

WORK SESSION
MARCH 3, 2009

A Work Session of the Arcadia City Council was held on March 3, 2009 at 5:00 p.m. in the Margaret Way Building at 23 North Polk Avenue. Council members attending were: Fazzino, Dixon, Johnson, Goodman and Heine. Also in attendance were: Interim Administrator Fink, Attorney Henbest, County Administrator Pulley, County Commissioner Hill, County Utilities Director Rogers, and Recorder Baumann.

Mayor Fazzino called the Work Session to order and stated the purpose of the work session was to discuss a possible City and County Water Interconnect System.

Interim Administrator Fink addressed the Council and presented a draft containing two (2) possible options and associated costs and benefits.

Julie Karleskint of Hazen and Sawyer representing the City Utility System addressed the Council and stated that at this time the County currently purges 200,000 gallons per day (gpd) at the end of their line located at the Wal-Mart shopping center. She prepared the two (2) options and believes that an interconnect with the County could be a good thing for both the City and County.

Mayor Fazzino asked Ms. Karleskint if she is also working for the County to which she replied that she is only working for the City.

Option number one (1) would connect DeSoto County finished water line to the City's raw water line at the Tractor Supply Shopping Center. The City would retreat the water which would assure the City of the quality of the water. This would reduce well pumpage since water would offset groundwater withdrawals and generate an estimated power savings of \$8,000.00. Ms. Karleskint stated that she has applied for a Southwest Florida Water Management Grant (SWFWMD) in the amount of \$150,000.00 to cover part of the costs to provide the interconnect; however there would still be an unfunded cost of \$37,500.00.

Option number two (2) would connect DeSoto finished water line at the City water treatment plant which would allow for a reduced treatment cost of approximately \$17,500.00 as 200,000 gpd of water would enter directly into the distribution system. This option also reduces well pumpage and improves water conservation for both the City and County by reducing the County flushing. A drawback to this option is that the City would not have control of water quality for the existing interconnect point on Turner Road to the water treatment plant. The City would need to extend a distribution line to the Tractor Supply Shopping Center to assure water quality at an estimated cost of \$36,000.00 in addition to the unfunded cost as noted in Option One of \$37,500.00. It was noted that there are only two customers on the line those being Kingdom Hall and the Tractor Supply Shopping Center. A concern of the previous City Administrator Edward Strube regarding an interconnect was the issue of water quality.

Councilman Johnson stated that he would not want any customers to not have the same quality of water as all others; however he is in favor of a new line. He stated that if Ms. Karleskint has brought up this issue it appears to be a concern.

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Mr. Rogers, DeSoto County Utility Director addressed the Council stating that he does not feel that water quality would ever be an issue noting that the County must meet the same standards for water quality as the City. He believes the best way to move forward is a finished line to the County water plant which would save the City on pumping and treatment costs.

Mayor Fazzone asked what would happen when the County no longer needs the City to help dispose of the additional 200,000 gpd. Mr. Rogers stated that an interlocal agreement with a date certain would need to be in place with a possible minimum of five (5) years.

Ms. Karleskint reviewed some figures noting that the City could save about 34¢ per 1,000 gallons providing an estimated savings of \$25,000.00 per year.

Councilman Heine asked what would happen if the water line suffered a blow out and the water was shut down. Mr. Rogers noted that neither option presented is designed as a reverse system.

It was noted that a grant has been applied for with SWFWMD and it looks good for ready funding due to being a water conservation measure. Notification should be sometime in June and actual funding would be in October 2009.

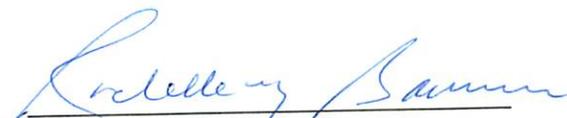
Interim Administrator Fink stated that in 1969 there were problems with the water from the Peace River and if something like that were to happen again the City could provide water to the County. Mr. Rogers stated that would not be possible as the County's water system is at a much higher pressure than the City's.

