

MINUTES
CITY COUNCIL
CITY OF ARCADIA
TUESDAY, MAY 18, 2010
6:00 PM

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

The Mayor called the meeting to order at 6:00 PM with the following members and staff present.

Arcadia City Council

Mayor Roosevelt Johnson
Councilmember Sharon Goodman
Councilmember Lorenzo Dixon

Deputy Mayor Robert Heine
Councilmember Keith Keene

Arcadia City Staff

Interim City Administrator Shelly Baumann
City Attorney William Galvano

City Recorder Dana Williams
City Marshal Charles Lee

Councilmember Goodman gave the invocation, which was followed by the Pledge and roll call.

SPECIAL PRESENTATIONS

1. PRESENTATION TO MRS. EFFIE KEEN FOR SERVICE ON THE ARCADIA HOUSING AUTHORITY

The City Recorder read aloud the certificate of appreciation to Mrs. Keen with the Mayor presenting the framed version to her and thanking her for the years of service volunteering with the Arcadia Housing Authority.

CONSENT AGENDA

2. MINUTES OF THE MAY 4, 2010 REGULAR MEETING
3. FINES & ESTREATURES REPORT
4. AIR-CADIA FLOWAGE AND HANGER RENT REPORT FOR APRIL
5. ARCADIA GOLF COURSE REPORT FOR APRIL

On motion of Councilmember Keene and seconded by Deputy Mayor Heine, the Council voted unanimously, 5-0, to approve items #2 - 5 of the consent agenda printed above.

DISCUSSION ITEMS

6. DISCUSSION OF COUNCIL'S VISION FOR THE CITY

Councilmember Dixon, referring to his prepared statement paper, began by discussing the City's financial position saying it does not have a lot of money and there are currently some financial struggles facing the city. While he supports the premise of remaining incorporated, the Council needs to look at areas in which to cut back by examining each department to see what positions and services are needed or not needed, then restructuring the City. Dr. Dixon continued

that examination of certain individuals' personnel files will show they were given an increase in pay for assuming additional duties; yet once those duties were removed, the extra pay was not retracted. He noted the County had implemented a freeze on pay during their budget cycle and the Council had voiced a similar request except for those expressly authorized by Council, which up to this point was a one-time +/- \$300 at the beginning of the budget year. He then reminded the Council that the previous Administrator had hired the Parks and Recreation Director at \$10,000 more than was approved, saying that should be looked into by the new Administrator. Councilmember Dixon questioned whether there was even a need to fill that position when there are only four or five staff members in the department, each with ten or more years with the City. He went on to say that by not filling the position would have saved the city another \$30-40,000. He felt that utilizing an already existing supervisor such as the one at the golf course or public works facility would have been more efficient and more profitable for the city. He suggested that the new Administrator should look at all positions and perhaps cut those that are not needed.

Councilmember Dixon also discussed Council's budget recommending they be wise in approving certain expenditures and setting an example. He then moved on to the matter of evaluating the police department, calling it the biggest expense of the City accounting for 97% of the City's ad valorem tax dollars. Dr. Dixon stated he had talked with the Marshal regarding this who understood the need for certain cuts. In his paper, the Councilor suggested cutting the APD budget by 15-20%; but clarified that was merely a figure recommended for initial discussion and not a result of any particular research or analysis - merely a starting point.

Councilmember Keene thanked Dr. Dixon for providing his views and stated his hope that this would encourage the Council as a whole to have a visioning session with the new Administrator; adding that the City needs a plan. Mr. Keene also stated that while page two of Councilmember Dixon's paper was not discussed in as much depth, he did agree with a number of the points listed and hopes that the City can find incentives for businesses to come to Arcadia.

Councilmember Goodman echoed Dr. Dixon's sentiments saying this is budget time and the Council needs to "sharpen our pencils". She continued that she was excited to be at the point of getting the new Administrator on board and that perhaps he could look into this carefully, understanding what he was walking into and how best to fix or set salaries.

