AGENDA
ARCADIA CITY COUNCIL
CITY COUNCIL CHAMBERS
23 N. POLK AVE., ARCADIA, FL
TUESDAY, MAY 21, 2013
6:00 PM

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

PROCLAMATIONS

Arcadia Rodeo Association

CONSENT AGENDA

1. Check Warrant Reports 5/3/13
2. Air-Cadia Flowage and Hanger Rent Report April 2013
3. Certificate of Appropriateness 304 E. Oak St. - Sutphin

DISCUSSION ITEMS

4. Utility Late and Reconnect Fees (Administrator)
5. Legal Services Contract (Attorney)
6. School Board Request to Use Fire Station (Administrator)
7. Desoto Memorial Hospital (Vince Sica)

RESOLUTIONS

8. Resolution 2013-11 – A Resolution Urging Tobacco Retailers to Stop the Sale and Marketing of Flavored Tobacco Products in the City of Arcadia, Florida.

COMMENTS FROM DEPARTMENTS

9. City Marshal

10. Attorney

11. City Administrator
    a. Jim Space

PUBLIC (PLEASE LIMIT PRESENTATIONS TO FIVE MINUTES)

MAYOR AND COUNCIL MATTERS

ADJOURN

If a person decides to appeal any decision made by the board, agency, or council with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Please TURN OFF or SILENCE all cell phones

Proclamation

Whereas, the Arcadia rodeo began back in the middle of 1928 when the American Legion wanted to raise money to help pay for a new building; and

Whereas, in preparation for this event, special arrangements were made to bring in a group of Seminole Indians. The American Legion and the Lion's Club volunteered to sponsor a parade. Two thousand Shriners were expected to march in the parade. The first rodeo was such a success that the American Legion was able to pay off the mortgage on the new building in four years; and

Whereas, the tradition of the rodeo was so firmly entrenched in the hearts of so many DeSoto Countians that on January 10, 1952, at a meeting of the Rotary Club, what would become the Arcadia All-Florida Championship Rodeo, Inc. as we know it today was reactivated; and

Whereas, the rodeo continued at the Welles' arena until 1959 when the arena was moved to its present location on Heard Street. In 1973 the Arcadia All-Florida Championship Rodeo, Inc. joined the ranks of the Professional Rodeo Cowboys Association (PRCA); and

Whereas, the rodeo has seen so much success that they are in the preliminary stages of upgrading to a new arena located on Turner Road and collaborating with the Turner Center; and

Whereas, Throughout the last 84 years, the Arcadia Rodeo has raised thousands of dollars for local charitable organizations and brought great pleasure to thousands of spectators; and

Whereas, we are proud of the Rodeo Directors, past and present, and all of the volunteers for a job well done.

NOW, THEREFORE, WE, the City Council of the City of Arcadia, DeSoto County, Florida hereby proclaims the City's full support to

ARCADIA ALL-FLORIDA CHAMPISONSHIP RODEO, INC

In all their future Rodeos and successful completion of the new arena.

SO DONE THIS 7th DAY OF MAY 2013.

By: Keith Keene
Keith Keene, Mayor
City of Arcadia, Florida

ATTEST:
Gia S. Lancaster, City Recorder

WARRANT: 20130415 05/03/2013 DUE DATE: 05/03/2013

VOUCHER	VENDOR	VENDOR NAME	INVOICE	PO	TYPE	DUE DATE	AMOUNT	COMMENT
92266	106	BOWLING GREEN SMALL ENGINE	29497	100	INV	05/03/2013	20.88	THROTTLE TRIGGER
92267	10030	W & S ENTERPRISE ACCOUNT	107009	100	INV	05/03/2013	6,444.00	ACCT NO. 4250123800
92268	10015	DISBURSEMENT ACCT PETTY CAS	PETTY CASH_FIN_	100	INV	05/03/2013	37.96	10/05/2012 TO 04/18/20
92269	2477	STATE OF FLORIDA	3G-7252	100	INV	05/03/2013	847.77	TELEPHONE SERVICE THRU
92270	40050	DESOTO AUTOMOTIVE INC	333080B	100	INV	05/03/2013	27.56	ARBOR
92271	40110	DESOTO MEMORIAL HOSPITAL	04122013	100	INV	05/03/2013	875.00	C0000237719
92272	2345	DESOTO SHIRT &HAT,CRYSTAL I	2012	100	INV	05/03/2013	309.00	SHIRTS
92273	60015	FEDERAL EXPRESS CORP	955545977	100	INV	05/03/2013	43.00	CUST NO. 548396336
92274	2142	FENDER'S TIRE &BATTERY,INC	3291	100	INV	05/03/2013	20.00	TUBE
92275	60090	FLORIDA POWER & LIGHT	MAR/APR 13 CITY HALL	100	INV	05/03/2013	791.46	26417-31993: 123 W HIC
92276	2096	HAZEN & SAWYER,PC	0000028	100	INV	05/03/2013	46,045.97	SA 11 INV 28
92277	2096	HAZEN & SAWYER,PC	000006	100	INV	05/03/2013	2,608.89	SA 16 INV 6
92278	2096	HAZEN & SAWYER,PC	000002_SA 17	100	INV	05/03/2013	7,521.63	SA 17 INV 2
92279	80075	HOME OWNERS SUPPLY	236183	100	INV	05/03/2013	55.96	CRPT TRIM WD FLUT POL
92280	80075	HOME OWNERS SUPPLY	236399	100	INV	05/03/2013	129.99	DRILL HAMMER 1/2"
92281	222	JEAN-PIERRE LACROIX	WEB000185	100	INV	05/03/2013	421.65	SERVICE
92282	222	JEAN-PIERRE LACROIX	WEB000179	100	INV	05/03/2013	310.85	SERVICE
92283	423	LOUIS' PRYOR SUPPLY, INC	536117	100	INV	05/03/2013	97.74	C-CURVE IEC BREAKER
92284	1535	NAPA AUTO PARTS	204833	100	INV	05/03/2013	8.39	ACCUFIT CONVENTIONAL
92285	1535	NAPA AUTO PARTS	204831	100	INV	05/03/2013	8.39	ACCUFIT CONVENTIONAL
92286	1535	NAPA AUTO PARTS	204851	100	INV	05/03/2013	44.99	FAN
92289	2027	SHERWIN-WILLIAMS	2813-2	100	INV	05/03/2013	34.69	PAINT
92290	190090	SMITH'S RANCH & GARDEN, INC	102069828	100	INV	05/03/2013	12.45	4" HEAT SHRINK TUBING
92291	190090	SMITH'S RANCH & GARDEN, INC	102069752	100	INV	05/03/2013	15.00	BOLTS
92292	190090	SMITH'S RANCH & GARDEN, INC	102070111	100	INV	05/03/2013	32.99	BOX 1/4X2-1/4 FLAT MAS

