

**MINUTES
CITY COUNCIL
CITY OF ARCADIA
TUESDAY, NOVEMBER 20, 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 which was followed by the Pledge of Allegiance.

Arcadia City Council

Mayor Keith Keene
Deputy Mayor Robert Heine
Councilman Robert R. Allen

Councilwoman Alice Frierson
Councilman Joseph E. Fink

Arcadia City Staff

City Administrator Judi Jankosky
Captain Matt Anderson
Thomas Slaughter, Planner

City Recorder Virginia S. Haas
City Attorney Thomas J. Wohl
Renee Green, Finance Director

PRESENTATION

Nico Teen Zombie Video – request for video shoot (Dr. Kirk Voelker)

Dr. Voelker gave a short presentation on the Nico Teen Zombie Video they wish to produce in the downtown area. It is a civic project for educating teens against tobacco use. The City Attorney confirmed this would require a special event permit. **A motion was made by Deputy Mayor Heine and seconded by Councilman Allen to tentatively approve the request for the Nico Teen Zombie Video. Dr. Voelker will submit a request for a special event permit to the City Council for approval. The motion carried 5-0.**

CONSENT AGENDA

1. November 6, 2012 Regular Meeting Minutes
2. Check Warrant Reports from 10/30/12, 11/02/12, 11/06/12, 11/09/12 and 11/13/12
3. Air-Cadia Flowage and Hangar Report from October 2012
4. Special Event Permit for the Year - Myakka Church of God – Jesus' Hand Extended at the Tree of Knowledge Park
5. Request for Certificate of Appropriateness – Trinity United Methodist Church

Mayor Keene removed item number 4 from the consent agenda.

Councilman Fink removed item number 1 from the consent agenda.

A motion was made by Deputy Mayor Heine and seconded by Councilman Fink to approve consent agenda items 2, 3 and 5 as presented. The motion carried 5-0.

Councilman Fink discussed that after listening to the tape we don't know if what Councilman Frierson said is what she said or not because the tape doesn't exist. It doesn't say anything to refute what he said because it is blank. He doesn't like to be called a liar.

A motion was made by Councilman Fink and seconded by Mayor Keene to approve the November 6, 2012 Meeting Minutes as presented. The motion carried 5-0.

Mayor Keene suggested that the Council review item 4 again and he recalled when the request was brought previously the Council agreed to approve only one event. He asked if the applicant was present. (Applicant was not present). Mayor Keene shared his concern for the dates requested in the upcoming 12 months. He stated that he was not suggesting he was against the function but questioned the idea of where it is located. He added that several business owners from downtown voiced concerns as well. Councilman Fink suggested possibly approving the event on a month by month basis and returning the remainder of the money.

A motion was made by Councilman Fink and seconded by Deputy Mayor Heine to approve the special event permit for Myakka Church of God for one month. Vote on the motion carried 5-0.

DISCUSSION ITEMS

6. Request for Special Event Permit and Waiver of Fees, Team Arcadia Holiday Tour of Homes (Team Arcadia)

Mrs. Jankosky reported that this event coincides with the above approved event. Mr. John Super, Team Arcadia, stated that the flyers have already been distributed. Councilman Heine suggested that possibly the previous applicant could change the date or location.

A motion was made by Deputy Mayor Heine and seconded by Councilman Fink to table the Myakka Church of God special event request to allow time for the City Administrator to reschedule or relocate the December 8, 2012 event. The motion carried 5-0.

A motion was made by Deputy Mayor Heine and seconded by Councilman Allen to approve the special event permit and waiver of fees for the Holiday Tour of Homes. Councilman Fink noted that he would not vote to waive the fees because the Council previously asked a church to pay a permit fee and the Council is not being consistent.

Mrs. Janie Watson recalled a long debate about charging fees and it was decided across the board all would pay fees. Deputy Mayor Heine suggested a meeting to do away with the fees all together because of the recent problems. Councilman Fink suggested rescinding the fees and returning the money because the Antique Association gave \$300 for their events. Councilman Fink replied to Mayor Keene that the events can be placed on the consent agenda and pulled if there is a problem.

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

7. Lake Katherine Update (Team Arcadia)

Mr. John Super gave an update on the improvements at Lake Katherine Park to include a three-tier fountain that is 100% grant funded courtesy of Mosaic.

A motion was made by Councilman Fink and seconded by Deputy Mayor Heine to approve the three-tier fountain concept as presented. The motion carried 5-0.

8. ISI Water Company Contract for Utility Revenue Enhancement Services (Finance Director)

Mrs. Green, Finance Director, reported that the department is working on resolving any utility issues and an outside company would not be indicated.

