

**MINUTES  
CITY COUNCIL  
CITY OF ARCADIA  
TUESDAY, OCTOBER 18, 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**

Mayor Keith Keene	Councilman Joseph E. Fink
Deputy Mayor Alice Frierson	Councilman Robert R. Allen
Councilman Robert W. Heine - Absent	

**Arcadia City Staff**

City Administrator Lawrence Miller	City Recorder Virginia S. Haas
City Attorney William Galvano	Marshal Charles Lee
Asst. City Administrator Judi Jankosky	

Councilman Fink gave the invocation which was followed by the Pledge of Allegiance.

**CONSENT AGENDA**

1. Minutes of the October 4, 2011 Meeting.
2. Check warrants from October 3, 2011, October 4, 2011, October 6, 2011, October 7, 2011, October 11, 2011 and October 12, 2011.
3. Request for Special Event Permit - Tree of Knowledge – Arcadia Main Street - 2<sup>nd</sup> Saturday Downtown Market. 9 a.m. – 2 p.m. January 14, 2012, February 11, 2012, March 10, 2012 and April 14, 2012. Set up 6 a.m. – Teardown 3 p.m.
4. Request for Special Event Permit – Tree of Knowledge – DAHC Art Walk – October 15, 2011, November 19, 2011, December 17, 2011, January 21, 2012, February 18, 2012 and April 21, 2012.
5. Request for Special Event Permit – Tree of Knowledge – Dolores and Martin Wedding, November 2, 2011.
6. Agreement between the City of Arcadia Municipal Airport and Sebring Light Sport Club for event publicity.
7. *Air-Cadia* Flowage and Hanger Rent report for August 2011.
8. Golf Course & Pro Shop report for September 2011.

**A motion was made by Councilman Fink and seconded by Councilman Allen to approve consent agenda items 1-8. The motion carried 4-0.**

**PROCLAMATION**

## 9. Tidewell Hospice Month

Mayor Keene read and presented the Tidewell Hospice Month Proclamation to Mr. Gerry Radford, President/CEO, Tidewell Hospice. Mr. Radford thanked the City Council and invited anyone who wished for a tour to visit the facility.

**DISCUSSION ITEMS**

## 10. Term limits for Council Members (Deputy Mayor Frierson)

Deputy Mayor Frierson reported that while speaking with the public she received positive input regarding setting of term limits for Council Members and she asked if the Council would open a dialogue concerning this item and item 11. Attorney Galvano responded that term limits would be a charter amendment through a referendum of the voters and the election cycle could be changed through passage of a City Ordinance. Councilman Fink inputted he thought both were excellent ideas and questioned if changing the election cycles would affect current term limits either by extending a year or reducing a serving year. Mayor Keene stated that he has received input also regarding the changes from Citizen and noted it was worthy for review.

Attorney Galvano stated that according to F.S. 101.75(3) the Governing Body may by Ordinance move the dates of an election to concur with County/State elections. Deputy Mayor Frierson responded to Councilman Allen that this item came forward due to poor voter turnout at election time.

Mr. Mark Negley, Supervisor of Elections stated that it is the Council's decision to piggyback County Elections however he would need time to train poll workers regarding ballots and any placed City issues and referendums. Mr. Negley reminded that the City would still incur expenses however the Election's Office would be honored to assist. Mr. Negley responded to Councilman Fink that the Primary Election is August 14, 2012, the General Election is November 6, 2012 and qualifying periods are from Noon June 4, 2012 through Noon November 8, 2012.

Deputy Mayor Frierson asked for any public input. Ms. Adrienne Bailey voiced her approval to the review of these items. Councilman Allen expressed that the City has more pressing issues to face and questioned how this came forward.

11. Moving the election cycle to correspond with the County or State Elections  
(Deputy Mayor Frierson)

Item addressed above in item 10.

12. Charter Revision – a comprehensive dialogue on revising the charter and the process involved in amending it. (Councilman Fink)

Councilman Fink asked Deputy Mayor Frierson if other issues within the Charter could be reviewed and suggested appointing a Charter Review Committee. Attorney Galvano responded that both items require Ordinances and Public Hearings. Mayor Keene indicated the items were not required immediately however worthy of discussion and could be brought back to the next meeting.

