

**AGENDA MINUTES  
CITY COUNCIL  
CITY OF ARCADIA  
TUESDAY, JULY 21, 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**

Human Resource Manager Linda Lowe 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**

City Administrator Terry Stewart  
City Attorney TJ Wohl

City Clerk Penny Delaney  
Marshal Matt Anderson

**PRESENTATION**

**Agenda Item 1 – Presentation to Charles R. Huckaby – Retirement after 22 years of service**

Mayor Wertz-Strickland presented Charles R. Huckaby with a plaque commemorating his retirement after twenty-two (22) years of service to the City of Arcadia Mobile Home Park.

**Agenda Item 2 – Presentations to Steve Underwood, Bobby Skinner, Jeff Collins and Glenn Peebles – DeSoto County Chamber of Commerce Annual Tater Hill Fun Shoot**

Mayor Wertz-Strickland presented Steve Underwood, Jeff Collins and Glenn Peebles with certificates acknowledging their placement of first place in the DeSoto County Chamber of Commerce Annual Tater Hill Fun Shoot. Bobby Skinner was not in attendance to receive his certificate due to being on vacation.

**CONSENT AGENDA**

**Agenda Item 3 – City Council Minutes for July 7, 2014**

City Council Meeting Minutes  
July 21, 2015  
Page 1 of 6

**Agenda Item 4 – City of Arcadia Municipal Airport Report**  
**Agenda Item 5 – Special Event Permit – NAACP Family Fun Day**  
**Agenda Item 6 – Special Event Permit - Antique Association Fair of Arcadia**

Councilmember Fink 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 7 – Special Event Permit – Team Arcadia Car Show**

City Administrator Stewart advised Council that this request had been turned in too late to be placed on the last agenda and that the event had taken place last Friday, but based on the fact that it was an event that had been approved in the past, he authorized it. Councilmember Fink made a motion to approve it and Councilmember Coker seconded the motion. Councilmember Fink stated that he would like to eventually see the permitting process taken care of by Administration. Mayor Wertz-Strickland suggested having the applicant appear before Council the first time and then give Administration the opportunity to approve it after that. Mayor Wertz-Strickland asked if they approved the Team Arcadia Car Show and it was unanimously, 5/0, approved. Councilmember Fink stated that he would further move that special event permits which have been before Council previously should be left to staff unless there is something that is dramatically different about an event; that staff should take the perimeters and guidelines that Council have set and allow them to go with the permitting process rather than having it come back to Council each and every time. Councilmember Coker seconded the motion. City Administrator Stewart stated that there was an ordinance out there on special events and Council may want to roll the issue into the ordinance as part of the approval process. He cautioned that there may be some circumstances that Council would want to retain final authority and stated that he would work with the City Attorney and lay out some of those circumstances for Council's consideration. No discussion followed and it was unanimously, 5/0, approved.

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

Councilmember Fink made a motion for Ordinance No. 1006 to be read by title only and Councilmember Coker seconded the motion. No discussion followed and it was unanimously, 5/0, approved. The City Clerk then read Ordinance No. 1006 by title only. City Attorney Wohl explained that this was the second reading as a result of the May 19, 2015 Property Maintenance Standards Workshop where Council directed staff to remove the prohibition against swimming in the Peace River. Councilmember Coker made a motion to accept Ordinance 1006 read by title only and Councilmember Fink seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

**Agenda Item 9 – Airport Leases**

- a. **FBO Lease including Exhibit A**
- b. **Butler Building Lease**

City Administrator Stewart complimented City Attorney Wohl and Interim City Administrator Carsten for the work they did on the lease prior to his arrival. He stated that City Attorney Wohl and he had continued to work closely with the Eagle Vista in working through it and they had put together a recommended lease for Council's review and approval. Mayor Wertz-Strickland suggested setting up a workshop and Councilmember Coker made a motion to have a workshop on Thursday after 5:00 p.m. Councilmember Fink seconded the motion for discussion. Deputy Mayor Frierson stated that she felt the contract was a good contract that benefited both parties and didn't feel that a workshop was needed. Councilmember Fink stated that he seconded the motion for discussion and stated that he did not see putting it off for another two (2) weeks. City Attorney Wohl pointed out that since the lease was submitted on July 10<sup>th</sup>, there had been one substantial change that required the FBO to provide fuel at all times and in the event they do not provide fuel, there is a \$100.00 a day liquidated damages provision and any number of days in excess of five (5), it will be a \$500.00 a day liquidated damages provision. Councilmember Fink asked where, in the contract, the change was and City Attorney Wohl directed him as to where it was. At this time, Councilmember Fink read into the record the new language. After further discussion, Councilmember Fink stated that the additions were logical and he advised that he would not support the motion for a workshop because he felt it could be taken care of at the current meeting. At this time, Councilmember Coker withdrew her motion.