The Mayor agreed, adding that the City definitely needs to look towards visioning and suggesting a workshop on the matter once the Administrator is hired. He added that the Council establishes the rules and policies and it is the Administrator's responsibility to make certain they are followed.

Councilmember Dixon then began covering other options as listed on page two of this report saying the city needs to be aggressive and proactive in expanding the tax base and generating income. He pointed out that although the County would not support the idea, the City does need to consider annexation and possibly providing incentives to encourage it. He used an example of *baiting* a hook when fishing rather than merely dropping the hook into water. Dr. Dixon briefly discussed possible uses for the Livestock Market such as a YMCA and that through grants, investors, and contributions, "we" could give the constituents hope that the city does have a vision. Councilmember Goodman added that about five years ago, a Visioning Committee tried to establish a YMCA then she suggested the Administrator could get back with that group or even that the

Livestock property could be developed into upscale housing or a venue similar to the Turner Center.

7. **APPROVE A REVISED AGREEMENT WITH CASA SAN JUAN BOSCO, INC. TO REFLECT THE BUILDING IN PHASES BEGINNING WITH PHASE I FOR 53 UNITS AND A SMALL CLUBHOUSE**

The Interim Administrator presented a revised agreement with Casa San Juan Bosco, Inc. to reflect the building in phases beginning with Phase I planned for 53 units and a small clubhouse. She continued they were originally going to build 125 units but have since scaled back on the initial project with plans to phase it in.

On motion of Councilmember Goodman, seconded by Councilmember Keene, the Council voted unanimously, 5-0, to approve the first amendment to the Water and Sewer Service Development Agreement for Casa San Juan Bosco, Inc.

8. **REQUEST FROM MR. PATRICK FOR A REDUCTION IN SEWER CHARGES SIMILAR TO WHAT WAS ALLOWED BY THE CITY OF WAUCHULA IN RELATIONSHIP TO HIS CAR WASH AND LAUNDROMAT BUSINESSES LOCATED AT 605 E. HICKORY, 609 E. HICKORY AND 1 LUTHER**

The Interim Administrator reported on a request from Mr. James R. Patrick for a reduction in sewer charges in relation to his car wash and Laundromat businesses similar to what was granted to him by the City of Wauchula. She continued that an estimate in the reduction of the last 12 months changes at his business locations of 605 and 607 E. Hickory addresses would be \$147 and \$246 respectively.

Mr. Patrick of Lakeland, FL, spoke briefly about his businesses, when they were purchased, what he paid in taxes and even mentioning the City's very affordable water rates. He then began the premise of his argument saying that all water used in his businesses does not return to the sewer. He provided examples for both the car wash and Laundromats and explained briefly how the City of Wauchula had metered his use for four months then provided a 24% reduction based on that usage.

Mr. Fred Lewis, the Systems Supervisor, acknowledged this was an out of the ordinary request and felt it to be like "splitting hairs"; though he did add that were it the Council's desire to consider this request, he could install a meter and bill Mr. Patrick for the expense of that meter.

The Mayor responded that he believes this would open the door for every business to receive the same consideration.

On motion of the Deputy Mayor and seconded by Councilmember Dixon, the Council voted unanimously, 5-0, to deny the request of James Patrick for a reduction in sewer charges at his car wash and Laundromat businesses.

9. **CFRPC HAS SUBMITTED A PROPOSAL FOR PLANNING AND ADVISORY SERVICES FOR FY2010-11**

The Interim Administrator reported on a proposal for planning and advisory services from the Central Florida Regional Planning Council for FY-11. She referred to the letter provided by the CFRPC wherein planning services would be in the amount of \$10,000 with an additional \$20,000 for the Land Development Regulations update, Water Supply Plan and Comprehensive Plan Amendments. The Administrator stated the City does need their expertise and assistance with these services; and that contracting for them was the most cost effective manner for the City. Councilmember Dixon added the CRFPC has been a great asset to Arcadia.