ITEM #1

WARRANT: 20130415 05/03/2013 DUE DATE: 05/03/2013

VOUCHER	VENDOR	VENDOR NAME	INVOICE	PO	TYPE	DUE DATE	AMOUNT	COMMENT
92293	190090	SMITH'S RANCH & GARDEN, INC	102070260	100	INV	05/03/2013	39.98	STRIP 6 OUTLET 10' COR
92296	1666	STAPLES BUSINESS ADVANTAGE	8024932831	100	INV	05/03/2013	709.22	SUMMARY INVOICE 802493
92297	2439	TD EQUIPMENT FINANCE INC	00391062	100	INV	05/03/2013	11,772.65	LEASE NO. 40066715
92298	1562	TRACTOR SUPPLY CREDIT PLAN	04192013	100	INV	05/03/2013	127.80	6035 3012 0264 2730
92299	230015	WALMART COMMUNITY BRC	04162013	100	INV	05/03/2013	571.60	6032 2020 0058 1901
92300	190090	SMITH'S RANCH & GARDEN, INC	101055039	100	INV	05/03/2013	107.42	CHAINSAW BAR OIL/OIL
92303	40050	DESOTO AUTOMOTIVE INC	333050B	100	INV	05/03/2013	738.99	9HP HONDA ENGINE
92305	1405	THE SUN	042013155159	100	INV	05/03/2013	103.00	GOLF DIRECTORY 3/19-4/
92306	2688	SWAINE & HARRIS, PA	12976	100	INV	05/03/2013	213.50	MATTER NO. 6524-003
92307	2688	SWAINE & HARRIS, PA	12977	100	INV	05/03/2013	3,033.94	MATTER NO. 6524-005
92308	10140	ALERT PLUMBING SERVICE, INC	059166	100	INV	05/03/2013	84.15	SERVICE
92309	10030	W & S ENTERPRISE ACCOUNT	106011	100	INV	05/03/2013	40.28	ACCT NO. 3190623500
92310	10030	W & S ENTERPRISE ACCOUNT	106010	100	INV	05/03/2013	86.57	ACCT NO. 3190623300
92311	1451	DESOTO AUTO MALL	18240	100	INV	05/03/2013	80.25	A/C SPO
92312	60090	FLORIDA POWER & LIGHT	MAR/APR 13 BRIDLE PA	100	INV	05/03/2013	50.73	14005-32931: 208 BRIDL
92313	60090	FLORIDA POWER & LIGHT	MAR/APR 13 HODGES	100	INV	05/03/2013	52.71	84094-35982: 775 HODGE
92314	60090	FLORIDA POWER & LIGHT	MAR/APR 13 LINCOLN	100	INV	05/03/2013	29.30	33450-32977: 120 LINCO
92315	60090	FLORIDA POWER & LIGHT	MAR/APR 13 MILLS	100	INV	05/03/2013	59.81	24705-32926: 819 N MIL
92316	2656	PHIL'S AUTOMOTIVE	24523	100	INV	05/03/2013	49.95	FOUR WHEEL STANDARD AL
92317	2477	STATE OF FLORIDA	24-0381	100	INV	05/03/2013	8.56	SUNCOM NETWORK MARCH 2
92318	2477	STATE OF FLORIDA	3G-7283	100	INV	05/03/2013	259.93	TELEPHONE SERVICE
92321	1893	ARCADIA DO-IT-BEST HARDWARE	A348309	100	INV	05/03/2013	32.89	CHAIN
92322	1893	ARCADIA DO-IT-BEST HARDWARE	A347648	100	INV	05/03/2013	3.79	TAPE
92323	2823	CHANCEY BOHANNAN SEPTIC & P	1294	100	INV	05/03/2013	140.00	PORT A JON SERVICE
92324	10030	W & S ENTERPRISE ACCOUNT	105543	100	INV	05/03/2013	441.32	ACCT NO. 3150252900

WARRANT: 20130415 05/03/2013 DUE DATE: 05/03/2013

VOUCHER	VENDOR	VENDOR NAME	INVOICE	PO	TYPE	DUE DATE	AMOUNT	COMMENT
92325	60090	FLORIDA POWER & LIGHT	MAR/APR 13 MLK RR	100	INV	05/03/2013	10.06	16775-87477: 320 MLK J
92326	60090	FLORIDA POWER & LIGHT	MAR/APR 13 MLK TENNI	100	INV	05/03/2013	8.08	33392-38911: 320 MLK J
92327	60090	FLORIDA POWER & LIGHT	MAR/ARP 13 HARRIS RE	100	INV	05/03/2013	398.72	43372-30934: 121 HARRI
92328	60090	FLORIDA POWER & LIGHT	MAR/APR 13 CEM S SHE	100	INV	05/03/2013	8.00	96306-03240: 601 OAK R
92329	60090	FLORIDA POWER & LIGHT	MAR/ARP 13 WILSON CE	100	INV	05/03/2013	7.69	84164-36965: 601 OAK R
92330	60090	FLORIDA POWER & LIGHT	MAR/APR 13 CEM SHED	100	INV	05/03/2013	9.76	84154-38939: 601 OAK R
92331	60090	FLORIDA POWER & LIGHT	MAR/APR 13 HARRISOL	100	INV	05/03/2013	11.34	43412-39939: 111 HARRI
92332	80125	LOU'S HYDRAULIC SALES & SER	5720A	100	INV	05/03/2013	18.81	HOSE/FEMALE JIC SWIVEL
92333	130065	MEYER RADIATOR SERVICE	101187	100	INV	05/03/2013	95.00	CLEAN & REPAIR RADIATO
92334	60090	FLORIDA POWER & LIGHT	MAR/APR 13 OAKRIDGPM	100	INV	05/03/2013	2,961.84	44439-25062: 300 OAK R
92335	60090	FLORIDA POWER & LIGHT	MAR/APR 13 WWTP DSCH	100	INV	05/03/2013	101.33	74824-34912: 300 OAK R
92336	60090	FLORIDA POWER & LIGHT	MAR/APR 13 WWTP PMP	100	INV	05/03/2013	7.69	74834-32949: 300 OAK R
92338	2690	PEPSI BOTTLING COMPANY	84867258	100	INV	05/03/2013	391.50	BEVERAGES FOR PRO SHOP
92339	200075	TOTAL PEST CONTROL OF	844737	100	INV	05/03/2013	155.00	LAWN SERVICE
92342	1893	ARCADIA DO-IT-BEST HARDWARE	A347865	100	INV	05/03/2013	1.87	BOLTS/NUTS
92343	10030	W & S ENTERPRISE ACCOUNT	107008	100	INV	05/03/2013	30.60	ACCT NO. 4250123400
92344	2239	ENVIRONMENTAL REAGENT SERVI	11929	100	INV	05/03/2013	164.62	SULFURIC ACID/DPD PHOS
92346	60090	FLORIDA POWER & LIGHT	MAR/APR 13 344MILLS	100	INV	05/03/2013	140.20	44487-35995: 344 N MIL
92347	60090	FLORIDA POWER & LIGHT	MAR./APR 13 WTRPLTSY	100	INV	05/03/2013	87.73	14787-37974: 645 TURNE
92348	60090	FLORIDA POWER & LIGHT	MAR/APR 13 10THELEVA	100	INV	05/03/2013	7.69	34007-36975: 709 N 10T
92349	60090	FLORIDA POWER & LIGHT	MAR/APR 13 MAPLEWEL1	100	INV	05/03/2013	404.97	24677-32950: 1502 E MA
92350	60090	FLORIDA POWER & LIGHT	MAR/APR 13 10THFIRE	100	INV	05/03/2013	38.27	24764-59223: 403 N 10T
92351	395	HILL MANUFACTURING CO, INC	762088-146	100	INV	05/03/2013	174.83	INSECT CONTROL
92352	2080	KLENECORP	3517	100	INV	05/03/2013	190.00	COMPUTER REPAIR
92353	1535	NAPA AUTO PARTS	204924	100	INV	05/03/2013	20.10	FUEL FILTER