Mr. Rogers stated that if the Tractor Supply Shopping Center were to become a customer of the County rather than the City it would provide a value to the County and they may then fund the additional cost of \$37,500 for the project.

Heine moved to authorize Ms. Kaleskint and Mr. Rogers to continue working together to get actual numbers/dollars of the cost savings and the revenue received by the City from the Tractor Supply Shopping Center; seconded by Johnson and carried.

County Commissioner Hill stated that the proposed interconnect has a great value for water conservation as well as in the case of an emergency. He noted that he is only one (1) Commissioner; however he did not want the amount of \$37,500.00 to stop the City and County from working together on this project.

There being no further business the work session was adjourned.


CITY RECORDER


PRESIDENT

REGULAR MEETING
MARCH 3, 2009

The Regular Meeting of the Arcadia City Council was held on March 3, 2009 at 6:00 p.m. in the Margaret Way Building at 23 North Polk Avenue. Council members attending were: Dixon, Fazzone, Johnson, Goodman and Heine. Also in attendance were: Interim Administrator Fink, Attorney Henbest, Marshall Lee, Parks and Recreation Supervisor Waters, Water Plant Supervisor Bullion, Systems Supervisor Lewis, and Recorder Baumann.

Mayor Fazzone called the meeting to order.

The Invocation was given by Councilman Johnson.

Pledge Allegiance to the Flag.

Heine move to adopt the Minutes of the Work Session of February 17, 2009 and the Minutes of the Regular Meeting of February 17, 2009; seconded by Goodman and carried.

Mayor Fazzone advised the public that at the request of the City Attorney the Council will now meet in a closed attorney-client session in accordance with Florida Statutes 286.011 (8) for a litigation strategy session. Attorney Henbest explained this was a closed session to the public and other city staff. He stated upon the completion of the litigation a recording taken by the court stenographer would be provided to the City Recorder and would at that time become a public record. Mayor Fazzone advised that only the following persons will be allowed to attend the closed session.

Mayor Richard P. Fazzone
Deputy Mayor Lorenzo Dixon
Councilman Dr. Roosevelt Johnson
Councilwoman Dr. Sharon T. Goodman
Councilman Robert W. Heine
City Attorney Henbest
Interim City Administrator Joe Fink
Attorney John R. Thomas
Court Stenographer

Mayor Fazzone adjourned the Regular Meeting at 6:15 p.m. on a motion by Heine; seconded by Deputy Mayor Dixon and carried.

The transcript from the closed session will be subject to the provisions of F.S. 286.011 (8).

Mayor Fazzone reconvened the Regular Meeting at 6:45 p.m. on a motion by Heine; seconded by Deputy Mayor Dixon and carried.

Johnson moved to approve payment of an invoice in the amount of \$10,482.88 to Attorney John R. Thomas for cost of the litigation; seconded by Deputy Mayor Dixon and carried.

REGULAR MEETING
MARCH 3, 2009
Continued

Proposed Ordinance No. 945 amending Chapter 2, of the Police Officers' and Firefighters, Retirement System was presented on third reading. Deputy Mayor Dixon moved to waive the rules and read Proposed Ordinance No. 945 by title only; seconded by Goodman and carried.

ORDINANCE NO. 945

AN ORDINANCE OF THE CITY OF ARCADIA, AMENDING CHAPTER 2, ARTICLE VII, DIVISION 3, SECTION 2 OF THE CODE OF ORDINANCES OF THE CITY OF ARCADIA AMENDING THE POLICE OFFICERS' AND FIREFIGHTERS' RETIREMENT SYSTEM; AMENDING SECTION 1, DEFINITIONS; AMENDING SECTION 5, CONTRIBUTIONS, AMENDING SECTION 6, BENEFIT AMOUNTS AND ELIGIBILITY; AMENDING SECTION 7, PRE-RETIREMENT DEATH; AMENDING SECTION 8, DISABILITY; AMENDING SECTION 10, OPTION FORMS OF BENEFITS; AMENDING SECTION 15, MAXIMUM PENSION; AMENDING SECTION 16, MINIMUM DISTRIBUTION OF BENEFITS; AMENDING SECTION 17, MISCELLANEOUS PROVISIONS; AMENDING SECTION 18, REPEAL OR TERMINATION OF SYSTEM; AMENDING SECTION 21, FORFEITURE OF PENSION; AMENDING SECTION 24, DIRECT TRANSFERS OF ELIGIBLE ROLLOVER DISTRIBUTIONS; ELIMINATION OF MANDATORY DISTRIBUTIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.

