

**MINUTES
CITY COUNCIL
CITY OF ARCADIA
TUESDAY, SEPTEMBER 4, 2012
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.

Councilman Heine gave the invocation followed by the Pledge of Allegiance.

Arcadia City Council

Mayor Keith Keene
Councilman Robert Heine
Councilman Robert R. Allen

Deputy Mayor Alice Frierson
Councilman Joseph E. Fink

Arcadia City Staff

City Administrator Judi Jankosky
Marshal Charles Lee
City Attorney Thomas J. Wohl
Jerry Cordes, Public Works

City Recorder Virginia S. Haas
Captain Matt Anderson
Carrie Taylor, Golf Course

PRESENTATION

August 2012 Employee of the Month – Charlie Cobb, Streets Department

Mayor Keene read and presented the August 2012 Employee of the Month plaque to Mr. Charlie Cobb for his work in the City Streets Department.

CONSENT AGENDA

1. Minutes of August 7, 2012 Regular Meeting
2. Minutes of August 21, 2012 Regular Meeting
3. Check warrants from 08/24/12 and 08/29/12
4. Special Event Permit and Street Closure for Car Show – Saturday September 15, 2012.
5. Special Event Permit for the third Saturday of each month at the Tree of Knowledge – Arcadia Main Street Saturday Farmers Market.

Councilman Fink made a motion to approve consent agenda items number 1, 3, 4 and 5 as presented and pulling item number 2. The motion was seconded by Councilman Allen and carried 5-0.

Councilman Fink requested changes to the minutes concerning item 6, page 2 of the August 21, 2012 minutes and public comment from Mr. Rickey Hilton on page 9 and paragraph 1 of the same minutes. Requested items will be reviewed and corrected verbatim and brought back for review by Council.

DISCUSSION ITEMS

6. Special Event Permit and waiver of fees for Trinity 4th Saturday Market – Trinity United Methodist Church – all held on Church Property including parking

Due to the fact that this permit request would be held on Church Property and no City or public property would be utilized or City services required this request was approved as presented.

7. Special Event Permit and waiver of fees for DeSoto Arts & Humanities Council at the Tree of Knowledge Park

A motion was made by Councilman Fink and seconded by Councilman Heine to approve the special event permit to include payment of fees in the amount of \$25.00 per event plus a \$200 refundable deposit for DeSoto Arts and Humanities Council use of Tree of Knowledge Park.

8. Property and Casualty Insurance

Mr. Lew Ambler, DeSoto Insurance, stated that they have talked about the values on buildings several times the last few months. The last time he brought the estimated costs to bring the insured values up to the appraised values Council asked to table the item. Mayor Keene asked about appraised values versus insured values. Mr. Ambler explained that an appraisal was conducted in 2009 by PGIT which they only did on buildings that were valued at \$100,000 or that they felt should be valued at \$100,000 or more. The copy of the appraised values is available containing about 150 pages however it was just a replacement cost estimate, not an appraisal. The Council appointed a committee consisting of the Deputy Mayor, and the City Administrator to review the items. Mr. Ambler gave an example of the City Hall/Fire Station that is insured at \$93,000 and has 8,800 square feet. The City Hall first floor renovations were completed however the second floor has not been renovated but the space is still there. The replacement cost is \$800,000 and after the committee talked they felt the City Hall/Fire Station should be insured at half a million. Mr. Ambler continued that when you build a public building some you can build out of metal, but some you build for generations like City Hall and the Police Station. He stated that the City has more buildings than needed and asked which items the City would replace. He added that there is nothing forcing you to increase the values as they will renew the insurance at the same rate whether you increase the values or not. He explained that the City has had changes in management in past years and he felt like the Council needed to know what the situation was on the values of the insurance

Mr. Ambler reported that some items on the list like the South Parker Complex, the Water Plant on Turner Road and the buildings at Oak Ridge Cemetery are large concrete structures not buildings that you walk into however they did pay claims on these during Hurricane Charlie. If there is an interest in keeping costs down he recommended not raising the premiums on those buildings. Mayor Keene asked if those items were reflected on the chart as not increased. Mr. Ambler reviewed the items that were increased and not increased in the chart. Mr. Ambler summarized if Council chose to increase all recommendations the premium would increase by \$28,000. Mrs. Jankosky stated that she included all Airport insurance increases and the other

increases on the chart in the budget including a five percent overall increase. There was some discussion regarding the Country Club. Mayor Keene stated that insurance is something we all are required to have and he doesn't want the City to not have accurate coverage. Mr. Ambler responded that it has been eight years trying to be effective on these values and if the Council chooses to leave it as is he wanted the Council to make that decision. Mr. Ambler confirmed to Mayor Heine that the recommended changes would result in an additional \$28,000 premium.