He then made a motion to approve the continuing service contract with the Central Florida Regional Planning Council for Fiscal Year 2011 in the amount of \$30,000. Councilmember Keene provided a second to the motion, which passed unanimously, 5-0, upon voice vote of the Council.

10. CONSIDERATION OF CONTRACT AGREEMENT WITH ACCOUNT RECEIVABLE MANAGEMENT OF FLORIDA (ARM OF FLORIDA) FOR COLLECTION OF DELINQUENT ACCOUNTS

The Interim Administrator stated the Council had requested additional information regarding the accounts receivable collection agency - Accounts Receivable Management (ARM) of Florida. ARM has forwarded a new agreement which details their fees as 29% for all accounts less than 120 days old, 33% for accounts aged 120-180 days, and 40% for accounts over 180 days (6 months). She added the City would be using ARM for recent accounts which have skipped out owing money and for overdue accounts which had been final-billed. The Administrator explained utilizing an agency such as this was the best mechanism for collection of any overdue accounts and that 60% of something is better than 100% of nothing.

The City Attorney stated some concern with the limitation of liability section in the agreement, adding debt collection is a very sensitive area. He went on to say he understands the intent of trying to not incur consequential damages or breach of contract but feels the way the agreement is worded in saying no one is responsible to the other even if a claim arises out of tort, along with the indemnification language gives him a bit of angst. The Attorney felt the company would be willing to work with the city on this and requested that if desired, that the agreement be approved in pending a comfort level legally.

Deputy Mayor Heine made a motion to approve the contract with Accounts Receivable Management of Florida pending legal review and sufficiency by the City Attorney. Councilmember Goodman provided a second to the motion, which passed unanimously, 5-0.

11. REQUEST FROM JEREMIAH STERLING TO USE THE MARGARET WAY BUILDING FOR SUNDAY AND WEDNESDAY CHURCH SERVICES

The Interim Administrator introduced a request by Mr. Jeremiah Sterling to use the Way Building for church services.

Mr. Sterling briefly restated his request saying he would like to establish services at 10 AM on Sundays for Sunday School, at 11 AM for the regular service and on Wednesday evenings from 7 PM - 9:30 PM.

The Deputy Mayor pointed out that this had been tried once before and didn't work out in terms of cleaning the building and room arrangements for the following mornings. He felt the City should not get into the "church business". Councilmember Dixon also expressed a concern about the separation of church and state, saying he could not personally support such a request.

On motion of Councilmember Keene and second by Deputy Mayor Heine, the Council voted unanimously, 5-0, to deny the request for the use of the Margaret Way building by Mr. Sterling.

12. REQUEST BY SUN-HERALD/ARCADIA TO PLACE AN AD CONGRATULATING THE DESOTO COUNTY HIGH SCHOOL CLASS OF 2010

This item was combined with #13 below and will be discussed there.

13. REQUEST BY THE PEACE RIVER SHOPPER TO PLACE AN AD CONGRATULATING THE DESOTO COUNTY HIGH SCHOOL CLASS OF 2010

The Interim Administrator reported on requests by the Sun-Herald/ Arcadian and the Peace River Shopper to place an ad in each publication congratulating the 2010 graduating class of DeSoto County High School.

Councilmember Dixon stated that although he supports the school and its students, considering the financial situation of the City, he sees the benefit (profit) going to the press rather than the school. He added that if the publications felt so strongly about the ads, they should "be happy to throw a nice ad in there acknowledging our 2010 graduates." Dr. Dixon suggested perhaps partnering the papers on a ½ page ad. **No action by Council was taken.**

14. REQUEST FROM CERES TO OPERATE A PRE-PROCESSING SWEET SORGHUM JUICE BUSINESS IN AN M-2 DISTRICT.

The Interim Administrator stated the City had received a request from Ceres to operate a pre-processing sweet sorghum juice business in an M-2 district, which is a business not specifically listed as an approved business and therefore requires Council approval. She went on to explain this type of process did not exist when the Code was written and is not as industrial in nature as some of those allowed with Council approval such as a foundry, glue manufacture, paper mill, refining of metals, etc. The City Attorney added that although the specific use is not listed in the Code, he had a planner look at the citation and found it to be akin to others which are allowed.