**COMMENTS FROM DEPARTMENT**

13. City Marshal

Marshal Lee reported on the closure of Heard Street for the Youth Rodeo scheduled for October 22, 2011. The Council approved by consensus. He also reported a Cancer Walk on October 24, 2011 beginning at 4:30 p.m. at the Elizabeth Missionary Baptist Church.

14. Attorney

Attorney Galvano stated if it is the Council's wish he would put together a presentation regarding the Sunshine Law. The Council agreed by consensus.

15. Administrator

a. Awarding of Water Treatment Plant Construction Project (Hazen & Sawyer Presentation)

Julie Karleskint, Hazen and Sawyer, reported that the Water Treatment Plant bid opening was held on October 4, 2011 and there were a total of 14 bidders. She stated that the construction estimate was \$6 million and the lowest, responsible bidder was Cardinal Construction in the amount of \$5,964,300. She continued that three of the lowest bidders were reviewed and only Cardinal Construction met all requirements.

Mr. Greg Galmin, Vice President, Cardinal Construction, stated that Cardinal will make every effort to meet or exceed the City's goal in addition to hiring local labor. Mr. Galmin responded to Mayor Keene that Cardinal Construction did complete the 4.8 million Wastewater Treatment Plant improvements and also helped following Hurricane Charlie at no cost to the City.

Dr. Miller responded to Deputy Mayor Frierson that the City is indeed guaranteed the grant funds for this project and passed information to the Council Members indicating such. Dr. Miller explained that the second amendment to the SRF is 2.5% interest 20-30 year loan and the resources are available for the City to move forward on this project.

Dr. Miller continued that he met with County Administrator Maxcy and Mike Crumpton, DeSoto County Utilities Director, who relayed that the County could only provide a certain amount of water which was not sufficient for the City's needs. He finalized by adding this would be the largest project in DeSoto County along with an economic boost utilizing 20% local businesses.

Deputy Mayor Frierson stated she feels the new Council may be unaware of aspects of the project and the Engineer was making the decisions. Mayor Keene responded the he does not know the technicalities of the project; however the City hired a competent firm with credentials and history of Water Treatment Plant projects. There was some discussion regarding change orders. Deputy Mayor Frierson asked if it was the Council's intention to utilize the bid alternatives such as the security system. Dr. Miller responded that alternative bids were included in the project however the Council did not have to make a decision now and levels of security vary. Councilman Fink stated that he was uncomfortable at his second meeting approving a \$6 million dollar project. Dr. Miller suggested tabling the matter and scheduling a workshop.

Councilman Fink motioned to place the Water Treatment Plant item on a Workshop Agenda. Ms. Karleskint responded to Mayor Keene that the City is already obligated to Department of Environmental Protection (DEP) for \$4.7 million and the second amendment to the agreement requires approval and signature. Dr. Miller interjected that funds necessary to move this project forward were already included in the approved budget. Ms. Karleskint responded to Deputy Mayor Frierson that Hazen and Sawyer have been paid approximately \$500,000 to date for engineering and design.

Councilman Allen stated that this project has been ongoing for two years and he still does not support the project. He continued that water could be accessed from the river and we are putting our children and grandchildren in debt, however indicated that he would like to move forward.

**A motion was made by Councilman Allen and seconded by Mayor Keene to award the contract to Cardinal Contractors, Inc. Dr. Miller reminded that the motion should state "motion to enter into negotiations with Cardinal Contractors, Inc.". Vote on the motion failed 2-2 with voting as follows: Councilman Allen, Yes; Councilman Fink, No; Mayor Keene, Yes; Deputy Mayor Frierson, No.**

Dr. Miller stated that not moving forward with this project is placing the City in a precarious position and the Water Plant is in such dire condition that DEP could halt usage. Mayor Keene interjected that the Water Plant is an asset to the City and is in much disrepair. He continued that he has met with all involved in the process and has completed his due diligence. Dr. Miller stated that the Council may still have workshops concerning the Water Plant while negotiations are occurring between the Mayor and the lowest bidder.

