

**AGENDA MINUTES
CITY COUNCIL
CITY OF ARCADIA
TUESDAY, SEPTEMBER 2, 2014
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.

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

William Bailey, Sr. gave the invocation, which was followed by the Pledge of Allegiance and roll call.

The Mayor called the meeting to order at approximately 6:00 p.m. with the following members and staff present:

Arcadia City Council

Mayor Alice Frierson
Councilmember Keith Keene
Councilmember Robert W. Heine

Deputy Mayor Joseph E. Fink
Councilmember Robert R. Allen

Arcadia City Staff

City Attorney Thomas J. Wohl
City Clerk Penny Delaney

Finance Director Beth Carsten
Marshal Matthew Anderson

The City Administrator was not present due to attendance at an APA Conference.

CONSENT AGENDA

- Agenda Item 1 – City Council Minutes for July 22, 2014 Budget Workshop**
- Agenda Item 2 – City Council Minutes for July 29, 2014 One Item Agenda Meeting**
- Agenda Item 3 – City Council Minutes for July 29, 2014 Budget Workshop**
- Agenda Item 4 – City Council Minutes for August 12, 2014 One Item Agenda Meeting**
- Agenda Item 5 – City Council Minutes for August 12, 2014 Budget Workshop**
- Agenda Item 6 – City Council Minutes for August 19, 2014**

Councilmember Heine made a motion to approve the Consent Agenda and Councilmember Keene seconded the motion. No discussion followed and it was unanimously, 5/0, approved.

ACTION ITEMS**Agenda Item 7 – Ordinance 1000 – Florida Power and Light Franchise Agreement –
Second Reading**

Mayor Frierson instructed the City Clerk to read Ordinance 1000 by title only and the City Clerk did so. Councilmember Heine made a motion to approve and Councilmember Keene seconded the motion. No discussion followed and it was 5/0 approved.

**Agenda Item 8 – Ordinance 981 – Providing Administrative Code for Rules of
Conduct for the Arcadia City Council – Never Adopted**

Councilmember Heine stated that he thought this had been voted on in 2012, but didn't know it had been rejected. Councilmember Keene stated that he didn't think it was rejected. Mayor Frierson stated Council had decided to use it as a point of reference. Councilmember Keene stated that he feels different now than he did when it was initially addressed and felt that they may need something more formalized. The City Attorney advised that one of the major items when it was first drafted was that it included penalties that would result in the Councilmen voting out other Councilmen for violating the Ordinance and you can't do that under Florida Law. He stated that he thought they corrected that, but another issue is that it should not be in Ordinance form. He stated that an Ordinance is essentially a regulation regulating how Councilmen act and you cannot tell someone how to act. He stated a Resolution is more of a desire of how the Council wishes someone to act. He advised he thought it should come back as a Resolution and he'd like the opportunity to go through it and remove some of the mandatory requirements. Deputy Mayor Fink asked if Council would object to the City Attorney looking at other communities regarding civility procedures and adopt it as a Resolution in that manner. Councilmember Keene stated that he supports and appreciates Deputy Mayor Fink's comment and stated that he would also like for the City Attorney to determine if the City Council had ever adopted Roberts Rules of Order as conduct for the meeting. He also expressed his appreciation to Councilmember Heine for bringing the issue before the Council again. Deputy Mayor Fink concurred with Councilmember Keene and suggested to see if verbiage could be placed in Code somewhere that would say in absence of specific guidelines in the Charter or Code, that Robert Rules be the defacto. Councilmember Heine stated that he felt it should include others in the audience as well. Deputy Mayor Fink agreed. Councilmember Keene made a motion to have the City Attorney investigate the issue and come back to Council at the next meeting and Deputy Mayor Fink seconded the motion. No discussion followed and it was 5/0 approved.

COMMENTS FROM DEPARTMENTS**14. CITY MARSHAL**

Marshal Anderson advised the August police department report was included in the Council's packets. He further advised the department had made three (3) arrests regarding a local robbery which led to another arrest of a convicted felon holding the weapon that was used in the robbery. He also addressed a DUI arrest with an individual who tested .289.

15. CITY ATTORNEY

None

16. FINANCE DIRECTOR

The Finance Director, Beth Carsten, asked A.J. Berndt to address Council regarding updates pertaining to the FDOT and CDBG Grant. Mr. Berndt advised that the cost associated with the waterline break on West Hickory Street will be a little over \$5,000.00 and FDOT has ruled in the City's favor that the contractor should be responsible for the payment. He also advised the contractor will also be responsible for the repair to the line that was broken that runs under 70 West. Instead of having a valve or sleeve, it will be hooked across the road into the City's existing valve that is there. Regarding the Bridle Path CDBG project, Mr. Berndt advised that the bid was awarded to ElectriCom and the Notice to Proceed will be September 8, 2014. He further advised that the work will begin forty-five (45) days from that date. He stated that they expect the project to last two (2) months. He advised construction meetings will be determined at the start of construction and they will provide Council with updates as needed.

Ms. Carsten advised that the first hearing regarding the budget is scheduled for September 16, 2014 and she provided packets for Council with the updated numbers. She further advised that the Final Public Hearing is scheduled for September 30, 2014.

PUBLIC

None

MAYOR AND COUNCIL MATTERS

None

ADJOURN

Having no further business at this time, the meeting was adjourned at 6:20 P.M.

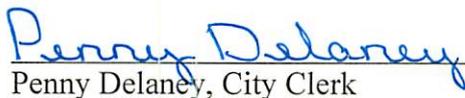
ADOPTED THIS 16th DAY OF September, 2014.

By:



Alice Frierson, Mayor

ATTEST:



Penny Delaney, City Clerk