WARRANT: 20130415 05/03/2013 DUE DATE: 05/03/2013

VOUCHER	VENDOR	VENDOR NAME	INVOICE	PO	TYPE	DUE DATE	AMOUNT	COMMENT
92354	1535	NAPA AUTO PARTS	204836	100	INV	05/03/2013	23.80	BEARING CONE/BEARING C
92356	1535	NAPA AUTO PARTS	205093	100	INV	05/03/2013	48.99	AIR FILTER
92357	2128	ODYSSEY MANUFACTURING CO.	180500	100	INV	05/03/2013	320.25	HYPOCHLORITE SOLUTIONS
92358	190016	SAFETY PRODUCTS INC	071609	100	INV	05/03/2013	80.10	CREWS BLACKJACK GREW L
92359	190070	SHORT ENVIRONMENTAL	13-1296	100	INV	05/03/2013	78.00	SAMPLE 4/15-4/17/2013
92360	190070	SHORT ENVIRONMENTAL	13-1300	100	INV	05/03/2013	78.00	SAMPLE 4/18/2013
92361	190070	SHORT ENVIRONMENTAL	13-1273	100	INV	05/03/2013	78.00	SAMPLE 4/11/2013
92376	2096	HAZEN & SAWYER,PC	0000027	100	INV	05/03/2013	45,880.26	SA 11 INV 27
92381	1451	DESOTO AUTO MALL	18600	100	INV	05/03/2013	29.90	22" WIPER BLADE
92382	60090	FLORIDA POWER & LIGHT	MAR/APR 13 BREVARDOL	100	INV	05/03/2013	93.18	89300-24164: 721 N BRE
92383	60090	FLORIDA POWER & LIGHT	MAR/APR 13 DRIVERSLI	100	INV	05/03/2013	196.99	80428-96368: 721 N BRE
92384	60090	FLORIDA POWER & LIGHT	MAR/APR 13 BREVARDPO	100	INV	05/03/2013	307.13	78275-70040: 725 N BRE
92385	2624	INTERSTATE BATTERIES OF FOR	30011628	100	INV	05/03/2013	152.59	BATTERIES
92389	1535	NAPA AUTO PARTS	204479	100	INV	05/03/2013	7.94	SMALL DIA COOL HOSE
92391	1535	NAPA AUTO PARTS	204834	100	INV	05/03/2013	9.39	ACCUFIT CONVENTIONAL
92392	1535	NAPA AUTO PARTS	204704	100	INV	05/03/2013	15.67	MANIFOLD GASKET SET
92393	1535	NAPA AUTO PARTS	204791	100	CRM	05/03/2013	-15.67	WARRANTY
92395	170025	QUILL CORPORATION	2039141	100	INV	05/03/2013	11.49	POST IT
92396	170025	QUILL CORPORATION	2053198	100	INV	05/03/2013	97.97	OFFICE SUPPLIES
92407	1666	STAPLES BUSINESS ADVANTAGE	8025078973	100	INV	05/03/2013	115.31	SUMMARY INVOICE 802507
92408	1811	GLOBAL EQUIPMENT COMPANY	105536698	100	INV	05/03/2013	589.08	MATS
92409	2128	ODYSSEY MANUFACTURING CO.	180501	100	INV	05/03/2013	412.50	HYPOCHLORITE SOLUTIONS
92410	1666	STAPLES BUSINESS ADVANTAGE	8025006737	100	INV	05/03/2013	348.90	SUMMARY INVOICE 802500
92411	60090	FLORIDA POWER & LIGHT	1800037927	100	INV	05/03/2013	2,599.00	CUST NO. 6800006519
92413	2479	ONLINE STORES	SE2678289	100	INV	05/03/2013	228.21	CUST NO. 1069172

WARRANT: 20130415 05/03/2013 DUE DATE: 05/03/2013

VOUCHER	VENDOR	VENDOR NAME	INVOICE	PO	TYPE	DUE DATE	AMOUNT	COMMENT
92414	2933	SAFETY SMART GEAR	20278	100	INV	05/03/2013	615.48	UNIFORMS
					WARRANT TOTAL		143,452.71	

** END OF REPORT - Generated by Amanda Albritton-Horkey **

WARRANT: 20130416 05/03/2013 **DUE DATE: 05/03/2013**

VOUCHER	VENDOR	VENDOR NAME	INVOICE	PO	TYPE	DUE DATE	AMOUNT	COMMENT
92301	10030	W & S ENTERPRISE ACCOUNT	106909	100	INV	05/03/2013	45.36	ACCT NO. 4230114700
92302	1535	NAPA AUTO PARTS	204772	100	INV	05/03/2013	4.69	OIL FILTER
92319	1963	BV OIL COMPANY,INC	03-575098	100	INV	05/03/2013	75.00	GENERATOR FUEL
92405	1535	NAPA AUTO PARTS	204262	100	INV	05/03/2013	71.79	ELECT FUEL PUMP KIT/FU
92406	1535	NAPA AUTO PARTS	204268	100	CRM	05/03/2013	-71.79	REFUND
92416	60090	FLORIDA POWER & LIGHT	MAR/APR 13 HANGAR3	100	INV	05/03/2013	28.03	57004-27361: 2101 SE A
92417	60090	FLORIDA POWER & LIGHT	MAR/APR 13 BEACON	100	INV	05/03/2013	38.63	32291-29311: 2268 SE A
92418	60090	FLORIDA POWER & LIGHT	MAR/APR 13 HANGAR	100	INV	05/03/2013	127.14	03160-30915: SE AIRPOR
92419	60090	FLORIDA POWER & LIGHT	MAR/APR 13 AIRPORTOL	100	INV	05/03/2013	140.85	03130-38937: SE AIRPOR
92420	60090	FLORIDA POWER & LIGHT	MAR/APR 13 AIRPORT R	100	INV	05/03/2013	7.72	03080-31905
					WARRANT TOTAL		467.42	

