

**AGENDA MINUTES  
CITY COUNCIL  
CITY OF ARCADIA  
TUESDAY, MAY 1, 2018  
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**

Rev. Brian Russell 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 Keith Keene

Councilmember Jerry B. Alexander  
Councilmember Robert W. Heine, Jr.

**Arcadia City Staff**

City Administrator Terry Stewart  
City Clerk Penny Delaney  
City Attorney T.J. Wohl  
City Engineer Julie Karleskint

Utilities Director A.J. Berndt  
Marshal Matt Anderson  
Finance Director Beth Carsten

City Administrator asked to add an item, Airport Rehabilitation from Hurricane Irma, to the Action Items of the agenda and Council was in agreement.

**PRESENTATIONS**

**Walk-On Item – Proclamation – Recognition of Keith Keene’s Retirement from Florida Department of Health**

This item was not on the agenda, but was a walk-on item. Mayor Wertz-Strickland presented Councilmember Keene with a proclamation regarding his retirement after twenty-nine (29) years of service to the Florida Department of Health.

**Agenda Item 1 – Proclamation – Day of Prayer**

Mayor Wertz-Strickland presented Rev. Brian Russell, President of the DeSoto County Ministerial Association, with a proclamation proclaiming May 3, 2018 as City of Arcadia Day of

Prayer. Rev. Russell thanked the Council for putting such into action and he invited everyone to attend the service at noon on May 3, 2018 at the DeSoto County Commissioner's Chambers.

### **Agenda Item 2 – Proclamation – Youth Week**

Mayor Wertz-Strickland presented Exalted Ruler Nancy Higginbotham, her husband Alfred Higginbotham, Secretary and Trustee Keith Keene and Jackie Tucker of the Arcadia Elks Lodge 1524 with a proclamation proclaiming the week of May 5-12, 2018 as Youth Week. Mrs. Higginbotham expressed her appreciation of the City's continued acknowledgement of Youth Week.

### **Agenda Item 3 – Proclamation – Aviation Appreciation Month in Florida**

Mayor Wertz-Strickland and City Administrator Stewart read into record a proclamation provided by Governor Rick Scott proclaiming the month of April as Aviation Appreciation Month in Florida.

### **Walk-On Item – Proclamation – Recognition of Municipal Clerks Week**

Mayor Wertz-Strickland presented City Clerk Delaney with a proclamation proclaiming May 6-12, 2018 as Municipal Clerks Week. Each Councilmember, the City Attorney and the City Administrator spoke words of appreciation and in turn, City Clerk Delaney expressed her appreciation for the kindness shown and words spoken.

## **CONSENT AGENDA**

### **Agenda Item 4 – City Council Regular Meeting Minutes for April 17, 2018**

Councilmember Keene made a motion to approve the minutes of the meeting on April 17<sup>th</sup> and Deputy Mayor Simons seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

## **ACTION ITEMS**

### **Agenda Item 5 – Resolution 2018-11 – State Revolving Fund Loan Application for Funding of Phase I Sanitary Sewer Improvements**

Julie Karleskint of Hazen and Sawyer provided a power point and explained the resolution would authorize the application for the DEP (Department of Environmental Protection) SRF (State Revolving Fund) loan for Phase I of the collection system improvements, authorize the loan agreement, establish pledged revenues, designate authorized representatives, provide assurances and provide for conflicts, severability and an effective date and would include \$3.5 Million grant funding (which the DEP amended to \$3.75 Million) with an estimate of \$5.6 Million total. A copy of the power point is on file in the office of the City Clerk. She reviewed the project overview which included the following: influent pump station

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improvements, new sewer on Parker, replacement of failing sewers and manholes on SR 70 and rehabilitation of pump stations. She advised that since she had addressed Council last, Phase I had to be revised and it was determined that the sewers needed to be replaced on SR 70 because DOT wanted to mill and resurface the roadway. She advised the Facilities Plan was updated and approved by the DEP and they had been provided with updated plans and specifications. After further discussion, Councilmember Heine made a motion to approve Resolution 2018-11 for the City of Arcadia, Florida relating to the State Revolving Fund Loan Program and authorizing the loan application of \$5.31 Million and Councilmember Keene seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

**Agenda Item 6 – Resolution 2018-12 – Regarding Proposed Amendment 1**

City Attorney Wohl stated that at the last Council meeting, Council requested a resolution be drafted expressing the Council's concerns with the proposed Amendment 1 which will be on the November ballot. Discussion followed regarding the negative effect it will have on the City's non-ad valorem tax revenues and City Attorney Wohl stated this resolution was substantially in the same form as the model that Florida League of Cities had sent out. Deputy Mayor Simons made a motion to use the model resolution in regards to Amendment 1 that the Florida League of Cities has presented and Councilmember Keene seconded the motion. Mayor Wertz-Strickland stated that if anyone does not know about Amendment 1, they should get information on it. City Administrator Stewart explained that it would hit the City of Arcadia very hard and this was the State Legislature saying to the local government that they know better how to run our City than we do. After further discussion, it was unanimously, 5/0, approved.

