIL  
CITY OF ARCADIA  
TUESDAY, APRIL 23, 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 Allen 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

City Recorder Gia S. Lancaster  
Lt. Gary Evans

**PROCLAMATION**

Youth Week – Mayor Presentation to Jackie Tucker  
Mayor Keene read and presented the proclamation for Youth Week to Mrs. Jackie Tucker.

National Day of Prayer – Reading of Proclamation  
Mayor Keene read and presented the proclamation for National Day of Prayer to Pastor Orr.

**CONSENT AGENDA**

1. April 2, 2013 City Council Minutes
2. Check Warrant Reports from 04/03/13, 04/04/13, 04/05/13, 04/08/13, 04/12/13, 04/19/13
3. Air-Cadia Flowage and Hanger Report for March 2013
4. Request for Certificate of Appropriateness for 163 N. Brevard Avenue, Waters Edge Dermatology, Applicant Earl Hill, representing Arcadia 163 Associates, LLC
5. Special Event Request for Speer Center Tennis Courts, Applicant Coach Jack Holt
6. Budget Adjustment – Golf Course
7. Budget Adjustment – Water/Sewer
8. 6 Month Budget Report

**Councilman Fink made a motion to approve consent agenda items 1 through 8 as presented. The motion received a proper second by Councilman Allen and carried 5-0.**

**Councilman Fink stated with the consensus of Council he would like to place item 11 following item 16 as they were of similar nature. After discussion, a motion was made by Deputy Mayor Heine and seconded by Councilman Fink to table item number 11 to the next regular meeting. The motion carried 5-0.**

### **DISCUSSION ITEMS**

#### **9. Housing Authority/Homeless Coalition Letter of Support**

**A motion was made by Deputy Mayor Heine and seconded by Councilman Fink to approve a letter of support for the Housing Authority/Homeless Coalition regarding grant assistance for the removal of asbestos at the Parker and Baldwin location. The Council directed the City Administrator to draft the letter of support. The motion carried 5-0.**

#### **10. Request by School District to lease Cypress Fire Station for storage (George Beard)**

Mr. George Beard stated that the School District was in need of storage space. Mayor Keene pointed out that the Cypress Fire Station is sometime used by the schools for float building and the antique fire truck is being stored there as well. Mr. Beard replied to Mayor Keene that they would be storing surplus items which could change in amount depending on the timing. Mayor Keene asked Attorney Wohl what type of agreement would be required. Attorney Wohl noted that the City owns the Cypress Station and as far as he knows the County ceased using this building however the City never received a letter of vacation. He noted the Council could approve the request contingent upon the County issuing written vacation. Councilman Fink stated that he believes in 2009 the County vacated and gave written confirmation. Mr. Beard confirmed that the School District would maintain the building. Attorney Wohl noted that insurance liability would be an issue. Councilman Fink pointed out that until there is some decision on the LaFrance Fire Truck he believes nothing should be comingled. Council directed the City Administrator to meet with Mr. Beard to discuss potential options.

#### **11. Appointing members to the Airport Advisory Committee**

This item was tabled to the next regular meeting as noted above.

#### **12. Utility Rate Questions (City Administrator)**

Mrs. Jankosky explained that she met with Mr. Steve Stapp on Monday to speak about various utility rate questions. Mr. Stapp stated that he still had concerns with the Resolution adopting the automatic increases. He stated that he is on a fixed income and referred to the rate study which he was sure was not free. He asked why the Council did not conduct a rate study to see if the people could afford the rate increase. Mayor Keene replied that the Council took everything into consideration and the decision was not taken lightly. Councilwoman Frierson stated that the current Council had to play catch-up due to actions of past Council not enacting the rate study appropriately. Mr. Stapp voiced his concern regarding the current deposits and the City charging double to re-connect. He asked how this might affect businesses that come to town. He suggested possibly a way the increase could be placed on property taxes or make the fee income dependent. Mr. Stapp added that his cost of living increase was only 1.7 percent yet the City chose a 20 percent increase on utilities. He spoke of the right to have water and ability to hook to a well should he desire. Councilman Fink replied that the State allows the City to provide for water and if water flows near a house there are mandatory connections required.