** END OF REPORT - Generated by Amanda Albritton-Horkey **

Air - Cadia
2268 SE AC Polk Jr Dr
Arcadia, Fl 34266
863-990-9314
863-993-2114

FLOWAGE AND HANGER RENT REPORT APRIL 2013

Aviation Fuel	*566.2 GALLONS @ $0.01/ga*	$ 5.66
Lubrication oil	*0.00Gallons.04/gal*	$ .00
Tiedown Fee	*10.00/50%*	$ 5.00
BLDG F...unit 1 and 2	*650.00/90%*	$ 585.00
Bldg F Unit 3.	*433.00/90%*	$ 390.00
T-hangers	*3825.00/90%*	$ 3,442.50
Late Fee	*25.00/90%*	22.50

This month 17 of the 20 hangers rented-Building A and B
3 of the 3 hangers rented-Building F

Adjustments *uncollected-Ring April 2013* *($225.00)*

Total due City for APRIL 2013 $ 4,225.66

Paid Check # 2611

Sent to Jim 5/15/13

ITEM #3

City of Arcadia, Florida
Community Development

MEMORANDUM

TO: City Council

FROM: Tom Slaughter, AIPC, City Planner

DATE: May 21, 2013

SUBJECT: Certificate of Appropriateness within Historic District

FILE NO.: 13-03CA

Petitioner: Jon Sutphin, Homeowner

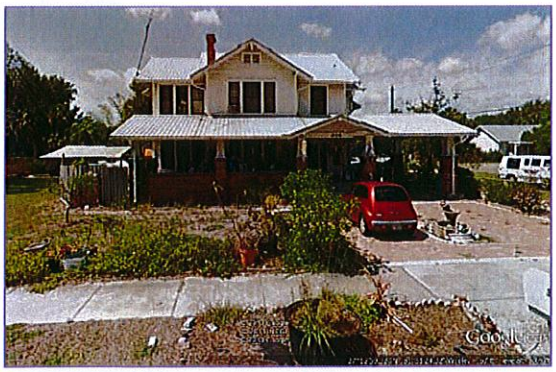
Address: 304 East Oak Street

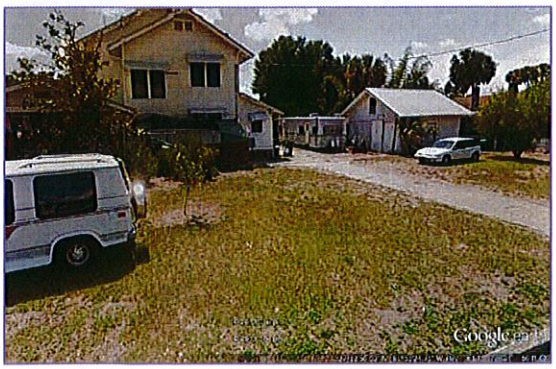
Prop. ID No.: 25-37-24-0012-0390-0010

Request: Installation of new garage/shed storage structure in backyard of single family parcel.

Aerial:

Site Photos:



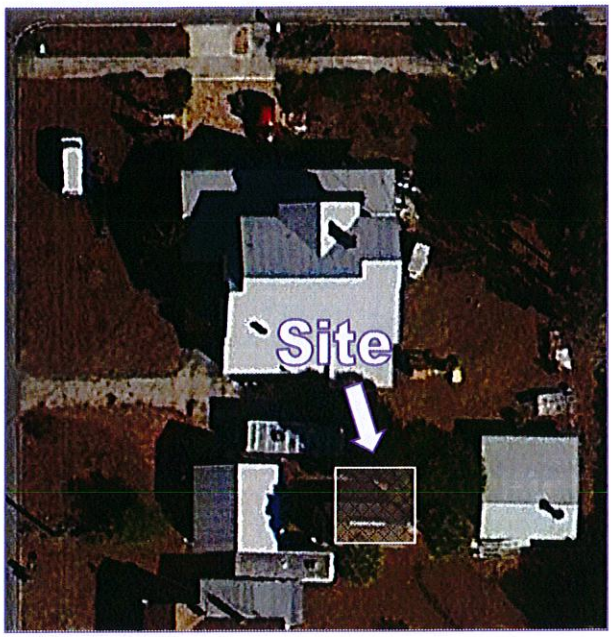


Historic Preservation Commission Recommendation:

The Historic Preservation Commission provided a favorable recommendation of approval for the Certificate Of Appropriateness to the property owner to install an accessory shed structure within the City's Historic District. The Commission's unanimous recommendation did not include any suggested conditions and restrictions as part of the motion to approve.

Proposed Improvements:

Property owner Jon Sutphin is requesting "Certificate of Appropriateness" approval through the City's Historic Preservation Ordinance to install a pre-built garage storage structure measuring 30' x 36' (1,080 sq. ft.). The subject property is located on the north-west corner of East Oak Street and Hillsborough Avenue. The new structure is proposed to be sited along the south side yard of the applicant's property line. The structure will be placed in-between two existing garage structures. The proposed storage structure will be very difficult to catch sight of from any public right of way as a result of its placement between two existing building structures, and the placement of an adjacent single family home located south of the applicant's home site. No variance, modification or relief from any City land development code standard is proposed.



Code Compliance and Findings:

The property is designated on the City's adopted Future Land Use Map as "Low Density Residential" land use classification, and zoning designation as "Multiple Dwelling (R-3) District" as depicted on the Zoning Map. A freestanding ground shed is a permitted accessory structure within the City's R-3 zoning district. Staff confirms through an on-site visit the existing conditions described in this report. Support of a Certificate of Appropriateness by the City is a prerequisite for the applicant to petition for a Zoning Certificate (No. 13-07ZC) for the shed structure.

The zoning certificate application has been reviewed by staff for technical compliance and has been found to meet the City's land development code for zoning standards. Property line setbacks and building separation standards for fire protection have been confirmed through staff's site plan permit review. Upon approval of the zoning certificate permit by staff, along with a Certificate of Appropriateness by the Historical Preservation Committee, the applicant is eligible to seek a Desoto County building permit to commence building and site improvement activities.

Historical Designation of Subject Building and Property:

Staff has examined land use and parcel data contained through the Desoto County Property Appraiser's property information website for confirmation of building structure and site development improvements. The County website indicates the primary building structure (4,570 sq. ft.) was built in

1914, with subsequent site improvements in 1960 (sidewalk and other paving) and placement of an accessory use permit (sheds and fence) approved in 1996. No significant building structure additions or alterations were discovered through this staff record search.

Historic Preservation Standards of Review:
The City of Arcadia Ordinance No. 955, Historic Preservation, requires any application for the construction, reconstruction, alteration and demolition of a historic structure, historic site or a structure within a historic district to petition for a Certificate of Appropriateness, reviewed by the Historic Preservation Commission and issued by City Council, prior to any construction activities.

