

MINUTES  
CITY COUNCIL  
CITY OF ARCADIA  
TUESDAY, SEPTEMBER 20, 2011  
6:00 PM

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

The meeting was called to order at approximately 6:00 p.m. The following members and staff were present:

**Arcadia City Council**

Deputy Mayor Keith Keene

Councilmember Dr. Roosevelt Johnson

Mayor Heine (Absent)

Council Woman Craven

**Arcadia City Staff**

City Administrator Lawrence Miller

City Attorney Jason Henbest

Marshal Charles Lee

City Recorder Virginia Haas

Finance Director Jorge Santana

Pastor Jerry Alexander gave the invocation which was followed by the Pledge of Allegiance.

**CONSENT AGENDA**

1. Minutes of the August 16, 2011, September 6, 2011 and September 15, 2011 Meetings.
2. Check warrants from August 12, 2011, August 19, 2011, August 31, 2011, September 1, 2011, September 9, 2011 and September 16, 2011.
3. Request for Street Closure - Oak Street between Polk and Monroe from 4 p.m. - 8 p.m. Monthly Car Show - October 14, 2011, November 11, 2011 and December 9, 2011.
4. Request for Special Event Permit - Tree of Knowledge - 2<sup>nd</sup> Saturday Downtown Market. 9 a.m. - 2 p.m. September 10, 2011, October 8, 2011, November 12, 2011 and December 10, 2011. Set up 6 a.m. - Teardown 3 p.m.
5. Special Event Permit for Family World Fair-McSwain Park on November 3, 2011.
6. *Air-Cadia* Flowage and Hanger Rent report for July and August 2011.
7. Arcadia Mobile Home Park report for July and August 2011.
8. Golf Course & Pro Shop report for August 2011.

A motion was made by Dr. Johnson and seconded by Councilwoman Craven to approve Consent Agenda Items 1-5. Motion carried 3-0.

Deputy Mayor Keene announced this would be Dr. Johnson's final official meeting and introduced a representative of the Florida League of Cities (FLC). Mr. Paul Shamoun read and presented Dr. Johnson a Resolution adopted by the FLC recognizing his 20 years of elected service and unselfish leadership.

**PROCLAMATIONS**

## 9. Week of the Family

**Deputy Mayor Keene read and presented Week of the Family Proclamation to Cynthia Siegel.**

## 10. Celebrate Arts in Arcadia

**Deputy Mayor Keene read and presented Celebrate Arts in Arcadia Proclamation to Karen Smoke.**

**Deputy Mayor Keene opened the public hearing. The City Recorder read Resolution No. 2011-15 by title only. Deputy Mayor Keene called for questions from the public. There being none, the public hearing was closed and the regular meeting was reconvened.**

**PUBLIC HEARING**

**11. RESOLUTION NO. 2011-15: A RESOLUTION ADOPTING THE FINAL MILLAGE RATE TO BE LEVIED BY THE CITY OF ARCADIA, FLORIDA FOR THE FISCAL YEAR 2011-2012.**

**A motion was made by Dr. Johnson and seconded by Councilwoman Craven to adopt Resolution No. 2011-15. Motion carried 3-0.**

**Deputy Mayor Keene opened the public hearing. The City Recorder read Resolution No. 2011-16 by title only. Deputy Mayor Keene called for questions from the public.**

Mr. Gary Frierson, Gibson Street, voiced concern over the salaries in the budget and passed out referring paperwork for the Council's review. He requested that the Council may pass this budget tonight and place a freeze on all raises. He noted that the City only collects 1.4 million in property taxes with the 8.089 millage rate and the \$86,612 line item was a perpetual expense in the budget. Dr. Miller explained that the Legislature enacted a law removing longevity bonuses. These bonuses would be performance based therefore this expenses was not a permanent raise. Dr. Miller responded to Mr. Frierson that the first budget was a draft, a living and changing document, reviewed by Council resulting in various changes. Dr. Miller continued that Middle Managers were receiving overtime causing that line to be over budget. Overtime was eliminated which resulted in a reduction in salaries therefore the Middle Manager salaries were increased to Department Head salaries.