Goodman then moved to adopt Ordinance No. 945 on third and final reading and that it become an Ordinance of the City of Arcadia; seconded by Johnson. Mayor Fazzone called for comments from the public. There were none. Mayor Fazzone called for comments from the Council. There were none. The motion carried on a roll call vote. Ayes: Dixon, Heine, Johnson, Goodman, and Fazzone. Nays: None.

Deputy Mayor Dixon moved to read Resolution No. 2009-4 amending the budget for the City of Arcadia, Florida for fiscal year 2008-2009 by title only; seconded by Heine and carried.

RESOLUTION NO. 2009-4

A RESOLUTION AMENDING THE BUDGET FOR THE CITY OF ARCADIA, FLORIDA FOR FISCAL YEAR 2008-2009.

WHEREAS, Florida Statutes Chapter 212.055 allows the Infrastructure Fund to purchase a vehicle for the Enterprise Fund, and

WHEREAS, due to the unanticipated need to purchase a new vehicle for the Water and Sewer Systems Department the expenditure was not included in the City of Arcadia budget for Fiscal Year 2008-2009, and therefore the budget requires amending for this purchase.

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(Resolution No. 2009-4 Continued)

NOW, THEREFORE, BE IT DULY RESOLVED BY THE CITY COUNCIL OF THE CITY OF ARCADIA that the Fiscal Year 2008-2009 budget for the following accounts be amended as follows:

<u>ACCOUNT #</u> <u>NAME</u>	<u>BUDGET</u> <u>2008-2009</u>	<u>INCREASE</u>	<u>DECREASE</u>	<u>AMENDED</u> <u>BUDGET</u> <u>2008-2009</u>
41381 – 38120 Transfer In From Infrastructure Fund	-0-	27,000	-0-	27,000

<u>ACCOUNT DESCRIPTION</u>	<u>BUDGET</u> <u>2008-2009</u>	<u>INCREASE</u>	<u>DECREASE</u>	<u>AMENDED</u> <u>BUDGET</u> <u>2008-2009</u>
41568- 60640 WATER SYSTEMS	-0-	13,500		13,500
41569- 60640 SEWER SYSTEMS	-0-	13,500	-0-	13,500
TOTALS	-0-	27,000	-0-	27,000

DULY PASSED AND RESOLVED by the City Council this 3rd day of March, 2009.

ATTEST: CITY OF ARCADIA, FLORIDA

s/s RACHELLE M. BAUMANN, CMC
RACHELLE M. BAUMANN, CMC
CITY RECORDER

s/s RICHARD P. FAZZONE
RICHARD P. FAZZONE
MAYOR

Johnson then moved to approve Resolution No. 2009-4 as read; seconded by Heine and carried. Interim Administrator Fink stated this budget amendment allows for the allocation of funds to pay for a new truck for the Water and Sewer Systems Department.

Mr. Patrick Brett, from Central Florida Regional Planning Council (CFRPC) addressed the Council stating that a Blight Study is the first step in the procedures for obtaining a Community Redevelopment Agency (CRA). Mr. Brett suggested a work session to discuss CRA's. Interim Administrator Fink stated there are two (2) distinct CRA's, one for the Downtown area and one for the Southwest section of the City. He noted that Mr. Brett was an expert on CRA's. Deputy Mayor Dixon moved to table any proposed workshop on this subject until after the hiring of the new City Administrator; seconded by Heine and carried. Councilwoman Goodman agrees with Deputy Mayor Dixon that this could be put off until a new administrator is in place; however she does not want to see this put off for too long. She stated that constituents have asked for this in the past and while this is not an emergency, there are more ways we can bring money into Arcadia, and build up the City of Arcadia in areas other than Main Street and Oak Street. She stated she is for the entire City of Arcadia and it is important that the downtown area look great, but there are other places such as the southwest section of Arcadia that also need some attention.