The Historic Preservation Commission shall review the application for conformity with the following criteria, and shall recommend to the City Council issuance of the Certificate of Appropriateness, unless:

1. *in the case of a designated historic structure or historic site the proposed work would detrimentally change, destroy, or adversely affect any exterior feature of the improvement or site upon said work is to be done;*
2. *in the case of the construction of a new improvement upon an historic site or within an historic district, the exterior of such improvement would adversely affect or not harmonize with the external appearance of other neighboring improvements on such site or within such district;*
3. *in the case of any property located in an historic district, the proposed construction, reconstruction, exterior alteration or demolition does not conform to the purpose and intent of this chapter and/or to the objectives and design criteria of any historic preservation plan approved for said district;*
4. *the building or structure is of such architectural or historical significance that its demolition would be detrimental to the public interest and contrary to the general welfare of the people of the city and state; or*
5. *in the case of a request for the demolition of a deteriorated building or structure, any economic hardship or difficulty claimed by the owner is self-created or is the result of any failure to maintain the property in good repair.*

CERTIFICATE OF APPROPRIATENESS
(Historic Preservation Commission)

City of Arcadia Florida
Community Development
23 Polk Avenue North
Arcadia, FL 34266
(863) 494-4114
City Website: *arcadia-fl.gov*

Date Stamp

RECEIVED
APR 30 2013
CITY OF ARCADIA

Fee: $165.00

R# 853022

File No.: 13 - 03 CA

The City's Historic Preservation Ordinance (No. 955) requires all proposed development activity within Arcadia's Historic Preservation District be controlled through a Certificate of Appropriateness application. The Historic Preservation Ordinance can be found under Chapter 60 of the Arcadia Code of Ordinances. Please note an application approved by the City of Arcadia is required for submittal along with your Building Permit application materials administered by the DeSoto County Building Department.

APPLICANT'S INFORMATION
(Agent or Contractor)

Name: Acc Sheds - USA Steel

Organization: _____

Address: 2230 Hwy 70 E

City: Arcadia

State: FL Zip Code: 34266

Telephone No.: (863) 494 1678

Email: accsheds@embarqmail.com

PROPERTY OWNER'S INFORMATION
(Leave Blank if Same as Applicant)

Name: Jon Sutphin

Organization: _____

Address: 304 E Oak St

City: Arcadia

State: FL Zip Code: 34266

Telephone No.: 863 4440375

Email: _____

I. Type of Building Structure and Development Activity Proposed

○ New Construction	○ Manufactured	○ Mobile	○ Addition	○ Demolition
○ Shed	○ Ground Sign	○ Fence	○ Deck	Other Garage

II. Property Information

Parcel Address (if assigned): Same

Parcel Identification Number: 253724001203900010

Subdivision, Block and Lot Nos.: _____

III. Zoning Information and Development Standards (for New Building Structures only)

Zoning Map Designation: R-3

Lot Size (sq. ft.): 20250 Lot Length: 135' Lot Width: 150'

	Zoning Code Yard Setbacks:		Proposed Accessory Structure Setbacks:
	30	Front Yard	70 Front Yard
(if corner lot)	15	secondary Front Yard	*(if corner lot)* N/A secondary Front Yard
	5	Side Yard	5 Side Yard
	5	Side Yard	N/A Side Yard
	20	Rear Yard	40 Rear Yard
	10'	Between Buildings (per Code 110-631)	10 Between Buildings

IV. Site Plan and Property Improvement Materials – Please provide a copy of any property survey, site development plans, drawings, renderings, engineered plans, photos, vender specification sheets for prefabricated materials.

○ Yes, please list attached exhibits: ZONING CONDITIONS APP. NO. 13-072C

○ None. I intend to utilize City provided site plan sheet. I understand that I am required to include ALL property information, proposed improvements, and other such project delineations that may be necessary to confirm code compliance and to ensure there are no utility services conflicts.

I understand that an incomplete application will be returned and will delay permit review.

Planning and Zoning Review:	Utility Systems Review:	Notes, Restrictions, and Permit Coordination:
○ Approved	○ Approved	
○ Denied	○ Denied	
Zoning Inspector Signature	Utility Inspector Signature	
Date:	Date:	

SITE PLAN INFORMATION SHEET: ZONING CERTIFICATE APPLICATION

I. Site Plan Requirements

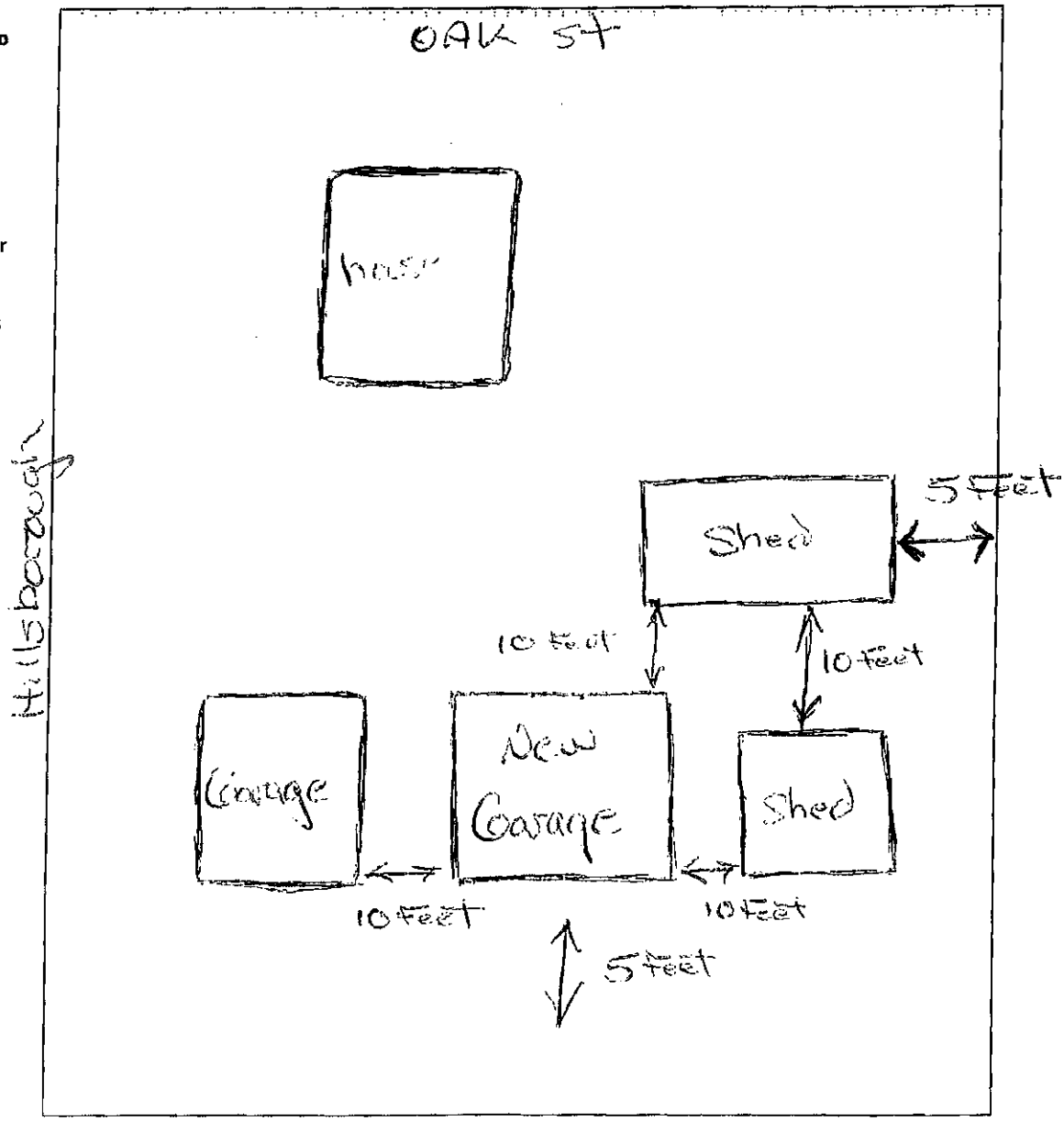
1. Applications which lack essential information required by the City's Code of Ordinances cannot be processed for technical utility and zoning compliance review and will be returned to you for completion.
2. Provide site plan information and project details in a clear, legible format. If we are unable to understand or read project details, it may contribute to unnecessarily extending permit review processing time.
3. Reference your survey and plat information to ensure your improvements are within areas of legal ownership, and utility and service access are within approved easements and public right-of-ways.
   - ➢ DeSoto County Property Appraiser property search website at: www.desotopa.com/GIS/Search_F.asp
4. Exceeding height allowances or proposed encroachments into required yard setbacks (extending beyond zoning envelope or build-to lines) will require a zoning variance application – and may not be supported by the City.

