

**MINUTES  
CITY COUNCIL  
CITY OF ARCADIA  
TUESDAY, JUNE 18, 2013  
6:00 PM**

*The following minutes reflect action items of the City Council of the City of Arcadia. For a verbatim copy of the minutes you may contact City Administration to obtain a copy of the recorded meeting.*

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

The meeting was called to order at approximately 6:00 p.m.

Deputy Mayor Heine gave the invocation which was followed by the Pledge of Allegiance.

**Arcadia City Council**

Mayor Keith Keene  
Deputy Mayor Robert Heine  
Councilman Robert R. Allen

Councilwoman Alice Frierson  
Councilman Joseph E. Fink

**Arcadia City Staff**

City Administrator Judi Jankosky  
City Attorney Thomas J. Wohl

City Clerk Gia Lancaster  
Marshal Matt Anderson

**CONSENT AGENDA**

1. May 21, 2013 City Council Minutes
2. June 4, 2013 City Council Minutes
3. Check Warrant Reports: 06/12/13
4. Air-Cadia Flowage and Hanger Rental Report for May 2013
5. Law Enforcement Trust Fund – Seacoast Bank
6. Historical Society Request for Historical Correspondence
7. Special Event Request , Mobile Health Screening, DeSoto County Health Department

**Councilman Fink pulled consent item number 2. A motion was made by Councilman Fink and seconded by Deputy Mayor Heine to approve consent agenda items numbers 1 and 3 through 7 as presented. The motion carried 5-0. Councilman Fink stated that in regards to the June 4, 2013 City Council Minutes on page 1 of 4 that he pulled consent agenda item in regards to the City Seal because there was no backup. The City Seal was presented. A motion was made by Councilman Fink as amended and seconded by Deputy Mayor Heine approve consent agenda item number 2. The motion carried 5-0.**

**DISCUSSION ITEMS**

8. History and Cultural Center Visioning Committee (DAHC)
9. Lake Katherine Park Plane (City Clerk)

Items 8 and 9 were addressed simultaneously. Attorney Wohl stated that Ad Hoc Committees were fact finding only. Councilman Fink suggested that the City Administrator assist the Historical Society in their efforts of creating a City Hall Museum. Mrs. Jankosky agreed to schedule a meeting with the DAHC and the Historical Society to discuss further.

#### 10. Code Enforcement (Deputy Mayor Heine)

Deputy Mayor Heine suggested that the Code Enforcement Officer be transferred to the Administrator since it is a civil position and not a sworn Police Officer. Marshal Anderson explained that the current code lacks enforcement and the process is long. They are currently reviewing using civil citations and changing to a Code Enforcement Board rather than a Special Master. Mrs. Jankosky replied to Mayor Keene that she has seen Code Enforcement fall under both Administration as well as Police Departments in other Cities however it would be the Council's decision. Attorney Wohl stated that in regards to timing that is statute related however; there could be relief in relation to repeat violations. Councilwoman Frierson inputted that the public may not understand the Florida Statutes. Councilman Fink relayed that he brought this issue forward in December of 2011 and agrees it is a civil procedure not criminal.

Dr. Lorenzo Dixon stated that Code Enforcement is a concern and a civil matter. The statistics show that nine out of ten cities Code Enforcement is under Administration. He listed some examples.

Mr. Charles Conklin relayed that he served on the Charter Review Board and the Board advised the Council to place Code Enforcement under Administration and the Council took no action.

Mayor Keene asked what can the Council do to improve Code Enforcement and asked would enforcement improve if it was placed under Administration rather than the Police Department?

Councilman Fink stressed that this is the Council's problem and Council should take responsibility to address it directly. Deputy Mayor Heine replied that the Council should allow Marshal Anderson to address the code with the Attorney and the Administrator first. Dr. Dixon assured that the Code Enforcement Officer would see more accountability under the City Administrator and these are still civil matters. Attorney Wohl responded that they are administrative proceedings and if they choose to appeal the matter it could become a civil matter.

#### 11. City Pension Attorney (Administrator)

Mrs. Jankosky reported that letters of interests for Pension Legal Services were posted until June 24<sup>th</sup> and only one firm responded due to the specialization of the request. The firm Lewis, Longman and Walker, a very reputable and highly experienced law firm responded. Mrs. Jennifer Cowan was present representing the firm to answer any questions. Councilman Fink asked how much the Council might expect to expend. Mrs. Cowan replied that based on the options they could give estimates and the processes vary.

