

**REGULAR MEETING**

**MAY 2, 2006**

A Regular Meeting of the Arcadia City Council was held on May 2, 2006, at 6:00 p.m. in Room D of the Way Building at 23 North Polk Avenue. Council members attending were Heine, Johnson, Goodman, Whitlock and Fazzone. Also in attendance were Administrator Strube, Attorney Holloman, Marshal Lee, Fire Chief Blosser, Parks and Recreation Supervisor Waters, Special Projects Coordinator Hewett, Ms. Way, and Recorder Baumann. Others in attendance: County Administrator Coffee, County Commissioners Garner and Hill, and County Attorney Busack.

Mayor Heine called the meeting to order

The Invocation was given by Council Member Johnson.

Pledge of Allegiance to the Flag.

The Minutes of the Work Session of April 18, 2006 and Regular Meeting of April 18, 2006 were adopted on motion of Whitlock; seconded by Goodman and carried.

Mayor Heine moved forward to agenda item No. 9-D-1 regarding the proposed City and County Fire merger.

County Administrator Coffee addressed the Council regarding the Proposed Interlocal Agreement between City of Arcadia and DeSoto County for the merger of Fire and Emergency Medical Services. Mr. Coffee presented hand-outs to the Council, Administrator Strube, Recorder Baumann, and others present. Mr. Coffee referred the Council to last minute changes on Pages 3 and 10. Attorney Holloman stated he believed most of the agreement was "o.k.", but it must still be sent to Tallahassee and to the Attorney for the City's Police and Firefighters Pension Fund for approval. Attorney Holloman noted that the property purchased by the City for a new public safety facility has a clause which allows the mortgagee to request a payment in full or continue receiving payment in the event the City were to sell the property. Mr. Coffee stated that the County will make arrangements with the mortgagee's to see how they prefer to be paid. It was noted that Stations 1 & 2 would be manned by Fire and EMT's and they would be County employees.

Mr. Coffee discussed the remaining payments on the ambulance and stated that the County would pay off the balance.

Goodman moved to approve the Interlocal Agreement as presented for the merger of the City and County Fire Departments to be effective June 1, 2006; seconded by Johnson and carried on roll call vote. Ayes: Goodman, Johnson, Whitlock, Fazzone, and Heine. Nays: None.

Regular Meeting  
May 2, 2006  
Continued

Original document is skewed

Administrator Strube presented handouts to the Council regarding the funding portion of the merger and asked that they be noted in the minutes. He spoke at length regarding Municipal Service Tax Units (MSTU) and Municipal Service Benefit Units (MSBU) funding. He discussed budgets and shortfalls of both the City and County budgets. He also discussed, as per the handout, the millage rates for both City and County. Administrator Strube believes that a tax increase of .4910 county-wide would take care of any funding shortfall. He also believes that an adjustment may need to be made within the next couple of years regarding the City's funding of the Fire Department.

Mayor Heine asked about reduction of MSTU. Mr. Coffee reported that it is possible that in the next few years the City's requirement for funding could be reduced due to an increase from MSTU taxes. Council Member Whitlock questioned MSTU in regards to ambulance services. Mr. Coffee noted that the County anticipates an increase in tax revenue due to an increase in land values and he hopes that the millage can be reduced in the future.

Mayor Heine thanked both administrators for their hard work. Mayor Heine stated the merger is necessary; it is not fine-tuned yet, there will be more fine-tuning at a later time. June 1, 2006 is set as the date for the merger to occur. A signing ceremony is scheduled for May 15, 2006, at 5:00 p.m. at the DeSoto County Courthouse.

Attorney Holloman noted that proposed ordinance No. 921 is a quasi-judicial matter. He then asked the Council if anyone had done a site visit or had any correspondence regarding proposed ordinance No. 921 since the last meeting. No one had anything to report.

Proposed Ordinance No. 921 was presented for third and final reading. Whitlock moved to waive the rules and read the proposed ordinance by title only, seconded by Fazzone and carried.

ORDINANCE NO. 921

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF ARCADIA, FLORIDA, TO REZONE LOTS 1 THROUGH 18, BOTH INCLUSIVE AND ADJACENT ALLEWAYS, ALL BEING IN BLOCK A, MILLS ADDITION TO ARCADIA FROM ONE FAMILY DWELLING R1B TO RESIDENTIAL PROFESSIONAL BUSINESS RPB DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

0070  
Regular Meeting  
May 2, 2006  
Continued

Fazzone then moved to adopt Ordinance No. 921 on the third and final reading and that it become an ordinance of the City of Arcadia; seconded by Whitlock. Mayor Heine called for comments from the public, there were none. The motion carried on a roll call vote. Ayes: Johnson, Goodman, Whitlock, Fazzone, and Heine. Nays: None.