General Information to Provide on Site Plan
- North arrow
- Street names
- Property lines
- Right-of-ways
- Utility easements
- Identify primary building structures or points of reference
- Show measurement details in feet/inches

Fences and Walls
- Types of material
- Height of structure
- Location and linear runs of all fence lines

Sheds and Detached Covered Structures
- Placement in yard
- Footprint
- Height
- Length
- Width

Driveways, Sidewalks and Other Curb-Cuts
- Types of all surface stabilizing material
- Location, including length and width of infrastructure area
- Impervious surface coverage estimate
- Detailed cross-section depicting sub grade soils, base materials, and binder or surface courses



USA STEEL BUILDINGS

TRIPLE WIDE CARPORTS

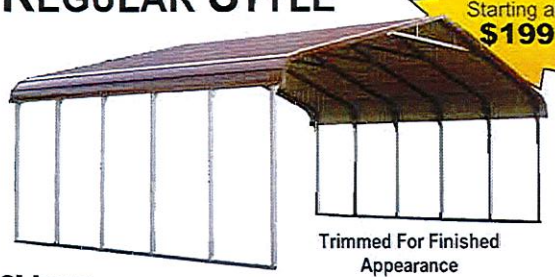
ENGINEERED FOR **HIGH** WIND

Prices valid for: FL

Certified 130MPH, Engineered for High Wind

REGULAR STYLE

Starting at **$1995**



Trimmed For Finished Appearance

6' legs

26x21 $1995	28x21 $2095	30x21 $2195
26x26 $2495	28x26 $2595	30x26 $2795
26x31 $2995	28x31 $3095	30x31 $3395
26x36 $3495	28x36 $3695	30x36 $3995
26x41 $4195	28x41 $4395	30x41 $4595
26x46 $4795	28x46 $4895	30x46 $5195
26x51 $5295	28x51 $5460	30x51 $5790

Beckers™

20 Year Limited* Warranty on Roofing Materials -Not available for reg. and box style longer than 31'

BOXED EVE STYLE

With horizontal roof

Starting at **$2095**

Steel Trusses & Corner Braces For added Strength

6' legs

26x21 $2095	28x21 $2195	30x21 $2295
26x26 $2595	28x26 $2795	30x26 $2895
26x31 $3095	28x31 $3395	30x31 $3495
26x36 $3695	28x36 $3995	30x36 $4195
26x41 $4395	28x41 $4595	30x41 $4795
26x46 $4995	28x46 $4920	30x46 $5220
26x51 $5395	28x51 $5510	30x51 $5840

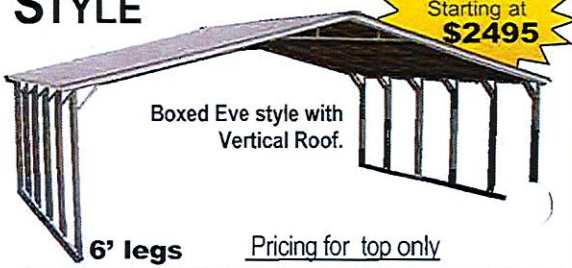
We Accept

VISA MasterCard DISCOVER

M.H. Anchors or Concrete Anchors included.

VERTICAL ROOF STYLE

Starting at **$2495**



Boxed Eve style with Vertical Roof.

6' legs Pricing for top only

26x21 $2495	28x21 $2495	30x21 $2595
26x26 $2995	28x26 $3095	30x26 $3295
26x31 $3595	28x31 $3695	30x31 $3995
26x36 $4195	28x36 $4395	30x36 $4695
26x41 $4995	28x41 $5195	30x41 $5395
26x46 $5695	28x46 $5795	30x46 $6095
26x51 $6295	28x51 $6460	30x51 $6790

130 MPH STANDARD FEATURES INCLUDE: 14 GAUGE FRAME - 29G ROOFING AND SIDING - BOWS 3'6" ON CENTER OR LESS - BRACES ON LEGS FOR ADDED STRENGTH, CENTER TRUSSES

145 Mph & 160 Mph See Reverse Side

Financing Available

- 160 MPH Certification also available
- Lot must be level and clear of obstacles
- 29 Gauge Baked-On Enamel Panels
- 2' Brace on every leg included

ALSO AVAILABLE GARAGES, TRIPLE WIDES, BARNS, STORAGE UNITS, 60' WIDE AVAILABLE

FREE Installation On Your Level Land

"ALL PRICES SUBJECT TO CHANGE WITHOUT NOTICE"

©2012 USA Steel Buildings, Inc. 6/12

BARN RED | CLAY | EARTH BROWN | EVERGREEN | PEBBLE BEIGE | PEWTER GRAY | SANDSTONE | SLATE BLUE | RAWHIDE | WHITE

NOTE: frame lengths are 20',25',30',etc., horizontal roofs have 6" overhang front and back, optional vertical roofs have no overhang front or back.