**A motion was made by Councilman Fink to allow the Administrator to begin negotiations with Lewis, Longman and Walker and return to Council with a scope of services.**

Councilwoman Frierson stated that she attended the pension meeting and it was clear that the Council needs expert guidance because the facts that were given brought up many questions. Councilman Fink stated that he would like a ball park figure of what it may cost due to the upcoming budget. Attorney Wohl stated that it would be difficult for the firm to assess the cost without first seeing the plan documents. The Council would have to base their decision on the firm's hourly fees and experience. Mrs. Cowan replied that there are many options to reform the plan and the firm could look at our actuarial evaluation and return to Council what they advised others and suggest a range. Mayor Keene stated that with the firm's experience in their letter of interest if they looked at the plan they could make an estimate of the time and gauge for a fee to move forward with the pension reform. Mrs. Cowan replied yes their firm can review the plan documents and provide a range.

**A motion was made by Councilman Fink to allow the City Administrator to provide Lewis, Longman and Walker the pension plan documents and actuarial studies for review and return to Council with cost estimates and timing. Mrs. Jankosky stated that the City is facing a half a million dollars in contribution this budget year. The motion was seconded by Deputy Mayor Heine and carried 5-0.**

#### 12. Police Department (Council)

Marshal Anderson explained the proposed organizational chart and requests for salary increases due to additional job duties. Marshal requested the salary increases during this budget season and proposed not filling the vacant position this budget year nor in the next budget year. After some discussion Council agreed to no salary increases at this time but agreeable to the re-organization as presented.

### ORDINANCE

**13. ORDINANCE NO. 989; FIRST READING OF AN ORDINANCE OF THE CITY OF ARCADIA PROVIDING FOR THE CREATION OF A UTILITY SERVICE AREA OUTSIDE THE CORPORATE LIMITS; ESTABLISHING SERVICE AREA BOUNDARIES; AUTHORIZING THE EXTENSION OF UTILITIES; PROVIDING FOR FUTURE AMENDMENTS TO THE SERVICE AREA BOUNDARIES; PROVIDING FOR FUTURE REGULATION OF THE SERVICE AREA; ESTABLISHING THE PURPOSE OF THE SERVICE AREA; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (City Attorney)**

**A motion was made by Councilman Fink and seconded by Councilwoman Frierson to approve Ordinance No. 989 at first reading. The motion carried 5-0.**

### COMMENTS FROM DEPARTMENTS

#### 14. City Marshal

**A motion was made by Deputy Mayor Heine and seconded by Councilman Heine to approve the auction of three vehicles as dictated by Florida Statutes. The motion carried 5-0.**

Marshal Anderson reported on an incident at Lewis Anderson Park. He noted that there are groups that are not obtaining permits nor providing liability insurance for the events.

He reported that the Police Department was now visible on Facebook.

15. Attorney – No Report

16. City Administrator

a. Way Building Improvements and Staff Consolidation

Mrs. Jankosky reported that all City Hall staff are now located in the Way building. She requested if staff could work 4 day 10 hour shifts. After discussion Council agreed on maintaining the Monday through Friday work week.

Mrs. Jankosky updated Council on the status Jim Space.

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

Mr. Abraham Moshkoviski, City Park, voiced concerns regarding the Mobile Home Park Manager.

Mr. Wendell Heady, 16 Michigan Ave., voiced concerns regarding the Mobile Home Park Manager.

Mrs. Penny Kurtz, Health Department, reported that the Clinical Services Department would be temporarily relocating to 1031 E. Oak Street on July 1, 2013.

**MAYOR AND COUNCIL MATTERS**

Mayor Keene reminded everyone about the civility code in public meetings.

Mrs. Jankosky replied to Mayor Keene that staff is drafting legislative responses to the audit which are due by July 10<sup>th</sup>.

**ADJOURN**

There being no further business the meeting adjourned at 8:10 p.m.

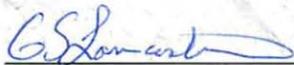
**APPROVED THIS 2ND DAY OF JULY, 2013.**

By:



Keith Keene, Mayor

ATTEST:



Gia S. Lancaster, City Clerk