Mr. Lee Cicero, owner of the Central Mahoney Industrial Park, and Dr. Don Pablo, the project's research engineer, both spoke on the project and the process of bio refinery integration; and extracting a concentrate from the sorghum before shipping it to California for analysis. Dr. Pablo also discussed that the project was funded through a Department of Energy grant with an estimated 1 full time (direct) employee per 15-20 acres of biocrops. He added that until the quality of juice numbers could be verified, the project will begin with only 4-5 employees.

Councilmember Dixon had Dr. Pablo confirm for the record that the project will be odorless and provide jobs for the locals. Dr. Pablo answered in the affirmative. Councilmember Keene verified the commitment for a 2-year project and again, Dr. Pablo responded yes. Mr. Keene then

asked if the project would encompass the purchase of sorghum from others or would strictly utilize Ceres' own crop production. Dr. Pablo responded that currently the company has 2,000 acres of their own crop, but may expand to lease or buy in the future.

On motion of Councilmember Goodman, seconded by Deputy Mayor Heine, the Council voted unanimously, 5-0, to approve the operation of pre-processing sweet sorghum juice business in an M-2 district.

COMMENTS FROM DEPARTMENTS

15. CITY MARSHAL

The Marshal had no comments other than to defer to item #19 below.

16. ATTORNEY

The Attorney had no items of note.

17. ADMINISTRATOR

A) DESOTO COUNTY PARTNERSHIP FOR CDBG FUNDS

The Interim Administrator reported that DeSoto County has agreed to partner with the City of Arcadia by allocating up to \$200,000 in State Housing Initiative Partnership (SHIP) funds to be used in conjunction with the City's CDBG grant. The County will allow up to \$25,000 for each home; however, they must encumber their funds by June 30th. She requested no action by the Council other than acknowledgement of their awareness of the timeframe for the commitment of funds by the County.

B) SUMMER MEETING SCHEDULE

The Interim Administrator also mentioned that in the past the Council has elected to hold only one meeting in each of June, July and August; and if that were the case this year as well, she would recommend cancelling the June 1st meeting in order to meet the County's timeline for approving funding (mentioned above) at the June 15th meeting. She added that at this point, there was not many items scheduled for the June 1st agenda. **The Council took no action and will remain with the usual two meets per month schedule.**

**C) APPOINTMENT OF PLANNING & ZONING BOARD TO SERVE AS CITIZENS
ADVISORY TASK FORCE FOR CDBG FUNDS**

The Interim Administrator advised the Council on a request from Guardian, the CDBG grant administrators, to appoint the Planning and Zoning Board to serve as the Citizens Advisory Task Force (CATF). She continued that the federal CDBG guidelines require a CATF to review the applications for approval prior to awarding individuals assistance with grant funds and that in order to meet DeSoto County's deadline to encumber funds, the Planning and Zoning Board, which meets on June 8th, could then recommend applicants for the Council's approval at the June 15th meeting. She added the Planning and Zoning board was previously designated as the CATF but that the Council would need to reappoint them to serve in this capacity.

Councilmember Dixon questioned using the P&Z Board, reminding the Council that they had previously agreed to assemble another board comprised of citizens, business owners, clergy, etc. The Interim Administrator pointed out that the City has advertised in the newspaper, on the website and bulletin board for recruitment to other, similar boards and to-date has received no responses; and that time is of the essence for this matter. Councilmember Dixon asked whether it would be a conflict for the Council to serve as the CATF, to which the City Attorney advised against it.

Councilmember Goodman stated her understanding of the urgency to this request, but suggested that following this action by the Planning and Zoning Board as the CATF, the Council look at establishing a full-time Citizens Advisory Board with each of the Council doing more in terms of recruiting and nominating prospective members. Councilmember Keene agreed.