ZONING CERTIFICATE APPLICATION
(MINOR STRUCTURES)

City of Arcadia Florida
Community Development
23 Polk Avenue North
Arcadia, FL 34266
(863) 494-4114
City Website: *arcadia-fl.gov*

Date Stamp

CITY OF ARCADIA
RECEIVED
APR 15 2013
4.24.13

Fee: $65.00

R# 853022

File No.: 13 - 07 ZC

The Zoning regulations are used for controlling land use, height, setbacks, and similar concerns with occupying land. A zoning permit authorizes the use of property and building structures, they are typically required when a building permit is not needed for certain minor, low intensity development activity. They are also called "Certificates," as they certify the use or building structure complies with the zoning regulations contained in the Arcadia Land Development Code.

APPLICANT'S INFORMATION
(Agent or Contractor)

Name: Accsheds - USA Steel
Organization:
Address: 2230 Hwy 70 E
City: Arcadia
State: FL Zip Code: 34266
Telephone No.: (863) 494 1678
Email: accsheds@embarqmail.com

PROPERTY OWNER'S INFORMATION
(Leave Blank if Same as Applicant)

Name: Jon Sutphin
Organization:
Address: 304 E Oak st
City: Arcadia
State: FL Zip Code: 34266
Telephone No.: (863) 444 0375
Email: SUTPHIJ@HOTMAIL.COM

I. Type of Development Activity Proposed (Check all development activities)

○ Fence	○ Shed (under 1,000 sq. ft.)	○ Car Port	○ Roofed, Pole Barn (no sides)	○ Deck
○ Driveway (under 1,000 sq. ft.)	○ Culvert	○ Curb Cut	○ Paved Area/Patio (under 1,000 sq. ft.)	Other Garage

II. Property Information

Parcel Address (if assigned): Same
Parcel Identification Number: 25 37 24 0012 0390 0010

III. Land Use and Utility Standards

Is the property located within a Historic District: ○ No ⊗ Yes (*if yes, please see staff for HPC application*)

Zoning Map Designation: R-3

Lot Size (sq. ft.): 20250 Lot Length: 135 Lot Width: 150

	Zoning Code Yard Setbacks:	Proposed Accessory Structure Setbacks:
	30 Front Yard	70 Front Yard
(*if corner lot*)	15 secondary Front Yard	(*if corner lot*) N/A secondary Front Yard
	5 Side Yard	5 Side Yard
	5 Side Yard	N/A Side Yard
	20 Rear Yard	40 Rear Yard
	10' Between Buildings (per Code 110-631)	10 Between Buildings

IV. Site Plan and Property Improvement Materials – Please provide a copy of any property survey, site development plans, drawings, renderings, engineered plans, photos, and vender specification sheets for prefabricated materials. Please indicate all attached exhibits that you are submitting (check all that apply):

○ Property Survey	○ Site Plan	○ Building Elevation	○ Drawings
○ Engineered Plans	⊘ Photos	⊘ Vender Spec. Sheets	Other _____

⊘ None. I intend to utilize City provided site plan sheet.

I understand that I am required to include ALL property information, proposed improvements, and other such project delineations that may be necessary to confirm code compliance and to ensure there are no utility services conflicts.

Planning and Zoning Review:

⊘ Approved

○ Denied

Zoning Inspector Signature

Date: 4.24.13

Utility Systems Review:

● Approved

○ Denied

Utility Inspector Signature

Date: 4/26/13

Notes, Restrictions, and Permit Coordination:

PENDING HPC CERTIFICATE OF APPROPRIATENESS APPROVAL NO. 13-03 CA

City	Late Fee	Reconnect Fee
Arcadia	$25	$35
Zolfo Springs	$10	$45
Wauchula	$15	$15 on-hours/$50 after-hours
Avon Park	5% of bill	$40 on-hours/$80 after-hours
Ft. Meade	$10	$43 same day/$23 next day
Lake Placid	1.5% or $1 minimum	$50 on-hour/$100 after-hours

Perhaps we need to decrease late fee and increase reconnect fee and establish an after 4 pm fee as well.

Arcadia	$10	$50 on-hours/$90 after 4 pm

These numbers are not just pulled out of the air; they are justified by cost of the salary, benefits, costs and amount of time to do the work.

The total cost to assess the late fee, prepare disconnect work order, drive/fuel and disconnect, prepare reconnect work order, drive/fuel and reconnect, re-evaluate the service (deposit, fees, notes on account) is at the minimum $60.77 which equals the $60 combined late and reconnect.

We pay a $30 on-call pay starting at 4 pm for the first two hours then time and a half after the two hours so that justifies at a minimum the additional $30 for a total of $90 for after hours reconnect, IF we offer the service.

AGREEMENT FOR REPRESENTATION AND FEES

THIS IS AN AGREEMENT between the **CITY OF ARCADIA**, a Florida municipal corporation, whose mailing address is P.O. Box 351, Arcadia, FL 34265 (herein called "City") and **SWAINE & HARRIS, P.A.**, Attorneys at Law, 425 South Commerce Avenue, Sebring, Florida 33870 (herein called "Attorneys").

W I T N E S S E T H

In consideration of the services agreed to be performed by Attorneys and the fees to be paid by the City, the parties agree as follows:

1. The City hereby retains Attorneys to perform all necessary legal work for the City, except for certain limited legal matters in which the City will be represented by an attorney specializing in that area of law.

2. Attorneys hereby accept such employment and agree to render and perform such legal services and furnish all advice relevant to such legal matters for the City. The services will be performed by attorneys licensed to practice in the State of Florida, and by paralegals or legal assistants (non-lawyers working under the direct supervision of an attorney) with specialized training or experience in such legal matters.

3. City hereby agrees to pay Attorneys, as compensation for the services to be performed, the professional time spent by attorneys, paralegals and legal assistants at the rate of $7,500.00 per month (hereinafter "Retainer"). Attorneys will provide legal consultation and advice to the City and its principals under the Retainer, which will include:

A. Serve as the legal advisor to the Mayor and City Council during the conduct of City Council meetings;
B. Serve as legal advisor to the City's several Boards, Committees and Commissions during the conduct of these meetings;
C. Advise the Mayor, City Council, Boards, Committees and Commissions, City Marshall, City Administrator, City Clerk and other officers of the City in regard to all legal matters arising in the performance of their several duties which will include, but not be limited to, Special Master Code Enforcement proceedings;
D. Prepare and/or review all Ordinances, Resolutions, Contracts and other documents as requested;
E. Perform such other duties in accordance with City Ordinances or as may be required by the City Council; and
F. Coordinate and provide direction and oversight with regard to the legal affairs of the City including, but not limited to, recommending and coordinating the engagement of special counsel when needed as determined by the City Council.

