

**AGENDA MINUTES
CITY COUNCIL
CITY OF ARCADIA
TUESDAY, JUNE 16 2015
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

Candy Reid 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 Alice Frierson
Councilmember Joseph E. Fink

Councilmember Susan Coker
Councilmember S. Delshay Turner

Arcadia City Staff

Interim City Administrator Beth Carsten
City Attorney TJ Wohl

City Clerk Penny Delaney
Marshal Matt Anderson

CONSENT AGENDA

- Agenda Item 1 – City Council Minutes for June 2, 2015**
- Agenda Item 2 – City of Arcadia Municipal Airport Report**
- Agenda Item 3 – Special Event Permit - Special Olympics**
- Agenda Item 4 – Special Event Permit – Enrichment Summer Camp**

Deputy Mayor Frierson made a motion to accept the consent agenda as presented and Councilmember Coker seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

ACTION ITEMS

Agenda Item 5 – Request for Use of Speer Center for Children’s Summer Day Camp

This agenda item was pulled.

Agenda Item 6 – Request Regarding Certificate of Appropriateness at 216 E. Oak Street

The Interim City Administrator advised that Agenda Items 6 and 7 were Certificates of Appropriateness and they had both gone before the Historic Preservation Commission and were approved and forwarded on to the City Council for its approval. Councilmember Coker made a motion to approve Agenda Item 6 and Councilmember Turner seconded the motion. Deputy Mayor Frierson abstained from voting on this particular agenda item. No discussion followed and it was unanimously, 4/0, approved.

Agenda Item 7 – Request Regarding Certificate of Appropriateness at 421 W. Effie Street

Councilmember Coker made a motion to approve Agenda Item 7 and Councilmember Turner seconded the motion. Deputy Mayor Frierson abstained from voting on this particular agenda item. No discussion followed and it was unanimously, 4/0, approved.

Agenda Item 8 – First Reading – Ordinance No. 1006 Repealing Ordinance 70-4; Swimming in Peace River

The City Attorney advised that this Ordinance was a result of the Property Maintenance Standards Review Committee and their recommendations at the May 19th workshop. He stated one of those recommendations was regarding swimming in the Peace River and the recommendation at the workshop was to pass an ordinance repealing that particular section of the Code. He explained Ordinance 1006 repeals Section 70-4, prohibiting swimming in the Peace River. Councilmember Coker made a motion to have Ordinance 1006 to be read by title only and Deputy Mayor Frierson seconded the motion. No discussion followed and it was unanimously, 5/0, approved. The City Clerk then read Ordinance 1006 by title only. Councilmember Coker made a motion to approve the first reading of Ordinance 1006 and Deputy Mayor Frierson seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

Agenda Item 9 – Contract for McSwain Park Improvements

The Interim City Administrator advised that she needed to make a clarification from the last City Council meeting wherein she misspoke. She stated when they discussed how they would pay for the overage of the Seventy-Seven Thousand and 00/100 Dollars (\$77,000.00), which after making some changes ended up being around Fifty Thousand and 00/100 Dollars (\$50,000.00), she had referred to the capital improvement fund, 107, and she had referred to Three Hundred Seventy-Two Thousand and 00/100 Dollars (\$372,000.00) which had been allocated for streets and roads. She stated money could not be taken from that because it was specific for streets and roads. She again stated that she had misspoke and stated that in that same fund, there is a line item for contingency and to date there is approximately Eighty-Five Thousand and 00/100 Dollars (\$85,000.00) left in that fund and that is where she should have made the recommendation that the money would come from. Councilmember Fink asked the

City Attorney for clarification that because this is a contingency fund, there will be no need for a budget amendment down the line because it is not designated for anything except contingency. The City Attorney stated that was more of a question for the Finance Director and Ms. Carsten agreed and stated there would have to be a transfer for the appropriations to show it going into that department. Deputy Mayor Frierson made a motion to accept the contract and to take the money from the contingency and Councilmember Coker seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

Agenda Item 10 – City Administrator Employment Agreement

The City Attorney stated this was the agreement negotiated between himself, the Mayor and Terry Stewart. He stated that he had spoken with Mr. Stewart that morning and he indicated that if the contract was approved that night, he would be able to start on Monday, the 22nd. Mr. Wohl stated that Mr. Stewart wanted to disclose to Council that he has a prior engagement on Friday, the 26th, which would require him to leave around 3:00 p.m. for a charity event. He stated that he had relayed to Mr. Stewart from one of the Council Members regarding a particular provision in the contract as to whether it was a deal breaker and Mr. Stewart indicated that he felt it was a fair agreement and it was a take it or leave it type deal. Councilmember Fink made a motion to accept the contract as presented and Deputy Mayor Frierson seconded the motion. Mayor Wertz-Strickland stated that both sides had made concessions. No discussion followed and it was unanimously, 5/0, approved.