Councilmember Goodman made a motion to reappoint the Planning and Zoning Board as the Citizens Advisory Task Force for the purpose of reviewing CDBG applications and making a recommendation of applicants to the City Council with the stipulation of looking to establish a new CATF following this one, specific task. The motion was seconded by Deputy Mayor Heine and passed unanimously, 5-0, upon voice vote.

The Interim Administrator then stated she had received the report on the ground penetrating radar study of US 17, which showed several areas with voids. She provided the report to the local and district offices of the DOT, requesting they review the report and whether in their opinion the voids were significant enough to require repair prior to the milling and resurfacing work. To-date, she had not received a response.

Also related to DOT work, the Interim Administrator stated the City has been requested to move sewer lines on US 17 from Martin Luther King southward in order for the DOT to take care of a drainage issue. She continued that the DOT is requiring the City to sign paperwork prior to May 27th which states all work is non-reimbursable and therefore has referred the matter to the City Attorney. In addition, Fred Lewis, Systems Supervisor has marked up the plans leaving our water and sewer lines in their current location as the pipes are old and would not survive relocation, nor could the City afford replacements. The Administrator stated she does not believe the City should have to incur any expense to accommodate DOT plans, even though they will "front" the money for a low interest loan payable over many years in the case of a hardship on the part of the City.

Lastly, the Interim Administrator reported she would be on vacation beginning at noon on Friday, May 21st returning back in the office on June 1st. She recommended consideration of Steve Underwood to serve as Interim Administrator in the event of an emergency during her absence.

Councilmember Dixon took issue with the recommendation saying it was nothing personal against Mr. Underwood, but finds it "of serious concern when you have a person that has been in administration for approximately 28 years working computers and handling all the inside business" namely, Ms. Betty Coone, that someone from the solid waste department and who has already been given extra duties, would be the first choice. Dr. Dixon asked if Ms. Coone had even been considered. The Interim Administrator answered that she was suggesting Mr. Underwood only if there was some type of emergency and not to deal with the day-to-day events, such as DEP or DOT issues. She went on to say it was certainly the Council's choice as to whether or not even appoint an emergency contact.

Councilmember Dixon then made a motion to appoint Betty Coone as Interim Administrator until such time as Ms. Baumann returns from vacation. Councilmember Goodman provided a second to the motion, which passed 4-1 with Councilmember Keene dissenting.

PUBLIC

Mr. Sam Morgan, Administrative Council Chairman for Pleasant Hill United Methodist Church requested a road closure on South Lee Avenue from the church to Alabama Avenue for a Community Block Party, June 24th from 4 - 8 PM.

On motion of Deputy Mayor Heine and seconded by Councilmember Keene, the Council voted unanimously, 5-0, to authorize the closing of South Lee Avenue from Pleasant Hill United Methodist Church to Alabama Avenue from 4 - 8 PM on Thursday, June 24, 2010.

Ms. Jennifer Faircloth, a finance department employee, announced the tendering of her resignation and some of the concerns she felt should be addressed regarding the Finance and Utility Billing Departments. She talked about the derogatory perception that city hall employees were useless among other things, what she referred to as manipulation of account postings, and the inequity of salary adjustments over time among employees. Ms. Faircloth felt the city hall employees have essentially carried the load alone since January and while she was leaving the City's employ, she thought the Council should be aware of the other employees' concerns and "seriously look into" matters within those the two departments.

The Deputy Mayor asked Ms. Faircloth the reason for her resignation. She responded with two answers, namely that she had to move from her current residence and that she simply couldn't take it or Arcadia anymore. Mr. Heine then said it was his understanding her husband was a pastor and that she was leaving because her husband could not get a church. Ms. Faircloth responded she was going to her parent's home in Carolina to live.

