

**AGENDA MINUTES  
CITY COUNCIL  
CITY OF ARCADIA  
TUESDAY, SEPTEMBER 1, 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**

Mayor Wertz-Strickland 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  
Finance Director Beth Carsten

City Clerk Penny Delaney  
Marshal Matthew Anderson

**PRESENTATION**

**Agenda Item 1 – St. Augustine Proclamation**

Mayor Wertz-Strickland read a proclamation regarding the 450<sup>th</sup> anniversary of the founding of St. Augustine. No one was there to receive the proclamation. Therefore, it will be mailed to the appropriate party.

**CONSENT AGENDA**

**Agenda Item 2 – City Council Minutes for August 17, 2015**

**Agenda Item 3 – City Council Minutes for August 18, 2015**

**Agenda Item 4 – Special Event Permit – Community Smith Brown Project  
Overview Day**

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 5 – Hazen and Sawyer Change Order**

City Administrator Stewart advised that this was related to the Bridle Path project. He explained that the reason it was coming before them as a change order was because of a use of funds from one project that might be able to be used for another project. He advised it would be an addition to the work done on the Bridle Path project and that anything that comes forward that is above and beyond what was originally presented has to be approved in the form of a change order. Mr. Stewart advised that the amount was \$6,348.24 and he recommended that they approve the change order. Councilmember Fink made a motion to approve the item as presented and Councilmember Coker seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

**Agenda Item 6 – Resolution 2015-06 Regarding Budget Amendment Amending 2014-15 Adopted Budget**

Finance Director Carsten acknowledged the amendment was coming before Council very late in the year. She stated that under normal procedures, they would have received it earlier in the year. She explained the 2014-15 year had been an odd year for her and she further explained she had worn several hats up until a few months ago. Ms. Carsten stated that she believed it would be different for the budget year for 2015-16. She advised budget amendments would be done throughout the year as needed and will be in a timely manner. Ms. Carsten advised a budget is only an estimate of what they expect to happen based on prior years experience and unforeseen expenditures or additional revenues can cause it to change. She advised the budget amendment helps them to see a truer picture of where they are at this given time. Upon reviewing the amendment, Councilmember Coker made a motion to accept the budget amendment as presented and Councilmember Turner seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

**Agenda Item 7 – 1924 American Lafrance**

City Administrator Stewart advised that the 1924 American Lafrance was in overall decent shape, but the engine needed to be re-powered. He advised they were looking for a motion to approve \$24,000.00 for the repowering and refurbishing the City's 1924 American Lafrance. Tim Backer of the Volunteer Fire Department advised that he would be happy to answer any questions that Council may have. Deputy Mayor Frierson asked Mr. Backer if he remembered the issue coming before Council before and the estimate being much higher. Mr. Backer advised that he did not remember it. He advised it was refurbished in 1991 with no cost to the City. He informed Council that the reason he dealt with PRIDE was because it was part of the prison system and there was no charge for labor, but only charge for the materials. Councilmember Coker stated that she had read in the proposal about the replacement of gauges and Mr. Backer advised that they would replace them to appear as the original ones. Councilmember Coker then questioned the discarding of equipment removed and suggested asking for those pieces to be turned over to the City and Mr. Backer agreed. She then pointed

out that the bid expired today and Mr. Backer stated that he felt sure they would extend it. Councilmember Fink made a motion to approve the \$24,000.00 to refurbish the 1924 American Lafrance and Councilmember Coker seconded the motion. Gary Frierson, a city resident, expressed his concern with approving \$24,000.00 for this purpose when there are still many things that need to be done within the City. Councilmember Fink referenced the wording on page four (4) of the proposal wherein it stated that "Any equipment/appliances/hardware removed during conversion will be discarded unless otherwise agreed to in writing." He stated he would like to change it so that it would be given back to the City and he amended his motion to reflect such. Councilmember Coker seconded the motion. No discussion followed and it was 4/1 approved with Deputy Mayor Frierson casting the dissenting vote.

### **COMMENTS FROM DEPARTMENTS**

Marshal Anderson advised the Arcadia Police Department Report for July 27, 2015 through August 19, 2015 had been provided to Council and he pointed out that it did not cover the whole month due to the new deadline for turning in reports for upcoming agendas. He advised the Mayor had signed the FDLE grant and the award amount this year was \$8,437.00, which was for the computer software in the cars to communicate with the computer software in the office. Marshal Anderson then advised Council of the passing of Sgt. Philip Field and thanked the City Administrator, staff, Council Members and residents for their respect and support. He then stated that he was there to answer any questions or concerns that Council may have and there were none. The City Marshal opened it to the general public and Charles Conklin, a city resident, referenced the stop sign that had been placed in the Bridle Path development and advised of Florida Statute 5316.183 which states a study has to be performed before a sign can be changed and asked if one had been performed. Marshal Anderson stated that according to the City Charter, the City of Arcadia can improve the traffic conditions of traffic flow of the City of Arcadia where it deems fit. He stated that it should have always been a stop sign. City Administrator Stewart stated that he did not question anything the Marshal had stated, but out of respect for the citizen's concern, he felt they should have the City Attorney research to determine if it is an absolute requirement of the City and if the City has exceptions. He stated that the City will accomplish whatever the law requires. He asked Council if it was their wish that the City Attorney accomplish such and they agreed.