**Councilman Fink withdrew his original motion.**

**A motion was made by Councilman Fink and seconded by Deputy Mayor Frierson to find Cardinal Contractors, Inc. the lowest, qualified, responsible bidder for the Water Treatment Project. Motion carried 4-0.**

**A motion was made by Councilman Fink and seconded by Deputy Mayor Frierson to allow the Mayor to enter into negotiations with Cardinal Contractors, Inc. and take no further action until the full Council is brought up to speed on the project and require the Mayor to bring back for approval of the City Council the awarding of the construction contract to Cardinal Construction. The motion carried 4-0.**

- b. Enterprise Zone Designated as a Brownfield Area (John Sego, Department of Environmental Protection)

Mr. John Sego, DEP, addressed the Council with a PowerPoint presentation and handouts explaining Florida's Brownfield Program. He covered the definitions of Brownfield Areas versus Sites, the State Brownfield process, site rehabilitation, redevelopment incentives and gave examples of existing Brownfield Sites.

- c. Leachate and Residuals Agreement between the City and the County

**A motion was made by Councilman Allen and seconded by Councilman Fink to approve the Leachate and Residuals Agreement between the City and the County. The motion passed 4-0.**

- d. Chamber of Commerce Community Partners Initiative.

Dr. Miller reported that the Chamber is seeking countywide community involvement and asked for the City to participate at any of the sponsorship levels. Dr. Miller suggested the Bronze (\$1,000) or Silver (\$2,500) level in assisting with the promotion of the City's 125<sup>th</sup> Anniversary.

**A motion was made by Councilman Fink and seconded by Deputy Mayor Frierson to approve a community partner sponsorship bronze level in the amount of \$1,000. The motion carried 4-0.**

- e. Planning Advisory Services Agreement 2011/2012 (CFRPC)

**A motion was made Councilman Fink and seconded by Councilman Allen to approve the Planning Advisory Services Agreement 2011/2012 (CFRPC). The motion carried 4-0. Councilman Fink voiced his pleasure with the CFRPC staff. Mayor Keene echoed Councilman Fink stating that the Planning Council has an amazing staff.**

Dr. Miller stated that Mr. C.W. Blouser was present to speak to the City Council in regards to health insurance eligibility. Mr. Blouser submitted a letter to the City

Council requesting that his years of service to the City including volunteer time be counted toward his eligibility for City health insurance coverage. He requested a formal response in writing addressing his request. Dr. Miller stated that he was working with the City Attorney on this request.

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

Ms. Ann Pepper, N. Arcadia Ave., stated that Tremron's noise has increased due to the time of year and Tremron is still not in compliance with County requirements. Dr. Miller reported that he and CFRPC staff met with Tremron to discuss various and combined solutions to the noise nuisance. Mayor Keene asked if Tremron would like to attend a future Council Meeting. Ms. Jennifer Codo-Salisbury, CFRPC, stated that they are currently working on a Planned Unit Development zoning designation allowing for certain conditions which would be presented to the Planning and Zoning Board for their approval and recommendation to City Council.

**MAYOR AND COUNCIL MATTERS**

Deputy Mayor Frierson stated that she had met with the Finance Director to review questions on the current budget. She stated the City is in crisis and depleting assets which has been neglected for over five years. Mayor Keene agreed and requested workshops to review City finances.

Councilman Fink requested a Charter Review Committee be formed with those citizens as submitted by the City Council. He suggested that Council bring forward two names each and the Committee of 5 be adopted by Resolution.

Councilman Fink requested a discussion item for the next meeting regarding Code Enforcement falling under the Police Department rather than the City Administrator.

Dr. Miller noted that this month was Breast Cancer Awareness Month.

**ADJOURN**

There being no further business, the meeting was adjourned at 8:10 p.m.

**APPROVED THIS 1<sup>st</sup> DAY OF NOVEMBER, 2011.**

By:

*Alice Frierson for Keith Keene*  
 \_\_\_\_\_  
 Keith Keene, Mayor

ATTEST:

*Virginia S. Haas*  
 \_\_\_\_\_  
 Virginia S. Haas, City Recorder