Councilmember Goodman called Ms. Faircloth very brave for having come forward and wished her Godspeed, but added her remarks were not the first time Council had heard of these concerns. Dr. Goodman continued the City had been without good management for quite some time and that she was glad the final stages of hiring a new Administrator was upon them. She added that she has heard from some staff that they were not to speak to Councilmembers, which is not the case and that all employees should be able to speak with their supervisors without fear of retribution. As for the consideration of Ms. Coone, Dr. Goodman felt it was sad the recommendation had to come from the Council.

Councilmember Dixon applauded Ms. Faircloth for coming forward saying he did not believe she had done anything wrong and that she had followed the proper procedures since the concerns were addressed towards the acting Administrator. He added that he shares some of the same concerns and asked Ms. Faircloth to reconsider her resignation. Dr. Dixon continued that the City's needs her and promised when the new Administrator comes on board, there will be fairness across the board. He then went on to discuss a serious problem of an employee having received a \$7,000 raise in addition to a 7% raise after the Council, in September during the budget process, clearly stated they were not giving even a 3% or 5% increase due to financial constraints. Dr.

Dixon talked about hard working employees such as the Systems Supervisor, garbage collectors, meter readers, etc., who are out in the heat of the day while the administration "drains the cow." He encouraged other members of Council to go in the offices and do the research; then echoed similar sentiments about getting the new Administrator on board. Councilmember Dixon again asked Ms. Faircloth to consider rescinding her resignation; and Councilmember Goodman agreed adding that she should not suffer any negative consequences for having spoken up.

Pastor Patrick Elmore of Pleasant Hill United Methodist Church, thanked the Council for the City's assistance with the sidewalk in front of his church but added the problem is not completely solved. He mentioned the email with photographs he had recently sent and requested a couple of the Councilmembers visit the site to witness first hand the problem as it exists and to work with the crew somehow to correct the pooling of water.

Mr. Fred Lewis, Systems Supervisor, stated he had investigated the problem, which appears to be the sidewalk is lower than the road, adding the property to the north of the church experiences the same problem. Mr. Lewis continued that if you look to the north of the church property, the slope of the road runs uphill and similarly upward to the south leaving nowhere for the water to go. Mr. Lewis explained a potential remedy as "laying ½ block of sidewalk, bringing it up higher than the road, then tapering it back to the road so that it will flow out." He continued that the church would have to do the same type repair to their ½ of the sidewalk in order to avoid a damming situation, but either way it would not be an inexpensive fix.

Councilmember Keene asked what day the photographs had been taken to which Mr. Elmore answered yesterday (Monday, May 17th). Mr. Keene then pointed out that Arcadia had received 3" of rain yesterday and water was standing in his yard as well. He added that the City had tried to help but had erred horribly, then questioned what a proper fix would cost.

Councilmember Dixon suggested using the inmates for the labor and prep work but stated the city needs a concrete expert to assure the repairs are done correctly. He provided the name and phone number of a concrete contractor to evaluate needed repairs and prepare a cost estimate.

Mr. Kirk Bryson, a member of the Green Building Council, spoke briefly about a seminar being presented to discuss methods of saving money for the community by way of energy conservation in our buildings and water/sewer systems. The seminar is free to elected officials and will be held at the Comfort Suites in Sarasota on May 24th at 6 PM.

MAYOR AND COUNCIL MATTERS

19. DISCUSSION OF CANDIDATE BACKGROUND FINDINGS AND CITY ADMINISTRATOR SELECTION

The Marshal stated that criminal background checks on each of the Administrator candidates had come back clean, and that his detectives had recently completed an educational and employment screening as well. According to those reports, Mr. Kuykendall's highlights were described as "very trustworthy, reliable, unaware of any disciplinary action against him ever, he comes highly recommended...and he has an excellent work history." Similarly, highlights from Dr. Miller's report were "easy going, not prejudice in any way, his work ethic is strong, very trustworthy, and unaware of any disciplinary actions. He comes highly recommended." The last finalist, Mr. Bursick, also "comes highly recommended, unaware of any disciplinary actions, an

excellent work history, very trustworthy, has never been reprimanded, very clean background." The Marshall also stated there would be no "hidden bombs" for any of the candidates; their backgrounds are clean which would allow the Council to move forward.