Deputy Mayor Keene responded to Councilwoman Craven that Middle Managers should be compensated. Dr. Miller followed that some employees are below poverty level and pointed out that the budget this year is the lowest of all years presented in Mr. Frierson's handouts. Dr. Miller continued that the numbers he quoted were US Census numbers and is the reality of what the City has to deal with. Dr. Miller further stated that he does care and actively participates in the community. Mr. Frierson replied that this budget is the lowest because there is no money. Councilwoman Craven questioned if this budget is not passed would it

revert to the old budget? Attorney Henbest stated that the budget would be 2010/2011 budget however there are bond covenant violations to take into consideration.

Mr. Joe Fink, Councilmember Elect, agreed with Mr. Frierson and asked the Council to consider removing raises and bringing back the Crossing Guards who are much needed on Magnolia and Manatee.

Dr. Miller interjected that property and liability insurance must be in place by October 1, 2011.

Marshal Lee reported that he has all hands on deck and he has issued 10 citations on Magnolia Street and requested if the \$25,000 could be found for rehiring of the Crossing Guards.

Mr. Ernie Hewett questioned the increase in health insurance rates and felt that it was unnecessary to survey the employees. Deputy Mayor Keene responded the health insurance renewal had previously been approved. Mr. Hewett questioned penalties for not approving the budget and the 2009/2010 audit.

Finance Director Jorge Santana stated that staff took a lot of things to heart and the budget is \$300,000 less than last year's budget. He continued that the bonuses must be earned and the \$86,000 is irrelevant to the long run issues that need to be addressed to allow the City to be financially stable.

Dr. Miller stated that City Staff worked diligently to present this budget and for Mr. Hewett to suggest City Staff was incompetent is undignified.

There being no further comments, the Public Hearing was closed and the Regular Meeting was reconvened.

**12. RESOLUTION NO. 2011-16: A RESOLUTION ADOPTING THE FINAL BUDGET FOR THE CITY OF ARCADIA, FLORIDA FOR FISCAL YEAR 2011-2012**

A motion was made by Councilwoman Craven to hold on passing this budget and give to the next seated council for approval. The motion died for lack of a second.

A motion was made by Dr. Johnson and seconded by Deputy Mayor Keene to approve Resolution No. 2011-16. The motion carried 2-1 with voting as follows: Dr. Johnson, Yes; Councilwoman Craven, No; Deputy Mayor Keene, Yes.

**DISCUSSION ITEMS**

13. Appointing a Council Member to fill Dr. Goodman's unexpired term.

Deputy Mayor Keene announced candidates were interviewed at the 5 p.m. Workshop Meeting. There being no motion, no action was taken on this item.

**RESOLUTIONS**

**14. RESOLUTION NO. 2011-08; FIFTH AMENDMENT TO THE**

**RETIREMENT PLAN FOR EMPLOYEES OF THE CITY OF  
ARCADIA**

Dr. Miller explained this resolution pertained to the effective date and vesting schedule regarding the City's Pension plan which was previously discussed in City Council Workshops.

**A motion was made by Dr. Johnson and seconded by Councilwoman Craven to approve Resolution No. 2011-08. Motion carried 3-0.**

**15. RESOLUTION NO. 2011-17; A RESOLUTION OF THE CITY OF  
ARCADIA AMENDING THE BUDGET FOR THE FISCAL YEAR  
2010-2011**

Finance Director Santana explained there were items that needed to be adjusted regarding the water and sewer, airport and general funds as outlined in the resolution.

**A motion was made by Dr. Johnson and Councilwoman Craven to approve Resolution No. 2011-17. Motion carried 3-0.**

**COMMENTS FROM DEPARTMENT**

**16. City Marshal**

Marshal Lee reported that by not filling one Police Officer position until January he was able to bring back 2 Crossing Guard positions.

Marshal Lee reported that he was asked to observe actions near the Palace Barber Shop. He witnessed horses and electric scooters and other potential traffic hazards. He requested that Council approve Pedestrian Foot Traffic only signs for the downtown sidewalks. Council agreed. Councilwoman Craven requested No Loitering signs for the park located at the Tree of Knowledge. Council agreed and there was some discussion regarding enforcement of loitering.

Marshall Lee requested that the speed limit be lowered to 20 mph on Gibson near the schools after observing numerous speeding violations.

**A motion was made by Councilwoman Craven and seconded by Dr. Johnson to approve lowering the speed limit to 20 mph from North Brevard Avenue to Turner Avenue. The motion carried 3-0.**

**17. Attorney**

Attorney Henbest reported that the Central Florida Regional Planning Council (CFRPC) is addressing the Tremron issue. Dr. Miller followed that he recently met with Jennifer Codo-Salisbury (CFRPC) and Mr. John Gallagher (Tremron) to discuss encasing the platform with insulation to mitigate the noise nuisance.