A motion was made by Councilman Fink to approve the recommended premium list as presented. The motion was seconded by Councilman Heine and carried 5-0. Mrs. Jankosky noted that items could be added or removed at a later time.

9. Health Insurance Rates

Mr. Tommy Guidry, DeSoto Insurance, presented alternate numbers from United Health Care, along with a cost and benefit comparison between Florida Blue (Formerly Blue Cross) and United. He explained that he was waiting to hear from Florida Blue any day. He stated that he was prepared to show what the City could save if we switched to United. He noted the packet he would review contains the actual rates that would apply. There were seven plans however he wanted to review the top two plans which would most compare to what the employees have now with Florida Blue. United FXV is very close to what City employees have with a \$500 deductible and an 80/20 plan with give and take on benefits. The third plan down is the United FXP with the \$1,000 deductible. He reviewed the comparison of benefits. The Florida Blue current plan 1362 is an original Blue Option plan not offered anymore. It has a \$500 deductible, United, has a \$500 deductible, out of network for Florida Blue is a \$500 deductible, United is \$1,000 out of network. He explained that Co-insurance is the amount the insurance pays after the deductible is met and all plans are at 80%. For out of network Florida Blue is 50% while United pays 60%. The out of pocket maximum for Florida Blue is \$2,500, while United is \$3,000. Florida Blue: Primary physician co-pay is \$20, specialist visits you must meet deductible first (\$500) then pay 20%. United is \$25 co-pay for primary and \$50 specialist co-pay and you do not need to meet deductible. The prescription program for Florida Blue is \$15 for generic, \$30 for name brand and \$50 for non-formulary name brand. United prescriptions are \$10 generic, \$35 for name brand and \$60 for non-formulary name brand. Preventative for Florida Blue is \$20 co-pay and \$0 for United. Emergency room for Florida Blue is \$100 while United is \$200.

Mr. Guidry reviewed the next page of potential savings to the City. He stated the numbers are based on a census given of current premiums in the amount of \$52,891.97 per month. The FXV plan could result in a 16.3% savings right now not waiting for the renewal period in January. The annual savings would be \$103,456.69. The plan FXP savings would be \$122,672 by raising the deductible to \$1,000. One option is you could offer more than one plan, a base plan with a \$1,000 deductible and if an employee wants the \$500 deductible, the employee can pay the calculated difference. He reviewed some other Choice plans which were similar to HMO's.

Councilman Heine stated that he believes the County has United and he heard they may have problems. Mr. Guidry responded that he does not know the problems and has found that the complaints always override the people who are happy with the plan. He explained that United has a strong network. Mr. Ambler stated he printed out the network and other doctors and specialists for their review. Mr. Ambler stated that they have had United at his office for a number of years. Mr. Guidry responded to Councilman Heine that DeSoto Insurance has a local office for those employees who have questions or problems and reminded if they did change the savings are significant. He added that should a doctor not be in the network, we can tell you how to get that doctor into the network. Mayor Keene agreed and explained that

they had issues at the Health Department but after going to the doctor and having them apply it works. Mr. Ambler added that they have a \$1,500 deductible at DeSoto Insurance and their employees are glad to have health coverage. Mr. Ambler reminded that should you decide to implement the change October 1, 2012 to get the savings in the budget the Council will need to make a decision tonight. Mr. Guidry responded to Councilman Heine that the savings would be \$103,456.69 plan for plan. Mrs. Jankosky responded to Mayor Keene that she believes there would be an interest in a dual plan by the employees.