Councilmember Keene suggested to the Council that they defer a decision until the June 1st meeting, taking the time to once again review the resumes and interview transcripts. He added that from the interviews, the Council determined the candidate's emotional presence, but should now refresh their memory of questions/answers keeping in mind the issues we face and the strengths of each finalist.

The Deputy Mayor agreed, adding there might be more time to discuss it at the next meeting. Councilmember Dixon said he didn't have a problem waiting although it was his hope to not continue dragging out the process. Dr. Dixon felt the Council had all the information they needed and that with the concerns he has been hearing from within the city and even from the constituents, he was prepared to act on a decision tonight.

Councilmember Keene then discussed the qualifications and expertise of the candidates. He stated he was drawn toward the public works and finance experience of Mr. Bursick, added Mr. Bursick is currently a city manager but has also served as a public works director and finance director, therefore being, in his opinion, the #1 candidate. Mr. Keene continued that Lawrence Miller would be his second choice, although contrary to what he just said since Mr. Kuykendall has the utilities experience. The Deputy Mayor stated his preference was for Mr. Kuykendall because of his water and sewer experience; but also for his having worked on grants.

A brief discussion on the length of tenure followed with Councilmember Dixon pointing out that administrators and even police officers don't stay in one place too long, but rotate around. Dr. Dixon stated his preference for Dr. Miller or Mr. Bursick, adding he didn't believe Mr. Kuykendall was knowledgeable with *Florida Statutes*. The Mayor stated his choice would be Dr. Miller, particularly for his grant-writing background. Dr. Goodman agreed citing not only his grant-writing but for his proximity to Arcadia and being knowledgeable about the area. She viewed him as strong and not easily swayed, but who look fairly at everyone.

Councilmember Keene again pointed out that Mr. Bursick is currently a city manager and while Dr. Miller has been an assistant city manager, Mr. Bursick also has been a public works director and budget officer/finance director. He continued that in trying to evaluate the skills they would bring, having been a public works director, Mr. Bursick would be knowledgeable with the laws and DEP issues Arcadia is presently facing. Mr. Keene said he is looking at the hiring from the perspective of "what do we need right now."

Councilmember Keene made a motion to offer the position to James Bursick and the Deputy Mayor provided a second to the motion. Upon discussion, Councilmember Dixon said the Council should be certain that whoever is selected is willing to live in the City. The Council agreed. Dr. Dixon then noted he had contacted the two top choices and Mr. Bursick had specifically stated he would not officially move his home to Arcadia, citing his wife with 26 years working in a nearby city and two high school aged sons. Councilmember Dixon viewed that as a concern, as did the others. **Councilmember Keene provided an amendment to the motion that the selected candidate must establish residency within DeSoto County.** The amendment was accepted by the Deputy

Mayor. A voice vote recorded the following: YES - Keene and Heine; NO - Dixon, Goodman, and Johnson. The motion failed, 3-2.

Councilmember Goodman made a motion to direct the City Attorney to enter into negotiations with Lawrence Miller for the position of City Administrator with the condition of his establishing residency within DeSoto County. Councilmember Keene provided a second to motion, which passed unanimously, 5-0, upon roll call vote.

Councilmember Dixon then made a motion for the City Administrator position to be offered at a starting salary of \$70,000, to undergo a six-month probationary period, and with a one-year (annual) contract. Councilmember Keene provided a second to the motion, which passed unanimously, 5-0.

ADJOURN

Having no further business at this time, the meeting was adjourned at 8:29 PM.

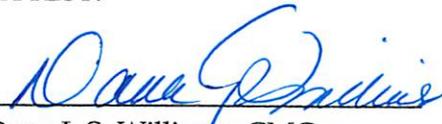
APPROVED THIS 1st DAY OF JUNE 2010.

By:



Roosevelt Johnson, Ed.D., Mayor

ATTEST:



Dana L.S. Williams, CMC
City Recorder