18. Administrator

a. Adoption of Revised Personnel Policy Manual

Dr. Miller reported that after numerous workshops and approval of Resolution 2011-08, the Personnel Manual was ready for adoption. He explained that there is a section that must remain regarding retirees and access to City Health Insurance. He asked the Council if they would be agreeable to the vesting schedule for retirees regarding health insurance specifically affecting those Firefighters who were transferred to the County.

**A motion was made by Dr. Johnson and seconded by Councilwoman Craven to direct Dr. Miller to write letter of consent to those affected retirees announcing vesting and availability of City Health Insurance. Motion carried 3-0.**

**A motion was made by Dr. Johnson and seconded by Councilwoman Craven to adopt the Revised Personnel Manual. The motion carried 3-0.**

**Deputy Mayor Keene requested that Item 18-f be addressed at this time.**

f. Renewal of City of Arcadia Property and Liability Insurance.

Dr. Miller reported that he received the insurance renewal for FY 2011/2012 and Mr. Ray Stewart, DeSoto Insurance, was available for any questions. Worker's Compensation insurance decreased from \$114,815 last year to \$99,754 this year and Property Insurance decreased from \$211,139 to \$202,083 this year for a total savings of over \$24,000. He continued that Deputy Mayor Keene requested information on savings regarding deductibles. Dr. Miller reported that the City currently insures at 6 million over 2 million and if you reduce that to 4 million over 2 million there is a savings of \$3,115. If you choose to lower to 2 million over 1 million this would be a savings of \$7,846.

Mr. Louis Ambler explained Sovereign Immunity and the limit of \$200,000 per person. He gave an example of a worst case scenario.

**A motion was made by Councilwoman Craven and seconded by Dr. Johnson to maintain the current 6 million over 2 million coverage and approve the insurance renewal with DeSoto Insurance. The motion carried 3-0.**

b. Request for use of Fire Station at 10<sup>th</sup> Avenue and Cypress

**A motion was made by Councilwoman Craven and seconded by Dr. Johnson to approve the request for use of Fire Station at 10<sup>th</sup> Avenue and Cypress. The motion carried 3-0.**

c. DeSoto High School Homecoming Parade

**Dr. Miller reported that DeSoto High School had requested closure of roads for their annual Homecoming Parade. Council approved request by consensus.**

d. Revenue generating ideas at the Golf Course

Dr. Miller reported on sale of beer and bingo as possible revenue generating ideas at the Golf Course.

- e. Waive County Application fees (DeSoto/Morgan Park Multi-Use Trail)

**A motion was made by Dr. Johnson and seconded by Councilwoman Craven to waive County application fees regarding the DeSoto/Morgan Park Multi-Use Trail. The motion carried 3-0.**

- f. Renewal of City of Arcadia Property and Liability Insurance

This item was addressed above.

- g. RFQ Grant initiative on Roadway Repairs

Dr. Miller requested Council approval for an RFQ to enlist an Engineer of Record for repair to City streets, pipes and sidewalks.

**A motion was made by Dr. Johnson and seconded by Councilwoman Craven to approve an RFQ for engineering services to apply for a USDA Grant for repair to City streets, pipes and sidewalks. The motion carried 3-0.**

Dr. Miller reported that there would be a presentation regarding Smoke Free Park at Lake Katherine on the next City Council Agenda.

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

Mr. Gary Frierson thanked Dr. Johnson and Councilwoman Craven for their service.

Ms. Ann Pepper, N. Arcadia Road, reported that Tremron would be submitting a plan to the Planning and Zoning Board but however they were still not in compliance with County Zoning regulations.

**MAYOR AND COUNCIL MATTERS**

Attorney Henbest stated it was his pleasure to have worked with Dr. Johnson and Councilwoman Craven.

Dr. Johnson announced his joy in working with the Council and thanked the citizens for their support. He stated he was quite honored by the presentation from the Florida League of cities and wished everyone luck.

Councilwoman Craven announced she was grateful for the privilege to serve.

Deputy Mayor Keene stated it was a pleasure to sit with Councilwoman Craven and Dr. Johnson.

ADJOURN

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

APPROVED THIS 4th DAY OF OCTOBER, 2011.

By:



Robert W. Heine, Mayor

ATTEST:



Virginia S. Haas, City Recorder