ORDINANCE NO 921

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF ARCADIA , FLORIDA, TO REZONE LOTS 1 THROUGH 18, BOTH INCLUSIVE AND ADJACENT ALLEYWAYS, ALL BEING IN BLOCK A, MILLS ADDITION TO ARCADIA FROM ONE FAMILY DWELLING R1B TO RESIDENTIAL PROFESSIONAL BUSINESS RPB DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Board of the City of Arcadia, Florida, in joint session with the City Council of the City of Arcadia, on Tuesday April 4, 2006, held a Public Hearing, with proper notice of Public Hearing being given as required by law; and

WHEREAS, the Planning and Zoning Board of the City of Arcadia, Florida, recommended to the City Council of the City of Arcadia, Florida, that the following parcels of land be rezoned as follows:

Lots 1 through 18, both inclusive and adjacent alleyways, all being in Block A, Mills Addition to Arcadia from One Family Dwelling R1B to Residential-Professional-Business RPB District;

and,

WHEREAS, the City Council of the City of Arcadia, Florida deems it to be in the best interest of the citizens of the City of Arcadia, Florida that said recommendation be adopted and made a part of the Zoning Ordinances and zoning map of the City of Arcadia, Florida, and

Regular Meeting  
May 2, 2006  
Continued

(Ordinance 921 continued)

WHEREAS, this zone change to be in agreement with the City of Arcadia Comprehensive Plan, the City of Arcadia Future Land Use Map.

NOW, THEREFORE BE IT ORDAINED, by the City Council of the City of Arcadia, Florida as follows:

Section 1. That Lots 1 through 18, both inclusive and adjacent alleyways, all being in Block A, Mills Addition to Arcadia, as per map or plat thereof recorded in the Public records of DeSoto County, Florida, be rezoned from One Family Dwelling R1B to Residential Professional and Business RPB District.

Section 2. If any subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional, the remainder of this Ordinance shall not be affected by such invalidity.

Section 3. That this Ordinance shall take effect pursuant to Chapter 73-403 of the laws of the State of Florida.

UNANIMOUSLY PASSED BY THE CITY COUNCIL OF THE CITY OF ARCADIA, FLORIDA, on this 2<sup>nd</sup> day of May 2006.

ATTEST:  
FLORIDA

CITY OF ARCADIA,

/s/ ROBERT W. HEINE  
ROBERT W. HEINE, MAYOR

By: /s/ RACHELLE M. BAUMANN  
RACHELLE M. BAUMANN  
CITY RECORDER

PASSED ON FIRST READING April 4, 2006

PASSED ON SECOND READING April 18, 2006

PASSED ON THIRD READING May 2, 2006

APPROVED AS TO FORM:  
DAVID C. HOLLOMAN, CITY ATTORNEY

Regular Meeting  
May 2, 2006  
Continued

Proposed Ordinance No. 922 was presented on first reading. Each Councilmember had previously been given a copy for study. Johnson moved to waive the rules and read the proposed ordinance by title only; seconded by Goodman and carried.

ORDINANCE NO. 922

AN ORDINANCE OF THE CITY OF ARCADIA, FLORIDA,  
CREATING A MUNICIPAL SERVICE BENEFIT UNIT, PURSUANT  
TO CHAPTER 170.201 OF THE FLORIDA STATUTES, FOR THE  
PURPOSE OF PROVIDING FIRE PROTECTION SERVICES;  
PROVIDING CREATION OF THE UNIT AND BOUNDARIES;  
PROVIDING PURPOSE; PORVIDING TERM OF UNIT; PROVIDING  
A GOVERNING BODY; PROVIDING GENERAL POWERS OF THE  
GOVERNING BODY; PROVIDING SPECIAL ASSESSMENTS;  
PROVIDING CITY OF ARCADIA FIRE PROTECTION SERVICE  
FUND; PROVIDING SEVERABILITY; PROVIDING REPEAL;  
PROVIDING AN EFFECTIVE DATE.

Fazzone then moved to adopt Ordinance No. 922 on first reading; seconded by Whitlock. Mayor Heine called for comments from the public, there were none. The motion carried on a roll call vote. Ayes: Johnson, Fazzone, Whittlock, Goodman and Heine. Nays: None.

Mayor Heine presented Resolution No. 2006-7 in support of the Florida Department of Elder Affairs, "Communities for a Lifetime". Whitlock moved to adopt Resolution No. 2006-7; seconded by Johnson and carried.