Deputy Mayor Frierson asked what percentage the City pays for spouses. Mr. Guidry responded that those numbers varied on dependents and came to about 47%. He added that for dependents the employer is not required to pay anything and the City is very generous in providing coverage for dependents. Councilman Fink inquired would those changes occur through the personnel policy and how could we make it uniform. Mrs. Jankosky responded that the personnel policy states that the City will pay 95% of the employee's health benefits and a non-defined proportion for dependent coverage. Councilman Fink asked Attorney Wohl what he would suggest so that there would be an equitability factor because non-defined does not seem proper. Attorney Wohl replied that Council could set the dependent coverage on an annual basis or as they are approving which plan they can determine at that time what percentage the City will pay for dependents. Mrs. Jankosky responded to Councilman Fink that the personnel manual can be changed by simple adoption. Mr. Ambler inquired that the City does have an exposure if that issue isn't addressed. Attorney Wohl confirmed that is an issue because of what the employees and the manual you have hired them under and he would like to look at the personnel manual closer. Mr. Guidry noted that when he crunched the numbers they ranged from 42% to 49% which averaged out to 47%. Mrs. Jankosky explained that at one point it was 50/50 and as the costs increased the City absorbed the increases. Attorney Wohl replied to Councilman Fink that we should revisit the personnel manual and he will need direction from Council on what they want that language to be but he could certainly come up with some options and let them know what the industry norms recommend. Councilman Fink asked if staff thinks the 50% is logical or less or more. Mrs. Jankosky responded that she placed it in the budget at 50%. Councilman Fink asked Mayor Keene for a consensus to send the review to the City Attorney and have him work with staff to give Council the ability to change the dependent coverage to 50%. Mrs. Jankosky asked if the Council would like to make a decision on a plan tonight.

Councilman Fink made a motion to choose the United option plans FXV and FXP and offer the employees the option to pay into the lower deductible plan (FXV-\$500). The motion included open enrollment period coinciding with the budget year and presentation of findings from the City Attorney on dependent premiums. The motion was seconded by Councilman Heine and carried 5-0. Mr. Guidry noted that enrollment would need to occur right away.

10. Budget Amendments (Councilman Fink)

Mrs. Jankosky noted that Councilman Fink did not put this item on the agenda, she asked for this item because she wanted to confirm the directive of Council as it was not voted upon at the last meeting. Mrs. Jankosky gave an example if every line item that went over had to be brought to Council for approval. General Government, line item advertising, March 2012 total budgeted was \$500. March 2012 billing was \$276 and year to date spent was \$501, which means the \$1 overage would have to be approved by Council. Councilman Fink replied that was not what he was asking. He was asking if there was a significant item that was not budgeted that it should be brought before council and voted upon not a one dollar overage on a month expenditure because that would balance out sooner or later down the road. Mrs. Jankosky

replied that maybe they might want to change the procurement policy. Councilman Fink explained that the previous Council had a real problem with the last Administrator doing façade work on the exterior of the Way Building and Council seemed to want to reign in that sort of practice, but not any more. He stated that was his only reason that if we changed a line item on the budget that rather than spending the money we should get approval from the Council. Mayor Keene responded that he thought emphasis is on the City Administrator to make sure the departments stay within the line item budgets and if they don't go over that is ok. Mayor Keene stated that he thought it would be irresponsible of that person not to make the Council aware of improvements or purchases being made even though they are within our guidelines. He continued that he did not get on the Council to micromanage things, however maybe it means defining what a big item is. Councilman Heine replied that the limit is \$15,000. Deputy Mayor Frierson responded that Councilman Fink was talking about the \$9,000 crane that was brought before Council and there was much discussion before it was purchased. Councilman Fink replied but the Council did not vote on it. Mayor Keene stated that as long as Mrs. Jankosky informs the Council he was satisfied.

Mrs. Jankosky gave an example budget. The Streets Department has \$394,906 budget for the year and although money is assigned to certain line items as long as the bottom line doesn't go over we can operate in the positive through the year. Councilman Fink replied that was not basically what he was talking about, he clarified that there was no specific request for the \$9,000 crane and there was plenty of time to bring that forward for a vote. He reviewed that there were all sorts of problems before about the exterior of the Way Building being done. Mayor Keene asked was there a requirement for the Council to vote on the \$9,000 expense. Mrs. Jankosky responded no. Deputy Mayor Frierson pointed out that the problem with the Way Building was with potential grant money and before we received the grant money the work was started which voided the grant money.

Attorney Wohl explained that typically a local government doesn't include line items leading up to the final budget. This budget you have 10 to 12 funds that the statute talks about and that is where you see the appropriations can increase or decrease in a fund by motion as long as the bottom line doesn't change. Subsection b allows Council to establish procedures in which the City Administrator can make those expenditures without coming to the Council for a motion as long as bottom line number in the fund doesn't change. He stated that he doesn't believe the statute intended a motion on line items because those aren't included in a budget. Mayor Keene asked Attorney Wohl if there would be any legal reason to approve the action of the City Administrator on those kinds of items. Attorney Wohl replied that on something below the procurement level, no, however; if the spending is outside the fund or changes the bottom line there is a problem. Otherwise he did not see outside of a prior Resolution, motion, past motion or Ordinance no action would be required. Councilman Fink stated if we change the fund then we are allowing staff, an unelected entity, to expend tax money.