**Agenda Item 7 – Resolution 2018-13 – Authorizing Execution of T-Hangar Leases by the City Administrator**

City Administrator Stewart advised it had become apparent through the guidance of City Attorney Wohl that an update was needed regarding the t-hangar lease. He reminded Council that they had previously approved the lease, but this would authorize him (the City Administrator) to sign the leases so each lease would not have to come before the Council. Councilmember Keene made a motion to approve Resolution 2018-13 Exhibit "A" of the updated t-hangar lease agreement to allow the City Administrator to sign the leases and Deputy Mayor Simons seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

**Agenda Item 8 – Resolution 2018-14 – Updated Schedule of Fees**

Finance Director Carsten reminded Council that back in September staff had brought the first schedule of fees resolution before the Council and they had adopted it. She advised this was an update regarding fees to include the airport, code enforcement and water fees and she briefly explained what the updates included. Regarding the water fees, City Administrator Stewart and Finance Director Carsten advised this was not the monthly rates that people pay, but turn-offs, turn-back-ons and water deposit increases. Discussion followed regarding an appraisal requirement by the FAA related to the fair market value of rents at airports and the responsibility

of a hangar tenant to notify the City if vacation of a hangar takes place and how it affects the rental of same. Councilmember Heine made a motion to adopt Resolution 2018-14 to update the schedule of City fees and Councilmember Keene seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

#### **Agenda Item 9 – Resolution 2018-15 – Approval of Lease Purchase of New Motorola Radios**

Marshal Anderson explained the difference between the current system and the new digital system. He explained that there were many dead areas within the county with the current system and he advised that the Police Department, the DeSoto County Sheriff's Office, the DeSoto County Public Safety and the School Board were all on the same system. He stated that Sheriff Grady Judd received a federal grant several years ago regarding the new digital system and as part of such, he has to allow anyone to piggyback onto the digital system which will cut back on the cost. He advised this would allow the radio system to be upgraded to include the portable and mobile units at one time and explained how it will benefit the City to do all the radios at once through this lease rather than budgeting so much each year for a certain number of radios. As part of the agreement with Motorola, the City will trade in the old mobiles and portables to reduce the price of what the City is spending for the new system (approximately Thirty Thousand and 00/100 Dollars (\$30,000.00) in trade-in value).

Finance Director Carsten stated that this is being addressed in two parts. She advised the first part was a request to lease-purchase it and the actual cost of the whole system was Two Hundred Two Thousand Three Hundred Fifty-Nine and 60/100 Dollars (\$202,359.60) with Thirty-One Thousand Two Hundred Fifty and 00/100 Dollars (\$31,250.00) in trade-in leaving a net amount to lease One Hundred Seventy-One Thousand One Hundred Nine and 60/100 Dollars (\$171,109.60). She informed the Council staff shopped it locally and ended up going with Lease2 and the first payment will not have to be made until next year's budget. She stated there would be five (5) annual payments of Thirty-Eight Thousand Three Hundred Seven and 75/100 Dollars (\$38,307.75). Deputy Mayor Simons made a motion to approve Resolution 2018-15 to authorize the lease purchase of twenty-five (25) Motorola portable radios and twenty-five (25) Motorola mobile radios and accessories in the amount of One Hundred Seventy-One Thousand One Hundred Nine and 60/100 Dollars (\$171,109.60) and Councilmember Heine seconded the motion. No discussion followed and it was unanimously, 5/0, approved. Deputy Mayor Simons made a motion to declare the radios that the Police Department currently uses to be surplus equipment and to allow them to be used as trade-in to Motorola for a value of Thirty-One Thousand Two Hundred Fifty and 00/100 Dollars (\$31,250.00) and Councilmember Heine seconded the motion. No discussion followed and it was unanimously, 5/0, approved. (Deputy Mayor Simons originally made his motions jointly and Councilmember Keene seconded them, but it was decided to state them separately).

#### **Agenda Item 10 – Approval of Two (2) New Positions – School Resource Officers**

Marshal Anderson thanked the Council for the above approval. He then advised that the State of Florida had passed legislation regarding governing school safety and school resource

officers in the school system. He stated School Superintendent Adrian Cline had submitted a request and was awarded funds for such. Marshal Anderson requested Council to approve two (2) additional officers to staff two (2) schools which will allow a school resource officer to be at every school with school-age children. He stated Mr. Cline had agreed (if Council will approve) to allow two (2) of the officers out of the eight (8) positions to be Arcadia Police Department personnel. He informed the Council that the school board will pay sixty percent (60%) of whichever officer he assigns to a school and the City of Arcadia would be responsible for forty percent (40%) of it. Marshal Anderson advised when school is not in session, these officers will work for the Arcadia Police Department.