RESOLUTION NO. 2006- 7

A RESOLUTION OF THE CITY OF ARCADIA,  
SUPPORTING, THE FLORIDA DEPARTMENT OF  
ELDER AFFAIRS' COMMUNITIES FOR A LIFETIME

WHEREAS, the City of Arcadia, supports the Florida Department of Elder Affairs' *Communities for a Lifetime* initiative to make Florida a friendlier place to live for people of all ages, that they may be as independent as long as possible, and remain in their homes and in the communities they love; and

Regular Meeting  
May 2, 2006  
Continued

(Resolution 2006-7 continued)

WHEREAS, the State of Florida has the highest percentage of elders of any state in the nation and our elder population will continue to increase, researching numbers without precedent in the first part of the XXI Century; and

WHEREAS, in order to allow all residents to maintain their dignity, security and independence, communities must evaluate, assess and modify their infrastructures to create a *Community for a Lifetime*; and

WHEREAS, the City of Arcadia, and the Florida Department of Elder Affairs share the vision and responsibility to improve the life of all citizens so they can prepare for and enjoy aging in place throughout their life; and

WHEREAS, in order to achieve our mutual goals, cities and counties should begin to build together a place free of physical, emotional and social barriers,

NOW THEREFORE BE IT RESOLVED that our community, will make every effort to first evaluate and later remove barriers to create a *Community for a Lifetime*.

PASSED BY THE CITY COUNCIL OF THE CITY OF ARCADIA, FLORIDA, in Regular Session the 2<sup>nd</sup> day of May, 2006..

/s/ ROBERT W. HEINE  
ROBERT W. HEINE  
MAYOR

ATTEST:

/s/ RACHELLE M. BAUMANN  
RACHELLE M. BAUMANN, CMC  
CITY RECORDER

A request by letter, from Paul A. Winger, P.E. for a Special Exception to allow for the construction of a managers apartment in conjunction with a unfinished furniture store on Lots 7,8, and 9 of the former R.E. Whidden Subdivision of Block 43, Original Survey of Arcadia. This request was referred to the Planning and Zoning Board.

Regular Meeting  
May 2, 2006  
Continued

A request by letter, from Adrian H. Cline, Superintendent of Schools, for the transfer of six (6) old streetlights from the City of Arcadia to three (3) locations chosen by the School Board. Whitlock moved to grant the request to give the School Board six (6) old city street lights in "as in" condition; seconded by Johnson and carried. Special Projects Coordinator Hewett will assist with the transfer.

The Police Department Activity report for the month of April 2006 was presented.

Marshal Lee then reported serving a warrant at a residence on Manatee Avenue, April 20, 2006. Drugs in various forms, as well as \$750.00 were seized.

The Recorder's report of Revenues and Expenditures for the month of March 2006 was presented.

Administrator Strube reported that Steve Weeks, Grants Coordinator is working with the State on the City's Evaluation and Appraisal Report (EAR)

Bill Minnear with Air Cadia, Inc. addressed Council to report on the Wings and Rods Classic Cars and Static Aircraft Display which was held on Sunday, April 2, 2006 noting that it was a great success. He reported that over \$4,000.00 was raised for the Childrens Cancer Fund at Lee Memorial Hospital. Thanks were given to the Police Department, the City Golf Course, Mayor Heine and other Council Members for their involvement. Donations were presented to the City Police Department and to the Golf Course.

The Flowage report of Air-Cadia, Inc. for the months of February 2006 and March 2006 for the Municipal Airport were presented.

Mayor Heine asked about the status of the hanger repairs at the Airport. Special Projects Coordinator Hewett reported the foundation was completed, and the doors would be arriving soon.

It was reported to Special Projects Coordinator Hewett by Mayor Heine that light bulbs needed replacing on the corner of Orange and Magnolia. Mr. Hewett is aware of this and the bulbs will be replaced.

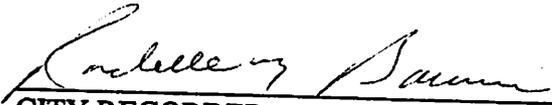
By letter, the Council received notification from the Comite Cinco de Mayo of this year's cancellation of the Cinco de Mayo Parade due to unforeseen circumstances.

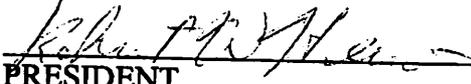
A Review of School Impact Fee Interlocal Agreement between DeSoto County, the City of Arcadia, and the School Board of DeSoto County was tabled until the next Council meeting.

Regular Meeting  
May 2, 2006  
Continued

Ms. Mary Pender addressed the Council regarding an alleyway between Maple and Cyprus. Ms. Pender explains she works in that area and the alleyway is in such bad repair, it is causing damage to her car and vehicles of other employees. She asked that the City pave this alleyway. Ms. Pender thanked the City for bringing in gravel, but stated it did not correct the problem. Mayor Heine requested Administrator Strube to review this request and see if the problem could not be resolved.

There being no further business the meeting was adjourned.

  
CITY RECORDER

  
PRESIDENT