11. Water Company of America – Utilities Audit

Mrs. Jankosky reported that this Company could provide a utilities audit similar to what the FLC is doing regarding auditing of our telecommunications. Council agreed to a presentation at a later date.

12. FDOT Grant for Phase II of Security Fencing at the Airport

A motion was made by Councilman Heine and seconded by Councilman Fink to approve the FDOT Grant for Phase II of Security fencing at the Airport as presented. The motion carried 5-0.

13. Contract for Fiscal Funding Year (FFY) 2012 CDBG Neighborhood Revitalization Program Administration Services as awarded to Guardian Community Resource Management, Inc.

A motion was made by Councilman Heine and seconded by Councilman Fink to approve the FFY 2012 CDBG Neighborhood Revitalization Program Administration Services awarded to Guardian Community Resource Management, Inc. The motion carried 4-0 with Deputy Mayor Frierson abstaining.

14. Review and possible action on the recommendations of the Charter Review Advisory Board, with the intent to place them on the ballot of the next City Election. (Councilman Fink)

Councilman Fink stated that he did not want the Charter recommendations to be lost and it is important because people spent lots of hours on this and it didn't get on the ballot this year. These are items that the citizenry should have a voice on and should be started now for the next election cycle. Mayor Keene agreed.

A motion was made by Councilman Fink and seconded by Councilman Heine to empower the City Attorney to write the recommended Ordinances. Attorney Wohl pointed at that the best way to approach this is to begin meeting with the Charter Review Committee so he can get the appropriate language on paper and then bring the proposed Ordinances to the Council for review. He noted that it appears number two regarding election dates may be able to go forward without a referendum. Vote on the original motion carried 5-0.

15. Certificates of Appreciation to members of all City Boards for their volunteerism to the City of Arcadia. (Councilman Fink)

Councilman Fink listed the volunteer committees and boards: Charter Advisory Committee, Airport Advisory Board, Board of Adjustment, Historic Preservation Commission and the Citizen Advisory Task Force. He stated that all these citizens serve because they have sense of civic duty and it behooves us to let them know they are appreciated and he asked for certificates of appreciation and presentation at a Council Meeting. Mayor Keene and Council agreed a celebration recognizing our volunteers would be in order. Mrs. Jankosky would plan an event.

PUBLIC HEARINGS:

RESOLUTIONS

- 16. RESOLUTION NO. 2012-07; A RESOLUTION AMENDING RESOLUTION NO. 2011-22 OF THE CITY OF ARCADIA TO CORRECT SCRIVENER'S ERRORS REGARDING FISCAL YEAR DATES AND PROVIDING AN EFFECTIVE DATE.**

A motion was made by Councilman Heine and seconded by Deputy Mayor Frierson to adopt Resolution No. 2012-07 as presented. The motion carried 5-0.

- 17. RESOLUTION NO. 2012-08; A RESOLUTION ADOPTING THE TENTATIVE MILLAGE RATE TO BE LEVIED BY THE CITY OF ARCADIA, FLORIDA FOR THE FISCAL YEAR 2012-2013**

Resolution No. 2012-08 was read into the record in full. Councilman Fink stated that he does not support the miniscule amount of increase.

A motion was made by Councilman Heine and seconded by Councilman Allen to adopt Resolution No. 2012-08 as presented. The motion carried 4-1 with Councilman Fink dissenting.

18. RESOLUTION NO. 2012-09; A RESOLUTION ADOPTING THE TENTATIVE BUDGET FOR THE CITY OF ARCADIA, FLORIDA FOR THE FISCAL YEAR 2012-2013

Resolution No. 2012-09 was read into the record in full.

A motion was made by Councilman Heine and seconded by Councilman Allen to adopt Resolution No. 2012-09 as presented.