Finance Director Carsten stated Marshal Anderson had advised he would like to have this in place by July 1 and she stated they would be looking at an additional Twenty-One Thousand and 00/100 Dollars (\$21,000.00) that is needed to cover the forty percent (40%) of the two (2) employees and their expenses (to outfit in uniform, etc.). Regarding the previously approved radios, she explained that because the Thirty Thousand and 00/100 Dollars (\$30,000.00) would not be needed now for the down payment, she requested that the money be used to fund these two (2) positions. She pointed out that with next year's budget, these two (2) positions would be discussed with the annual cost which will be an estimated amount of Fifty-One Thousand and 00/100 Dollars (\$51,000.00) which will be the City's portion of it. City Administrator Stewart cautioned that when you see these personnel in the budget, one hundred percent (100%) of their costs will be on the expense side even though the City is receiving 60% reimbursement from the school board to help offset the costs as additional revenue, the full costs of the officers will show on the expense side. Marshal Anderson spoke of what is being done within the department and at the schools in an attempt to ensure what has happened with school shootings in other schools does not happen here. Councilmember Heine made a motion to approve two (2) new School Resource Officer positions with a P-3 pay grade, salary range of Thirty-Six Thousand Two Hundred Nineteen and 00/100 Dollars (\$36,219.00) to Fifty-Six Thousand One Hundred Thirty-Nine and 45/100 Dollars (\$56,139.45), with an estimated hire date of July 1, 2018 and payroll cost to the City estimated at Thirteen Thousand Eight Hundred Eighty-Six and 04/100 Dollars (\$13,886.04) for the remainder of the 2017-18 budget year and Deputy Mayor Simons seconded the motion. No discussion followed and it was unanimously, 5/0, approved. Councilmember Heine then made a motion to approve funding for the School Resource Officers and expenses estimated at Twenty-One Thousand Eight-Hundred Eighty-Six and 04/100 Dollars (\$21,886.04) to come from the budgeted amount in account number 01210-60640 (Twenty-Two Thousand Three Hundred Sixty-Five and 45/100 Dollars (\$22,365.45) originally budgeted for new radio purchases) and Deputy Mayor Simons seconded the motion. After further discussion which reverted back to the advantages of the digital radios, it (approval of two (2) new positions - school resource officers) was unanimously, 5/0, approved.

#### **Agenda Item 11 – Approval of New Corporal Position to be added to the 2017-18 Budget**

Marshal Anderson stated the department had always had four (4) road patrol supervisors to cover each shift, but he has not had the trained personnel to promote to get the four (4) supervisors out at the same time. He explained a Corporal had resigned and the fourth position

was not included in the budget. City Administrator Stewart advised Council that each year when the annual budget is approved, Council not only approves the dollars, but they also approve the types and number of positions within each classification. He explained that in this particular instance, the description of Corporal already exists and the request is not to create the job classification, but the request is for another position within that classification. He stated the Marshal had the money within the budget that would cover the cost of such. City Administrator Stewart further stated that the salary for the position would come from that person's salary that was allocated within the budget and the additional amount for that promotion would come from another fund to handle exactly that. Deputy Mayor Simons made a motion to approve the addition of another Corporal position in the 2017-18 Police Department budget via a promotion from Officer with a three percent (3%) raise and Councilmember Heine seconded the motion. No discussion followed and it was unanimously, 5/0, approved. Marshal Anderson expressed his appreciation.

**Agenda Item 12 – First Reading of Ordinance 1039 – Amending Division 2 of Article II of Chapter 62 of the City Code to add Section 62-50, Establishing Qualifications for Candidacy of City Marshal**

City Attorney Wohl advised of a current discrepancy in the Code and explained that as of right now, all law enforcement officers employed by the City of Arcadia Police Department have to be certified law enforcement officers pursuant to Florida Statute with the only exception being the office of City Marshal since that is an elected position. He stated that it was only common sense that the Police Chief or City Marshal be a law enforcement officer and be able to be employed by the City of Arcadia Police Department so that discrepancy was being corrected by adding provisions to the Code that in order for anyone to qualify for the office of City Marshal, the proposed ordinance would require them to be a certified law enforcement officer, have at least five (5) years experience as a law enforcement officer and otherwise meet the requirements to hold office in the City of Arcadia. City Attorney Wohl stated that by law, the City Marshal could not exercise a lot of his duties and obligations that he is required to do under the current Code and Charter. Councilmember Keene made a motion to approve on first reading Ordinance Number 1039 and Councilmember Heine seconded the motion. The City Clerk read Ordinance Number 1039 by title only. No discussion followed and it was unanimously, 5/0, approved.