This Agreement does not include lobbying before the State of Florida or its Agencies. In addition, duties outside the Retainer include:

A. Representing the City in all cases in the several courts to which the City may be a party, whether as a plaintiff or defendant including, but not limited to, court proceedings related to code enforcement;
B. Employing additional legal counsel;
C. Preparation for anticipated and conduct of all civil litigation and appeals beyond City hearings;
D. Preparation for the issuance and sale of City bonds;
E. Assignments as mutually agreed as outside the Retainer;
F. Addressing issues regarding employment disputes; and
G. Addressing issues regarding pension plans.

Nothing in this Agreement shall prevent the City from contracting with Attorneys for duties outside the Retainer. Compensation for such services outside of the Retainer shall be at the rate of $150.00 per hour for attorneys and $85.00 per hour for paralegals and legal assistants.

4. In addition to fees for services, the City shall pay Attorneys all sums in the nature of costs which Attorneys have paid or will be required to pay during their representation of City. These expenses may include, but shall not be limited to, court costs, computer research time, deposition costs, long distance telephone calls, reproduction costs, service of process, cost of publication, witness fees, expert witnesses fees, and all other expenses Attorneys consider reasonably necessary for the proper representation of the City. Compensation for any travel time exceeding four (4) trips from Sebring to Arcadia shall be at the rate of $75.00 per hour and mileage at the rate of $0.55 per mile. These sums shall not be a part of the Retainer herein agreed to be paid, but shall be in addition thereto.

5. The term of this contract shall begin May 15, 2013 and end May 14, 2014, unless terminated earlier by either party. Either party may terminate this agreement by giving ninety (90) days written notice to the other party. This agreement may be extended, from year to year, by a majority of the City Council.

6. All papers, records, documents, exhibits, or other items delivered to Attorneys by City shall be returned to City at the conclusion of representation in each particular matter, at the request of City. All papers produced by Attorneys and all research and other work done by Attorneys shall remain the property of Attorneys.

7. The parties hereby acknowledge that two identical complete agreements are being executed, one to be retained in the possession of each party, either of which shall constitute and be considered an original for all purposes.

DATED this _____ day of _____, 2013.

SWAINE & HARRIS, P.A.

By:_____
Thomas J. Wohl

CITY OF ARCADIA

By: _____
Keith Keene, City Mayor

ATTEST:

_____
Virginia S. Haas, City Clerk

(corporate seal)

RESOLUTION 2013 – 11

A RESOLUTION URGING TOBACCO RETAILERS TO STOP THE SALE AND MARKETING OF FLAVORED TOBACCO PRODUCTS IN THE CITY OF ARCADIA, FLORIDA

WHEREAS, tobacco use is the number one cause of preventable death in the United States, and almost 90 percent of tobacco users smokers started before they were 18 years old, and

WHEREAS, each day, more than 4,000 young people try smoking for the first time, and another 2,000 youth become regular daily smokers, and

WHEREAS, the Surgeon General has concluded that tobacco advertising greatly contributes to youth smoking rates, and

WHEREAS, an estimated one third of adolescent experimentation with smoking can be directly attributed to tobacco advertising and promotional activities, and

WHEREAS, the Master Settlement Agreement (MSA) reached in 1998 between state Attorneys General and major tobacco companies forbids cigarette manufacturers from directly or indirectly targeting youth in advertising, marketing and promotion of tobacco products aimed at initiating, maintaining or increasing youth smoking, and

WHEREAS, internal tobacco industry documents strongly suggest that manufacturers intentionally target youth through use of candy-like flavors in tobacco products, and

WHEREAS, research from the Harvard School of Public Health (published November 2005) found that cigarette makers are targeting young smokers with new candy-flavored and liqueur-flavored brands that mask the harsh and toxic properties found in tobacco smoke. Tobacco companies use youth-oriented colorful and stylish packaging, and exploit adolescents' attraction to candy flavors with names such as "Mandarin Mint", "Winter Warm Toffee" and "Twista Chill", and

WHEREAS, national studies have found that the vast majority of people who are using these flavored tobacco products are youth and young adults, and

WHEREAS, research by the Students Working Against Tobacco youth shows that most of the local tobacco retailers surveyed in DeSoto County sell flavored tobacco products of various kinds as detailed in the research report attached, and

WHEREAS, the Florida Youth Tobacco Survey shows that at least 80% of tobacco obtained by youth in DeSoto County is obtained through social sources, not direct, underage purchases by the minors themselves and therefore existing age restrictions are inadequate protection to keep these flavored products out of the hands of the their primary users, youth, and

WHEREAS, some of these tobacco products, specifically flavored cigars and blunts wraps are also used as drug paraphernalia for the smoking of marijuana, and

WHEREAS, flavored tobacco products are defined as loose tobacco including snuff flour, plug and twist tobacco, fine cuts, chewing tobacco, snus, shisha tobacco, smoking or snuffing tobacco products, and all other kinds and forms of tobacco, including but not limited to cigarettes, cigars, smokeless tobacco products and blunt wraps prepared in such a manner with the purpose for chewing, inhaling, smoking or ingesting in any manner in which the product or any of its component parts (including the tobacco, filter, or paper) contain, as a constituent (including a smoke constituent) or additive, an artificial or natural flavor (other than tobacco or menthol) or an herb or spice, including but not limited to, strawberry, grape, orange, clove, cinnamon, pineapple, vanilla, coconut, licorice, cocoa, chocolate, cherry, coffee, or alcohol flavors, that is a characterizing flavor of the tobacco product or tobacco smoke, and

WHEREAS, the DeSoto Tobacco Free Partnership which is comprised of members from Students Working Against Tobacco (SWAT), DeSoto County Health Department, DeSoto Memorial Hospital, American Cancer Society, American Lung Association and the Quit Doc Education and Research Foundation have affirmed their support for this measure and support a safe environment in which our youth can grow and prosper, free from the influences of tobacco industry marketing and from addiction to tobacco, now therefore be it

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ARCADIA, FLORIDA that the City of Arcadia, Florida urges all local retailers who sell tobacco products to cease the sale and marketing of all flavored tobacco products, which are defined as loose tobacco including snuff flour, plug and twist tobacco, fine cuts, chewing tobacco, snus, smoking or snuffing tobacco products, and all other kinds and forms of tobacco, including but not limited to cigarettes, cigars, smokeless tobacco products and blunt wraps, prepared in such a manner with the purpose for chewing, inhaling, smoking or ingesting in any manner which have been flavored through the addition of natural or artificial flavorings, herbs, spices or other means with

flavors characterizing fruit, candy, alcohol or other similar flavorings with the exception that menthol will not be included in this definition.

DULY PASSED BY THE CITY COUNCIL OF THE CITY OF ARCADIA, FLORIDA, in regular session at the City Council Chambers of said City of Arcadia, Florida this 21st day of May, 2013.

City of Arcadia, Florida

_____
Keith Keene, Mayor

ATTEST:

_____
Gia Lancaster, City Clerk

Approved as to form:

_____
Thomas J. Wohl, City Attorney