Councilmember Fink stated that he had a question on page six (6), Item 8A, numbers 1, 2 and 3. He explained that he felt the amount of money was excessive for doing something that someone should be doing if they are managing the airport. City Administrator Stewart advised that those particular items were not the only items; that there were other items under 8B. He stated that \$1500.00 a month broke down to less than \$400.00 per week and he could not hire someone for less. Mr. Stewart pointed out that it was calculated by a professional appraiser, reviewed by Council, and he felt it was a fair amount based on information provided to him. There was further discussion regarding what the \$1500.00 included. Other items discussed were the fact that attachments to the contract would include, as exhibits, the minimum standards and the day-to-day operations summary; contractual agreements regarding the T-hangars and Mr. Hilton's structure and the fact that total proceeds of the rents of all other buildings, not included within this agreement, would come directly to the City of Arcadia and in no way do any of those dollars go to Eagle Vistas; and compensation for the usage of the fuel tank.

Deputy Mayor Frierson made a motion to accept the contract as presented and Councilmember Turner seconded the motion. For clarification, City Attorney Wohl asked if when she referred to the contract, she was referring to both the FBO and the Butler Building and Deputy Mayor Frierson confirmed that it did. City Administrator Stewart pointed out that he felt that it was important that the motion to accept as presented was with the minimum standards discussed. Deputy Mayor Frierson stated that was fine with her.

The discussion was opened to the public and Greg Smith, a Non-City Resident, expressed his concerns regarding the stifling of growth of one individual's business at the airport and the

fuel situation. George Chase of Friends of Arcadia Airport, Inc. expressed their pleasure of obtaining a FBO and their support of Eagle Vistas.

Michael Moon of Hanson Professional Services, Inc., stated that with Eagle Vista doing the work at the airport at basically \$50.00 a day, you could not hire anyone to do it so that would be a labor benefit. He also stated that the traffic will increase, and while the FAA does not base their grants on traffic, it does help. Mr. Moon stated that he felt the contract was good for the City.

City Administrator Stewart stated that in response to the issue raised by Mr. Smith regarding the current tenant who wants to expand his business, he felt it was important to recognize that. He advised that he had met with Mr. Moon and Ms. Fehrs and they discussed the Master Plan and the need for new buildings which was included in the plan. He stated that he would put something together to bring for Council's consideration not within the next two (2) or three (3) months, but in short order after that.

Councilmember Fink commended staff and contractual staff for putting together a contract that was far superior than the previous contract. He stated that the problem was not solely the previous contract, but the enforcement by the Council of the previous contract. He stated that to make sure it works will not fall to the Berry's or staff, but to Council, and he will have great difficulty in supporting the contract.

City Administrator Stewart stated that it was difficult for a Council to operate and take action when they are not getting the kind of input from staff that would help them make those decisions. He wondered where prior management was on this particular item. He stated he will not be an absentee City Administrator on this matter. Mr. Stewart advised he will be paying attention to what is going on, will make sure they adhere to the contract, both the City and the FBO, and any issues that require Councils attention and action will be brought before them. Mayor Wertz-Strickland stated that between the City Attorney and the City Administrator, she felt they would keep Council straight on the contract and she stated that she felt good about the contract and felt that the Berry's would help the airport to grow.

There being no further discussion, Mayor Wertz-Strickland then called for the vote and it was 4/1 approved with Councilmember Fink casting the dissenting vote.

### **PUBLIC**

None

### **COMMENTS FROM DEPARTMENTS**

Marshal Anderson stated that he was there to address any concerns or questions that the Council or general public may have and there were none. He then advised that the Health Department was sponsoring a Back to School Fair again this year at the DeSoto High School and the Arcadia Police Department will be participating in handing out school supplies to those that

need it. He also stated the department had put together care packages for the Guardian Ad Litem Program.