**Agenda Item 13 – Approval of the Fourth Amendment to the Interlocal Agreement with DeSoto County for the Purchase of Flush Water**

Utilities Director Berndt advised this would benefit both the County and the City. City Administrator Stewart informed Council that the physical interconnects already exist and explained that under normal circumstances, it provides insurance that if one agency's system has an issue and water is needed, we can get it from one another in both directions. He stated the County system is currently overbuilt for the number of users it has and consequently there is not a lot of flow within the system as it was designed. Due to such, he explained that water sits within the pipes, it loses its chlorine residual and the system has to be flushed in order to get freshly treated water to come into the system to keep the chlorine balance up. City Administrator Stewart advised that as a result, the County was having to flush 250,000 to

300,000 gallons a day onto the ground. He stated a new analysis was done based on actual costs for the County and City and the City was still paying the County far less at One Dollar and 00/100 Dollar (\$1.00) per 1,000 gallons than what it costs the County to produce the water. He explained that it enabled the City to not tax its wells nearly so much during the dry season as it might without the water being available. He further explained it would help keep the fluoride amounts down. He thanked County Administrator Mandy Hines for working cooperatively with the City on this matter and he recommended approval of the amendment. Councilmember Heine made a motion to approve the Fourth Amendment to the Interlocal Agreement with DeSoto County for the purchase of flush water and Deputy Mayor Simons seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

#### **Walk-on Agenda Item – Airport Terminal Rehabilitation from Hurricane Irma**

City Administrator Stewart spoke of the amount he can extend without going to Council for approval. He stated the amount had raised the limit from Fifteen Thousand and 00/100 Dollars (\$15,000.00) to Fifty Thousand and 00/100 Dollars (\$50,000.00). He explained after Hurricane Irma there was significant damage to the airport terminal building and a contract was signed for Forty-Nine Thousand Eight Hundred Eighty-Six and 81/100 Dollars (\$49,886.81) which fell under the approved amount. He informed Council the contractor had come across an issue that was going to require a little more work to be done which will cost an additional Five Hundred Forty and 00/100 Dollars (\$540.00), but it causes the amount to exceed the Fifty Thousand and 00/100 Dollars (\$50,000.00). City Administrator Stewart stated that a large portion of the amount would be covered by funds from FEMA. He asked for approval of the additional expenditure of Five Hundred Forty and 00/100 Dollars (\$540.00) to the contract with Ringland Development Corporation on top of the Forty-Nine Thousand Eight Hundred Eighty-Six and 81/100 Dollars (\$49,886.81) that was originally contracted. Deputy Mayor Simons so moved and Councilmember Alexander seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

#### **COMMENTS FROM DEPARTMENTS**

Marshal Anderson asked if the City Council or the general public had any concerns or questions and there were none. He expressed words of appreciation regarding the City Clerk.

City Attorney Wohl again spoke words of appreciation regarding the City Clerk and pointed out her behind the scenes work regarding public records. The City Clerk shared her appreciation of the City Attorney's guidance regarding public records and she expressed her appreciation for the opportunity to work for the City and the people she works with.

City Administrator Stewart thanked Marshal Anderson and his department for working with administration to get what came before Council accomplished tonight, along with the Finance Director. He then stated he had sent Council an email regarding the Rural Areas of Opportunities. He explained that back in March, he had received a communication from Senator Marco Rubio's office advising of an opportunity to apply to Governor Scott's office for consideration of rural areas of opportunity which provides tax relief for businesses within

designated areas. He explained how the process worked and stated the City had applied for and got two (2) of the three (3) census tracts approved. He explained the Governor had recommended a large portion of the City of Arcadia to benefit from it and hopefully the federal government will finalize his recommendations and the federal government will be setting the rule making for how the funds are to be distributed and used and hopefully in the not too distant future, our businesses will be able to take part in it.

**PUBLIC**

None

**MAYOR AND COUNCIL REPORTS**

Mayor Wertz-Strickland congratulated Deputy Mayor Simons regarding his wife obtaining her college degree. She then advised she would be meeting with Elaine Sarlo from Senator Rubio's office tomorrow. Lastly, she stated she had been on the committee for the Ridge League scholarships for high school seniors. She explained the selection process and stated the senior she had submitted, Caroline Livingston, had been selected and she spoke of how impressed she was with the applicants.

**ADJOURN**

Councilmember Heine made a motion to adjourn and Deputy Mayor Simons seconded the motion. No discussion followed and it was unanimously, 5/0, approved. Having no further business at this time, the meeting was adjourned at approximately 8:01 P.M.

ADOPTED THIS 5<sup>th</sup> DAY OF June, 2018.

By: Judy Wertz Strickland  
Judy Wertz-Strickland, Mayor

ATTEST:

Penny Delaney  
Penny Delaney, City Clerk