Mrs. Jane Martin stated that she currently manages 47 properties and asked if the City could consider asking everyone in each household to be on the application. Councilwoman Frierson asked how the Utility Department should verify who lives in the house. Mrs. Martin replied that she as a landlord verifies who lives in the household. Attorney Wohl stated that the new deposits will most likely take care of many of the issues. Mrs. Martin asked why the City was offering payment plans to those people being evicted and asked that all the holes in the new system be addressed.

13. 2013 DHS Graduation Special Section

**A motion was made by Deputy Mayor Heine and seconded by Councilman Fink to approve the 2013 DHS Graduation Special section. The motion carried 5-0.**

14. Agreement for Upgrade and ASP Computer Project (Finance Director)

**A motion was made by Deputy Mayor Heine and seconded by Councilman Allen to approve the agreement for Munis upgrade and ASP Computer Project as presented by the Finance Director. The motion carried 5-0.**

15. Garbage into Enterprise Fund (Finance Director)

**A motion was made by Councilman Fink and seconded by Councilman Allen to approve the Finance Director's recommendation to move Garbage into an Enterprise Fund for better accountability which will occur as of October 1, 2013. The motion carried 5-0.**

**RESOLUTION**

**16. RESOLUTION NO. 2013-08; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARCADIA, FLORIDA, REGARDING THE AIRPORT; AMENDING AND RESTATING IN ITS ENTIRETY RESOLUTION NO. 2009-08 AND AMENDING AND RESTATING IN ITS ENTIRETY RESOLUTION NO. 2009-20; ESTABLISHING THE AIRPORT ADVISORY COMMITTEE AND THE PROCEDURES AND RULES GOVERNING SAME; AND PROVIDING AN EFFECTIVE DATE. (City Administrator)**

Resolution No. 2013-08 was read by title only. Councilman Fink stated that he still has the same reservations as at the previous meetings. He spoke with the Florida League of Cities and other Cities and they had not heard of an Airport Committee that is under control of the Administrator. He added that this could be accomplished without a Resolution as an Ad Hoc Committee at the discretion of the City Administrator. Attorney Wohl replied that he saw no problem with the Resolution and subsection 6 was existing language.

**A motion was made by Councilman Allen and seconded by Deputy Mayor Heine to approve Resolution No. 2013-08 as presented. The motion carried 3-1 with Councilman Fink dissenting and Councilwoman Frierson abstaining.**

**17. RESOLUTION NO. 2013-09; A RESOLUTION OF THE CITY OF ARCADIA, FLORIDA, GRANTING JAMES BUSHOUSE, INC., A SPECIAL EXCEPTION TO PERMIT RESIDENTIAL LAND USES WITHIN A COMMUNITY BUSINESS (B-1) ZONING DISTRICT AS PROVIDED FOR WITHIN SECTION 110-547, ARCADIA**

**CODE OF ORDINANCES, ON PROPERTY LOCATED AT 216  
EAST MAGNOLIA STREET, ARCADIA, FLORIDA.**

**Resolution No. 2013-08 was read by title only. A motion was made by Deputy Mayor Heine and seconded by Councilman Allen to approve Resolution No. 2013-08 as presented. The motion carried 5-0.**

- 18. RESOLUTION NO. 2013-10; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARCADIA, FLORIDA, URGING THE ADMINISTRATION AND CONGRESS OF THE UNITED STATES TO PRESERVE THE CURRENT TAX-EXEMPT STATUS OF MUNICIPAL BONDS AND REJECT ANY PROPOSAL THAT WOULD REDUCE OR ELIMINATE THE FEDERAL TAX EXEMPTION ON INTEREST EARNED FROM TAX-EXEMPT MUNICIPAL BONDS.**

**Resolution No. 2013-10 was read by title only. A motion was made by Councilman Allen and seconded by Councilman Fink to approve Resolution No. 2013-10 as presented. The motion carried 5-0.**

**ORDINANCES**

- 19. ORDINANCE NO. 984; SECOND READING OF 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; DELETING SEC. 2-116 PAYMENT OF CITY FUNDS PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**Ordinance No. 984 was read by title only. A motion was made by Councilman Allen and seconded by Councilman Fink to adopt Ordinance No. 984 at second and final reading. The motion carried 5-0.**