Councilman Fink stated that he could not support this Resolution as he feels it does not sufficiently address the issues, it's selective in the cuts and they were given an entirely new budget at the start of month with no time to look it over. That budget changed what we were discussing over the last several months. Then that budget was changed again and the dynamics changed and several employees that were part-time became full time with benefits. He didn't believe since they only received the figures on the benefits this evening that a judgment could be made as to whether or not this budget should be adopted at this time. We changed the budget this evening by giving instructions to staff, so the final figures are not figures that we know or do not know until we made that determination this evening. We have not, in his opinion, cut where it should have been cut and we should not adopt this budget. He suggested just dealing with last year's budget and make that the working budget, not increase and still have deficit spending. Mayor Keene asked Attorney Wohl if this was a tentative budget and that meant they would vote on it again. Attorney Wohl responded that this Resolution will be approved tonight however can be amended by Resolution and even a final budget can be amended.

Mayor Keene agreed with Councilman Fink that they did get new information to consider but he was not opposed to approving the tentative budget tonight. Mrs. Jankosky responded that if you look in the budget under health insurance, the quote received from PRM on Blue Cross was close to the number quoted from United. She stated that she used that number to estimate which is very close. Mrs. Jankosky responded to Deputy Mayor Frierson that the \$28,000 was added for property insurance and an overall 5% increase as well. Council agreed to schedule a budget workshop for September 11, 2012. Councilman Fink voiced his concern that the Finance Director was not at the meeting and the dramatic change of one budget to the next to the third budget they received is also concerning.

Vote on the original motion carried 4-1 with Councilman Fink dissenting.

ORDINANCES

- 19. ORDINANCE NO. 977; FIRST READING OF AN ORDINANCE AMENDING SECTION 2-116 OF THE CODE OF ORDINANCES OF THE CITY OF ARCADIA TO AMEND THE REQUIREMENTS FOR SIGNING OF CHECKS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (City Attorney)**

Ordinance No. 977 was read by title only.

A motion was made by Councilman Fink and seconded by Councilman Heine to approve Ordinance No. 977 as presented at first reading. The motion carried 5-0.

COMMENTS FROM DEPARTMENTS

20. City Marshal – August report included in packet

Mayor Keene asked about the ongoing email investigation. Marshal Lee responded that Embarq was sent the subpoena however they couldn't respond so they sent the request to the new name Century Link. He stated that the email was narrowed down that it came from Arcadia with the date and time and they may have the name this week however the report is complete except for that item.

21. Attorney

22. City Administrator

a. Quotes on Smith Brown Gym

Mrs. Jankosky reported that they received a quote from Bowen and Son who submitted two different quotes. The first quote is for \$48,939 and the second for \$63,214. The only difference on the higher quote is a heat weld of the smooth surface membrane between the base sheet and cap sheet and the second quote has a 20 year warranty. Mrs. Jankosky responded to Councilman Heine that the electric quote is separate from the roof quote. Councilman Fink asked if the \$63,214 figure was a prorated or actual figure. Attorney Wohl responded that he did not see anything in the contract however there was a part of the document that was covered by the company insignia.

A motion was by Councilman Fink and seconded by Councilman Heine to approve the contract from Bowen and Sons in the amount of \$48,939 and the electrical in the amount of \$6,998 from SESCO. The motion carried 5-0.

Mrs. Jankosky reported that they may have the building back open within a month. Councilman Fink asked about other arrangements for Coach Bowers and Valerie Gilchrest. Mrs. Jankosky replied that the Homeless Coalition will be working out of the fairgrounds. Mayor Keene responded that he spoke to Coach Bowers last week and he is continuing his tutoring.

Marshal Lee asked if the quotes included repairs to the broken windows. Mrs. Jankosky responded that they were attempting to get the windows donated from a company out of Sarasota. Mr. Cordes inquired that the doors needed to be replaced and a fence around the building. Councilman Heine stated that he thought the doors were replaced last year and asked if they were in disrepair again. Mrs. Jankosky replied that the fence was a suggestion.

b. Pending budget amendment for CDBG engineering services

Mrs. Jankosky reported that the CDBG engineering services for the Neighborhood Revitalization project will be \$45,000 which can be taken from the water/sewer replacement fund which has \$1.4 million. Those funds can be used for water/sewer and associated street repairs. The capital improvement fund does have money but those funds are earmarked for debt service for

the Triton meters so we will need to take the money from water/sewer replacement fund which will be handled in a budget amendment at the end of the year.

A motion was made by Councilman Heine and seconded by Councilman Heine to approve the budget amendment for CDBG engineering services that will be taken from the water/sewer replacement fund. The motion carried 5-0.