COMMENTS FROM DEPARTMENTS

Marshal Anderson stated that he was there to address any questions or concerns that the City Council or the general public may have and there were none. He advised that they had the two (2) new squad cars in and they had been marked up and were having the necessary equipment installed. He also advised that the two (2) units that were donated by the DeSoto County Sheriff's Department had both been marked up as well.

Marshal Anderson informed Council that there was an event at the fairgrounds that was supposed to be a graduation concert, but no one showed up and the event was cancelled.

The City Attorney referred back to Agenda Item 10 and stated he wanted to make sure that June 22nd was the start date and that it was included in the motion. Councilmember Fink, in order to clarify, made the motion again and moved to accept the contract as presented with the date to start June 22nd, Monday, and Councilmember Coker seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

The Finance Director referred to the financial update as of May 31st which was included in Council's packets and asked if anyone had any questions. Deputy Mayor Frierson stated she was impressed with it. Councilmember Fink asked when they should expect to have budget hearings. Ms. Carsten advised they were still waiting for the revenues to be able to forecast and because of the legislature, she didn't have those, but she was hoping to have a draft before the end of the month to be able to start scheduling the hearings in July.

The Interim City Administrator stated that the last part of the paving project had taken place and Glendora and Baldwin had been completed. Pictures were presented to Council to reflect the work that had taken place.

Ms. Carsten stated that at the last meeting, discussion had taken place regarding the fire department list of infractions at the airport. Council had authorized her to get estimates and she was bringing back an estimate regarding replacement of the needed fire extinguishers and installation of cabinets for same. She advised that the quote was for Three Thousand Two Hundred Sixty-Four and 00/100 Dollars (\$3,264.00). She asked for permission to move forward to show the fire department that the City was making an effort to move forward. She advised there was money in the airport contingency fund for it. Councilmember Coker made a motion to accept the fire extinguisher bid and Deputy Mayor Frierson seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

Ms. Carsten stated that a discussion had taken place during the airport workshop regarding the resurfacing and grinding down of the concrete in the maintenance hangar. She advised they had received a quote for Nine Hundred and 00/100 Dollars (\$900.00), but had not moved on it, and would like to get it done. Councilmember Coker made a motion that they go ahead and take care of the floor and Councilmember Turner seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

Ms. Carsten advised that the City had been approached by the Salvation Army regarding their interest in the use of the old police department. She advised that she would provide a copy of the letter to each Council Member. Lew Ambler of 720 W. Imogene, Arcadia, Florida, stated that the Salvation Army had been operating out of the Housing Authority on half days per week. He advised there were a lot of things the Salvation Army could be doing if they had more exposure. He stated they were willing to pay the direct costs such as utilities or any maintenance or interior rehab that needs to be done. Deputy Mayor Frierson asked if they were talking about the whole building and Mr. Ambler stated that he didn't think they would utilize the whole building from the start, but that they would like to have access to the whole building. Again, Ms. Carsten advised she would provide Council with the letter.

The Interim City Administrator stated the County Administrator had approached her regarding the issue of the fire merger and asked if Council would be willing to have a meeting with each of the liaisons and the administrators as well as the attorneys to talk deeper and have it brought back to Council. Mayor Wertz-Strickland asked if Mr. Stewart would be involved because he was familiar with this type of issue and the City Attorney stated yes, that he doubted they would have a meeting before Monday. Councilmember Fink asked the City Attorney if this would be generic enough that they would not have to designate anyone to make any deal so that it would not have to be a sunshine issue and they would not be negotiating anything on the Council's behalf and the City Attorney confirmed that it would just be an opportunity to have the County make their pitch as to why it would be a benefit and have the liaison come back and advise Council. Councilmember Fink made a motion that the Mayor meet with the County, the new Administrator, the Attorney and County counterparts to be apprised of the situation of the

fire service and Councilmember Coker seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

PUBLIC

None

MAYOR AND COUNCIL REPORTS

Deputy Mayor Frierson stated that she would like to acknowledge the Interim Administrator. She stated that she had accomplished many things and had many challenges and issues which she met with integrity, respect and patience, along with five different Council personalities to deal with. She stated that she felt Ms. Carsten had done an outstanding job and felt that she leaves the City in better shape than when she came in and Deputy Mayor Frierson stated that she very much appreciated it.

Councilmember Coker thanked staff for the improvement to the sound system. She also reminded everyone that July 4th was upon them and it was parade time again. She stated that she would need to know who would participate and everyone agreed to go with the golf carts again.

ADJOURN

Councilmember Coker made a motion to adjourn and Councilmember Turner 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 6:32 P.M.

ADOPTED THIS 7th DAY OF July, 2015.

By:

Judy Wertz Strickland

Judy Wertz-Strickland, Mayor



Penny Delaney

Penny Delaney, City Clerk

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Alice Frierson, hereby disclose that on June 16, 20 2015.

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Abstained from vote on Certificate of Appropriateness regarding property located at 216 E. Oak Street due to her and her husband, Gary Frierson, owning said property.

6-16-15
Date Filed

Alice Frierson
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

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