RESOLUTIONS**9. RESOLUTION NO. 2012-16; A RESOLUTION AMENDING MISCELLANEOUS CHARGES RELATING TO WATER AND SEWER USAGE AND PROVIDING AN EFFECTIVE DATE**

A motion was made by Councilman Fink and seconded by Deputy Mayor Heine to adopt Resolution No. 2012-16 as presented. The motion carried 5-0.

10. RESOLUTION NO. 2012-19; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARCADIA, FLORIDA FOR PARTICIPATION IN THE LOCAL GOVERNMENT SURPLUS FUNDS TRUST FUND (FLORIDA PRIME) AND PROVIDING AN EFFECTIVE DATE

A motion was made by Deputy Mayor Heine and seconded by Councilman Fink to adopt Resolution No. 2012-19 as presented. The motion carried 5-0.

11. RESOLUTION NO. 2012-20; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARCADIA, FLORIDA AMENDING THE BUDGET FOR FISCAL YEAR 2011 - 2012 AND PROVIDING AN EFFECTIVE DATE

A motion was made by Councilman Fink and seconded by Deputy Mayor Heine to adopt Resolution No. 2012-20 as presented. The motion carried 5-0.

ORDINANCES**12. ORDINANCE NO. 981; FIRST READING OF AN ORDINANCE OF THE CITY OF ARCADIA, FLORIDA CODE OF ORDINANCES; SECTION 2-36; PROVIDING ADMINISTRATIVE CODE FOR RULES OF CONDUCT FOR THE ARCADIA CITY COUNCIL; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.**

Following discussion, Mayor Keene asked if this item could be returned for review by the Council as a reference guide only.

13. **ORDINANCE NO. 982; FIRST READING OF AN ORDINANCE AMENDING THE FUTURE LAND USE MAP OF THE CITY OF ARCADIA, FLORIDA FOR THE +/-1.93 ACRE PROPERTY LOCATED ON THE SOUTHWEST CORNER OF THE INTERSECTION OF NORTH DESOTO AVENUE (U.S. HIGHWAY 17) AND WEST GIBSON STREET (PARCEL NUMBERS: 31-37-25-0020-00P0-0090; 31-37-25-0020-00P0-0200; AND 31-37-25-0020-00P0-0240) FROM THE FUTURE LAND USE OF LOW DENSITY RESIDENTIAL TO BUSINESS; TRANSMITTING SAID AMENDMENT TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY FOR NOTIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

A motion was made by Deputy Mayor Heine and seconded by Councilman Fink to approve Ordinance No. 982 at first reading. The motion carried 5-0.

14. **ORDINANCE NO. 983; FIRST READING OF AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ARCADIA, FLORIDA FOR THE +/-1.93 ACRE PROPERTY LOCATED ON THE SOUTHWEST CORNER OF THE INTERSECTION OF NORTH DESOTO AVENUE (U.S. HIGHWAY 17) AND WEST GIBSON STREET (PARCEL NUMBERS: 31-37-25-0020-00P0-0090; 31-37-25-0020-00P0-0200; AND 31-37-25-0020-00P0-0240) FROM THE ZONING OF SINGLE-FAMILY RESIDENTIAL (R-1B) TO COMMUNITY BUSINESS (B-1); PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

A motion was made by Deputy Mayor Heine and seconded by Councilman Fink to approve Ordinance No. 983 at first reading. The motion carried 5-0.

COMMENTS FROM DEPARTMENTS

1. City Marshal - Reported on a single car accident at Magnolia.
2. Attorney – Reported update on Tremron.
3. City Administrator
 - a. CDBG NR Grant Update – Ongoing.
 - b. Senior Friendship Parking – Council requested update.

Hazen and Sawyer: DEP Grant. A motion was made by Deputy Mayor Heine and seconded by Councilman Allen to approve Amendment 3 to Specific Authorization No. 11. The motion carried 5-0.

PUBLIC (PLEASE LIMIT PRESENTATIONS TO FIVE MINUTES)

Leadership DeSoto event December 12, 2012 at 2 p.m.

Mr. Charles Conklin spoke regarding the Homeless Coalition and Smith Brown Gym.

Mr. John Super spoke about the car show and Tour of Home event.

Mrs. Virginia Lisky reported on a house in disrepair.

MAYOR AND COUNCIL MATTERS

Councilman Fink reported on the DeSoto County Delegation meeting on December 11, 2012 at 9:30 a.m.

Council agreed to hold a workshop on Tuesday, December 4, 2012 at 5:30 p.m. to review legislative priorities.

Councilman Fink asked about options and services for a paralyzed citizen.

ADJOURN

There being no further business the meeting adjourned at 7:50 p.m.

APPROVED THIS 4th DAY OF DEC; 2012.

By:



Keith Keene, Mayor

ATTEST:



Virginia S. Haas, City Recorder