City Attorney Wohl did not have anything to bring before City Council and stated that he was happy to have the FBO contract behind them. Mayor Wertz-Strickland stated they needed to thank the City Attorney and the City Administrator for their diligent work on the contract.

City Administrator Stewart advised that Finance Director Carsten was not in attendance due to her having had elective surgery due to a foot injury. He then reviewed the finance report with Council and pointed out that the Police Department was at ninety-five percent (95%) with three and a half (3 ½) months remaining. Mr. Stewart reminded Council that there were monies that could be paid toward the pension that were not paid from the state because the audit is late. Those pension costs come out of the police department budget which is another issue that needs to be resolved because the cost of the police and fire pension comes totally out of the Marshal's budget which gives a distorted view of what the actual costs are for the police services in the community. He advised Council would receive a budget adjustment in August that will correct that issue. Mr. Stewart also informed Council that while over a year ago, the City was nineteen (19) months behind in their monthly reconciliations due to past errors and now they are down to about three and a half (3 ½) months now. He advised they responded to the State Joint Auditing Committee and Council had been copied with the letter sent to them. Mr. Stewart advised they had not received a response yet, but the City should get back the money that was lost in the previous year because the audit was not ready and he felt that within another three (3) months, the City should be up to speed with its reconciliations.

Mr. Stewart advised that the proposed budget for the 2015-16 fiscal year should have already been presented to Council and he had been working diligently with staff over the last two (2) weeks. He advised that they had crafted a budget to be brought to Council in a workshop in August and also in August, Council will be setting their tentative millage rate. City Administrator Stewart stated that one area that made it difficult in finalizing the budget was finding out what the revenues would be. He explained that the State of Florida who usually has their shared revenues long before now just completed them last week.

Mayor Wertz-Strickland expressed his pleasure of getting the information on the Council meeting a week in advance and she appreciated the weekly report Council received from the city Administrator. She felt it was very informative because as Council Members, they are not involved in the day-to-day business.

Councilmember Coker advised that the City received a trophy for the best unit in the Fourth of July Parade.

Charles Conklin, a City resident, advised that there is a truck in his neighborhood that is not supposed to be there due to an ordinance and he asked what would be done about it. City Administrator Stewart addressed the issue and stated that if there is a regulation against it then it needed to be enforced and if it is not going to be enforced, then it needed to be removed from the books. He offered another alternative which would be a location for the trucks to be parked. At

this time, the City Administrator advised Council that he had received the inventory report on all the properties that the City has. He advised that he had not reviewed it yet, but once he has done so, he would offer his observations in order to save them time from digging through it. Mr. Stewart stated that there may be a property that the City has that could be used for the trucks to be parked for a fair charge per month. He asked Council if that was something they would like for him to continue looking into and it was the consensus of Council for him to continue. Councilmember Fink thanked the Police Department for dealing with the issue of trucks parking in the old Winn-Dixie parking lot and the selling of cars at the same location. Marshal Anderson advised that Code Enforcement Officer McQuay was responsible for that.

Rose Williams, Patricia Dort and Ralph Ricker of the Arcadia Mobile Home Park invited Council to come to a spaghetti luncheon honoring Ricky Huckaby. They stated that they were going to miss him and hoped Council could get someone as good as Ricky as a replacement. They stated that he was an asset to the City and the Park.

### MAYOR AND COUNCIL REPORTS

Councilmember Coker explained that individuals had wondered why the Fourth of July Parade was so quiet. She explained that a woman died at the last Fourth of July Parade and this year was more of a memorial to her. She also welcomed the Berrys and stated she looked forward to a working relationship with them and she thanked George Chase for his positive comments regarding same. She then stated that she would like to somehow recognize Beth Carsten for her hard work and endurance during the time they were searching for a City Administrator. City Administrator Stewart advised that he would put something together as a recommendation for Council's approval.

Deputy Mayor Frierson welcomed the Berrys and stated that she is looking forward to having them on the field and felt everyone would be surprised at what they bring to the community.

### ADJOURN

Councilmember Coker made a motion to adjourn and Councilmember Fink 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 7:35 P.M.

ADOPTED THIS 4<sup>th</sup> DAY OF August, 2015.

By:

Judy Wertz Strickland  
Judy Wertz-Strickland, Mayor

Penny Delaney  
Penny Delaney, City Clerk