REGULAR MEETING
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Deputy Mayor Dixon informed the Council that he is a member of the Arcadia Rodeo Association and asked if he should abstain from voting on the request for waiver of a sign and permission for parking at the ball field adjacent to the Mobile Home Park by the Arcadia Rodeo Association. Attorney Henbest stated that since Deputy Mayor Dixon does not receive pay or fiduciary funding there is no conflict of interest and he should vote on the issue. A letter from Honorable Don T. Hall, President of the Arcadia All-Florida Championship Rodeo, Inc., requesting a waiver of the sign code for a welcome sign to be placed at the west end of Arcadia on Highway 70 from February 27 through March 15, 2009 was presented to the Council. Deputy Mayor Dixon moved to approve the request by the Rodeo Association for a waiver of the sign regulations and permission to park on the ball field adjacent to the Mobile Home Park as presented; seconded by Johnson and carried.

Goodman moved to waive the green fees for the athletic department of Memorial Elementary School fundraiser tournament; seconded by Deputy Mayor Dixon and carried.

Attorney Henbest addressed the Council and asked that a formal motion be made to ratify the Council's action taken at the Work Session held at 5:00 p.m. today. Deputy Mayor Dixon moved to direct Julie Karleskint of Hazen & Sawyer to continue working on the City's behalf with Chris Rogers, DeSoto County Utility Director to get actual numbers/dollars of the cost savings and the revenue received by the City from the Tractor Supply Shopping Center regarding a possible City County Interconnect; seconded by Johnson and carried

The Police Activity Report for February 2009 was presented.

Recorder Baumann reported that Ms. Diane Wolcott's interview has been rescheduled for 4:00 p.m. on Wednesday, March 4, 2009 and noted that two (2) interviews are scheduled for that day.

Ms. Jennifer Codo- Salisbury from the Florida Regional Planning Council (CFRPC) addressed the Council and gave a monthly update on the work she is doing. She is currently working of the Evaluation and Appraisal Report (EAR) which is due on July 1, 2009. She will also be working on behalf of the City of Arcadia for completing reports with the DeSoto County and the School Board of DeSoto County for the public school element. Interim Administrator Fink reported that DeSoto County planner Jason Green had asked that the City consider paying \$5,000 of the \$40,000 cost for the public school element. Interim Administrator Fink stated that there is no historical basis for a city municipality paying for this type of study which is required by the County. Mr. Fink also reported that Mr. Green had suggested that the City use the County Planning Department rather than CFRPC to which Mr. Fink stated he is opposed to this idea.

Mr. Womack, of Womack Sanitation addressed the Council to inquire how he would be paid for providing garbage collection to Palms One and Palms Two. He did not know if the residents or the Housing Authority would be paying him. Interim Administrator Fink stated the Housing Authority has been notified that Mr. Womack will be servicing the area. Attorney Henbest suggested that Mr. Womack be paid through tax collection as this is how his fees in the County are being paid which is through a Municipal Service Benefits Units (MSBU). It was noted that Mr. Womack's agreement would be through 2012.

Interim Administrator Fink stated that he spoke with Mr. Court of the Department of Agriculture and that they are interested in renting the Livestock Market for \$400.00 per month. Deputy Mayor Dixon moved to have the City Attorney draft a three (3) to five (5) year lease with an option to renew between the City and the Department of Agriculture for the use of the old Livestock Market at \$400.00 per month; seconded by Heine and carried. Deputy Mayor Dixon requests that Interim Administrator Fink look into having the inmates begin the cleanup of debris at the old Livestock Market. He also suggested there may be some lumber, etc. that could be sold in order to bring money for the City.