- 20. ORDINANCE NO. 987; SECOND READING OF AN ORDINANCE AMENDING SECTION 2-95 OF THE CODE OF ORDINANCES OF THE CITY OF ARCADIA BY INCLUDING CUSTODY OF CITY FUNDS AND PAYMENT OF CITY FUNDS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**Ordinance No. 987 was read by title only. A motion was made by Councilman Fink and seconded by Councilman Allen to adopt Ordinance No. 987 at second and final reading. The motion carried 5-0.**

- 21. ORDINANCE NO. 988; SECOND READING OF AN ORDINANCE OF THE CITY OF ARCADIA, FLORIDA; CREATING SECTION 102-47 OF THE CITY OF ARCADIA CODE OF ORDINANCES; PROVIDING FOR THE IMPOSITION OF LIENS FOR DELINQUENT UTILITY ACCOUNTS; PROVIDING FOR CODIFICATION; PROVIDING FOR**

**SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.**

Ordinance No. 988 was read by title only. A motion was made by Deputy Mayor Heine and seconded by Councilman Allen to adopt Ordinance No. 988 at second and final reading. The motion carried 5-0.

**COMMENTS FROM DEPARTMENTS**

22. City Marshal – No questions from Council or Public. No report.

23. Attorney

a. Pursell's Wrecker Service Lawsuit

Attorney Wohl reported that he filed for a dismissal on both Pursell issues and both cases were dismissed.

b. Stonegate Utilities

Attorney Wohl reported that he is currently seeking judicial relief to force Stonegate apartments to connect to City utilities.

c. Tremron Update

Attorney Wohl reported at this time the development order is in full force and Tremron must keep their bay doors shut after 6 p.m. Currently Tremron has not complied with all of the order stipulations and he would update the Council at the next meeting.

d. Air-Cadia Fire Insurance Payment

Attorney Wohl reported that Air-Cadia has agreed to pay the \$6,000 in past fire insurance owed to the City.

24. City Administrator

a. Set Workshop date (May 21st at 5 p.m. before regular meeting or May 28th at 6 p.m.)

Mrs. Jankosky requested a workshop date to discuss future development to include water and sewer information. The Council agreed to hold the workshop on May 28, 2013 at 6 p.m.

b. Senior Center

Mrs. Jankosky reported that the Senior Center inquired if they conducted the renovations at the old Police Department would the City be interested in a three to five year lease.

**A motion was made by Deputy Mayor Heine and seconded by Councilman Fink to approve a three-year lease with the Senior Center for the Police Department to include the Senior Center paying lease in the amount of \$375.00 per month and the cost of any utilities. The motion carried 5-0.**

## c. Jim Space Quotes and Options

Mrs. Jankosky reported some quotes for playground equipment at Jim Space. Mayor Keene stated that there needs to be a collaborative effort and inclusive of the Backer family. He asked that Ms. Pat Backer be contacted to see if there might be a partnership formed.

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

Mr. Dave Callaway accompanied by Mr. Jim Walter reported a concern about meetings held at the Golf Course. They voiced concerns about the maintenance of the grounds at the golf course and encouraged improvement at the course.

Mr. DeGuddi voiced his disapproval of hiring of an unqualified employee, in his opinion and other concerns he had about City employees acting unethically during work hours. He stated that he was a retired builder and would be glad to assist in the repairs of Jim Space should the City provide the lumber.

**MAYOR AND COUNCIL MATTERS**

Mayor Keene suggested that Council may wish to discuss the Golf Course items in the upcoming workshop and review the current Golf Course Budget.

Councilman Fink requested the notes taken at the Golf Course meeting.

**ADJOURN**

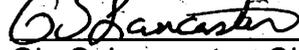
There being no further business the meeting adjourned at 7:55 p.m.

**APPROVED THIS 7th DAY OF May, 2013.**

By:

  
\_\_\_\_\_  
Keith Keene, Mayor

ATTEST:

  
\_\_\_\_\_  
Gia S. Lancaster, City Recorder