Mrs. Jankosky reported that the CDBG application deadline was requested to be extended from October 1, 2012 to November 1, 2012 because many Cities spent time preparing for Hurricane Isaac. Grant recipients are requesting an extension and she asked if she or Council could approve the request and send to the Governor.

A motion was made by Councilman Heine and seconded by Councilman Allen to approve the City Administrator to sign and send the CDBG extension request to the Governor. The motion carried 5-0.

Mrs. Jankosky reported that there was an appeal request from Mr. Jorge Santana and requested a date for hearing the appeal. Councilman Fink suggested Tuesday, September 11, 2012.

A motion was made by Councilman Fink to hold the appeal hearing on September 11, 2012 at 5:30 p.m. with the budget workshop immediately following. The motion carried 5-0.

PUBLIC (PLEASE LIMIT PRESENTATIONS TO FIVE MINUTES)

Reverend Bill Bailey, DeSoto County, owner of Veranda House Apartments, stated that he was recently told his property was not zoned properly. He continued that they currently have eight apartments that they rent out in a b-2 zoning district and under uses permitted in b-1 the code states acceptable uses are hotels, motels, rooming houses and boarding houses. He continued that basically b-2 says he should be able to run the business that has been there all those years prior. He stated that the Veranda House Apartments has run that way since 2005 and maybe even before that. It was originally built as an apartment or rooming house back then. He passed out the definitions under City code 110-2: boarding/rooming houses: A building or portion of a building in which 5 or more sleeping rooms are provided for occupancy by non-transient persons with or without meals provided for compensation on a pre-arranged weekly or monthly basis. It may include living quarters for people who own or take care of the property. He continued that the code also required that the rooms be a minimum of 350 square feet and his smallest is 393 square feet and some with 690 square feet, some with 451 square feet. We were told we could not get the license.

Mrs. Jankosky explained that recently the fire inspections were conducted and there had been no business license pulled for years. The application was sent to the Planning Council who felt that use was more an apartment house which falls under residential zoning however there is an option to rezone to a RPB but that permit is \$1,100 and Reverend Bailey had concerns about the cost. Deputy Mayor Frierson asked why this is an issue all of a sudden. Mrs. Jankosky responded that a business license was never issued. Reverend Bailey responded to Mayor Keene that there are a total of 8 apartments and he is licensed with DBPR. Mayor Keene responded that it sounds like it could be a nonconforming use. Reverend Bailey stated that he has a fire safety system and two phone lines for redundancy. Deputy Mayor Frierson asked why the Planning Council turned them down. Mrs. Jankosky replied that the Planning Council

thought it was an apartment house and there is a difference between an apartment and a rooming/boarding house. Councilman Fink stated that the Planning Council is only an appendage to the City as a planning staff who only makes recommendations and that building has been used for that purpose for 50 years.

Reverend Bailey stated that when he bought the building in 2008 it was an apartment house and one tenant still lives there. Reverend Bailey responded to Councilman Heine that at one point in time they were trying to put in a small restaurant in one of the apartments and did make changes to meet the code but that use was gone when he bought the building. Mayor Keene asked if Attorney Wohl could review and advise Council at the next meeting. Reverend Bailey stated that he received a letter from the Marshal saying he was not in compliance because they had no business license. He asked if Council could temporarily allow the apartments to be status quo without getting fined during the review. The Marshal agreed to assist per Council's direction.

Jammarius Bing, Arcadia, FL, thanked the Mayor for asking about the investigation. He directed a statement to Councilman Heine, that Councilman Heine gets a real high style about the Smith Brown Gym and that area every time he speaks. He stated that it was surprising to him that one of the Council Members likes to adjourn a lot and only one Councilman tries to keep an open mind, all the Council tries, but in his mind really only one. He continued that the Council was all for changing and working on the budget process and it seems somewhere in there feelings got really changed and the Council was willing to cut 40% of their own budget but the biggest department, the Marshal's, the Council didn't want to touch at all. Council only makes roughly \$13,000 per year. He thought it was funny with the investigation going on and out of the three people that were really deep into it and that was willing to make a change in this budget and chose not to, as a matter of fact you didn't care to talk about it, now you are looking back into and he hopes the Council makes the right decision.

MAYOR AND COUNCIL MATTERS

ADJOURN

There being no further business the meeting adjourned at 8:00 p.m.

APPROVED THIS 2nd DAY OF OCT, 2012.

ATTEST:

Virginia S. Haas
Virginia S. Haas, City Recorder

By:

Keith Keene
Keith Keene, Mayor