Interim Administrator Fink reported that Mr. Keen, DeSoto County Property Appraiser, has projected a 20% reduction in taxes for next year. This would be a reduction to the City of \$46 million dollars off of the taxable value. The taxable value would go from 235 million dollars to 185 million dollars in the city.

Interim Administrator Fink reported the roof on the fire station has been permitted and work is expected to start next week.

Interim Administrator Fink stated there would be an Economic Summit on Thursday that the Council is invited to attend.

Mayor Fazzone asked when the \$700,000.00 grant for Community Development Block Grant (CDBG) is expected to which Interim Administrator Fink stated it would be sometime this month. Councilman Johnson asked when applications could be started. Interim Fink stated he would be advertising for a grant coordinator in the Florida League of Cities and a local trade journal.

Attorney Henbest addressed the Council regarding his review of the special approval process and stated that he hopes to have information to the Council by the next meeting.

The Mobile Home Park Report for the month of March 2009 was presented.

Rev. Patrick Elmore of Pleasant Hill United Methodist Church addressed the Council and presented pictures of homes in the area of his church that were a danger to the public, especially children. Rev. Elmore stated homeless people have occupied some of them and used the wood in the house to build fires. He asked that the Council have these dilapidated houses removed. Marshall Lee stated he is aware of the problem and the City Police Department has been patrolling the area. Deputy Mayor Dixon stated the City does not have funds to clean up all the old houses and properties in the City and that there may be the possibility of litigation against the City for intruding on private property. He noted that Attorney Galvano was to be looking into legal solutions to this problem. Attorney Henbest stated he would speak with Attorney Galvano regarding this issue and report back to the Council. Marshal Lee also made mention of the old dilapidated Smith Brown School. Deputy Mayor Dixon asked if the owner of the Smith Brown building had been notified to clean up that building to which Marshall Lee replied that he has been contacted. Interim Administrator Fink stated three (3) demolition permits were issued in the City this week and that the land will be used for rebuilding houses by the County. He stated a CRA would help bring funds in for this problem.

REGULAR MEETING
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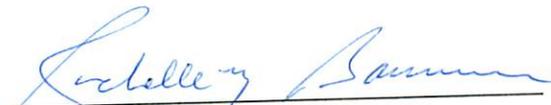
Ms. Toi Reeves, a member of the public addressed the Council with a concern regarding a position at the Senior Friendship Center. Ms. Reeves stated that she applied for the position of case manager at the Senior Friendship Center in December, 2008. She called to check on the status of the position and was given the runaround. She was told that the position was filled. She did receive a letter from Senior Friendship Center saying they did not need someone with her experience and education at that time. Councilwoman Goodman reported that she called about the position and was told it was not filled. She then requested an application and did receive one. Councilwoman Goodman stated that if the Center is not abiding by the Fair Labor Standards Act as required by the Federal Government she will move that they vacate the building and to discontinue any funding to them. Goodman then move to have Interim Administrator Fink contact Ms. Karen Blanchard, Executive Director of the Senior Friendship Center about this issue and request that she appear before the Council at the next meeting; seconded by Heine and carried.

Councilwoman Goodman notified the Council that a formal matter would soon be coming before the Council regarding a comment made by a city staff member concerning the way black people dressed.

Deputy Mayor Dixon moved to direct the City Attorney to prepare a contract for the new City Administrator the contract would be for a one (1) to two (2) year period of time with specific goals being set and provide for an annual evaluation prior to an extension of the contract; seconded by Goodman and carried. Deputy Mayor Dixon suggested that a state and federal background check be done.

Deputy Mayor Dixon asked about the vacant fire station on 10th street and suggested that West Coast Ambulance Service relocate from City Hall to that station. Heine moved to have the Interim Administrator contact West Coast Ambulance Service regarding the possibility of them relocating to and renting the fire station on 10th Street; seconded by Deputy Mayor Dixon and carried.

There being no further business the meeting was adjourned.


CITY RECORDER


PRESIDENT