The City Attorney advised that the City Administrator had him prepare a proposed ordinance in the event there was a need to declare a state of emergency for the hurricane that they had and the City Administrator also suggested handling precautions a little sooner than forty-eight (48) hours before. He asked if Council had any preference on coming up with an ordinance that allows the City Administrator to declare a state of local emergency on his own without a need for a meeting or with a meeting of City Council to come up with a process for doing so. City Administrator Stewart advised the ordinance can be as broad or as narrow in providing powers to the City Administrator to declare a state of emergency. He also advised that in order to get reimbursed by FEMA, a state of emergency has to have been declared. Deputy Mayor Frierson stated that she did not think a meeting needed to be called and she felt the judgment should be left up to the City Administrator and Council agreed.

City Attorney Wohl advised that Council had discussed semi trucks traversing down the downtown streets and according to the Code, nothing prohibits such. He further advised that he had come up with a provision in the Code to add to the Code which would allow the administration or the Marshal to post signs on designated streets preventing thru commercial trucks, except for delivery or emergency vehicles. He stated that hopefully it can be brought back and have the first reading of the ordinance by the next meeting. City Administrator asked if the state statute provided for that latitude and the City Attorney advised that it did provide for such.

Marshal Anderson approached Council again and advised Florida Statue 316.006 provides that municipalities have the authority to change a sign according to City Code. He then stated that he was providing such for reference of the City Attorney to look into.

City Administrator Stewart reminded the public that on Monday, September 7, 2015, which is Labor Day, there will be no household garbage pick-up. He also stated that customers that receive pick-up on Mondays and Thursdays will be allowed a double amount for pick-up on Thursday. He further stated that the Tuesday's and Friday's routes will be as normal.

He also advised that within the last couple of months, the City had two (2) incidents on Hwy. 70; a washout on Orange due to a water main break and another one that involved repairing a sunken manhole. He stated initial repairs were done and it will be milled on Wednesday and resurfaced on Thursday. He further advised that there was a collapsing culvert at the intersection of Gibson and Robert and staff had been instructed to notify emergency services to ensure they were aware of it. City Administrator Stewart stated that a drainage problem was solved in the neighborhood of O'Hara, O'Leary, Hodges and Kelly. He explained that a culvert was completely plugged with dirt at Hodges and O'Hara and another culvert at O'Leary and Hodges was buried so far in the ground, it was hardly noticeable. He explained that the prison crew was called out and they cleaned the drainage ditch, flushed out the culverts and immediately the neighborhood drained. Mr. Stewart advised that the Public Works Department had made a commitment to routinely flush out the culverts throughout the City.

## PUBLIC

Gary Frierson, a city resident, recognized Beth Carsten for the excellent job done over the past year. He then commented on Council people making statements to the public that are incorrect, referenced a statement made regarding the golf course, and suggested a policy be in place to avoid such. He then stated that \$25,000.00 worth of fire truck that doesn't get used, could put in a lot of sidewalks on Gibson to keep the kids from having to walk in the street.

Tim Backer stated that the Arcadia Police Department did an outstanding job in honoring Sgt. Field. He stated the family was very pleased with how they were treated and how Marshal Anderson and the entire APD family honored Sgt. Field.

Charles Conklin, a city resident, asked what was going on with the past administrator, Tom Slaughter. No one seemed to know and Deputy Mayor Frierson stated she did not think it was a Council matter.

Dave Preacher Mills, a county resident, complimented the crews who cleaned out the culvert. He advised he works security at the mission on 9<sup>th</sup> Street and stated he observed them working in the rain and they did not stop until it was completed.

### MAYOR AND COUNCIL REPORTS

Councilmember Coker stated that she attended a meeting for JimSpace and advised they were looking for volunteers to assist or purchase a ticket to help fund. She advised information was online and she also gave other sources for contact. She then asked for an update regarding the airplane canopy at Lake Katherine. Finance Director Carsten advised that it was presented at the legislative delegation and Senator Galvano's office stated they were working on it. She advised she had not heard anything, but she had tried to contact his office. City Administrator Stewart advised that he would try to follow up on it.

Regarding the statement made about Mr. Slaughter's trial not being a Council matter, Councilmember Fink stated that he felt that it, along with previous Marshal Lee's case, was a Council matter because the City of Arcadia was the injured party and felt they should be made aware that justice is being taken care of. City Administrator Stewart advised that if it was Council's wish, he would make an inquiry and pass the information along to Council. It was the consensus of Council to do so.

Mayor Wertz-Strickland stated that she appreciated what the Arcadia Police Department did for Sgt. Field. She commended the whole department, Calvary Baptist Church, and other individuals for their contribution to the service.

### 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 7:18 P.M.

ADOPTED THIS 15<sup>th</sup> DAY OF September, 2015.

By:

  
Judy Wertz-Strickland, Mayor

ATTEST

  
Penny Delaney, City Clerk