

REGULAR MEETING
MAY 19, 2009

The Regular Meeting of the Arcadia City Council was held on May 19, 2009 at 6:00 p.m. in the Margaret Way Building at 23 North Polk Avenue. Council members attending were Dixon, Johnson, Goodman and Heine. Absent: Mayor Fazzino was out of town. Also in attendance: Administrator Rupp, Attorney Galvano, Marshal Lee, Joe Fink, Parks and Recreation Supervisor Waters, Systems Supervisor Lewis, and Recorder Baumann.

Deputy Mayor Dixon called the meeting to order.

The Invocation was given by Dr. Roosevelt Johnson, Councilman.

Pledge Allegiance to the Flag.

The Minutes of the Regular Meeting of May 5, 2009 were adopted on a motion by Johnson; seconded by Heine and carried.

Deputy Mayor Dixon addressed with the Council with his concerns regarding the lease agreement of the old Livestock Market property with the Department of Agriculture. He noted that the word "renewal" should not be included as this is the first time for this lease. Attorney Galvano addressed the Council stating his concerns regarding the agreement. He reported that an original "template" for the lease was prepared by his office and sent to the Department of Agriculture and Consumer Services. The lease as presented has been rewritten by the Department, leaving out specific areas which he believes were in the best interest of the City and should be put back in. Specific verbiage addressing a ten (10) percent increase that could be applied to the rental price each year, and the indemnity clause which protects the City, were both removed. The Council was in agreement that the lease as originally approved and prepared by the City Attorney should be the one to be use. Councilman Johnson moved that Attorney Galvano meet with the appropriate person from the Department of Agriculture and Consumer Services to inform them that the original lease as presented is to be used; seconded by Goodman and carried.

Deputy Mayor Dixon inquired if there were any ordinances to come before the Council noting that at the last meeting the Council had directed ordinances to be prepared for Council action. Attorney Galvano stated he was made aware of this request and would have an ordinance ready to reduce the required number of readings of an ordinance from three (3) times to two (2) which is all that is required by statute. The other ordinance is an annexation issue and he will begin working on it.

Recorder Baumann addressed the Council to request that George Whitlock be appointed to fill the unexpired term of Ted Zolkos on the Planning and Zoning Board. Heine moved to appoint George Whitlock to the Planning and Zoning Board for a three (3) year term, said term to expire July 1, 2012; seconded by Johnson and carried.

REGULAR MEETING
MAY 19, 2009
Continued

Administrator Rupp addressed the Council to request the appointment of three (3) individuals who have agreed to serve on the Audit Committee. This committee is a new mandate by the State. Goodman moved to appoint Andy Ames, Tony Guidry and Joan Raulerson to the Audit Committee; seconded by Heine and carried. It was noted that if Mr. Guidry could not serve Ms. Pat Backer would be his replacement.

The Planning and Zoning Board at their meeting on May 12, 2009 recommended the following to the City Council:

1. That the request of Gordon "Mac" Martin and Steve Bushouse regarding their petition to rezone Lots 1,2,3 and West ½ Lot 4, Block 49, Town of Arcadia from Multiple Dwelling R-3 District to Community B-1 District and East ½ Lot 4 less the South 6 ft. and all of Lots 5& 6 less the South 3 ft., Block 49, Town of Arcadia from One-Family Dwelling R-1C to Community Business B-1 District be scheduled for a joint Public Hearing with a possible dated of July 7, 2009 time to be set at 6:00 PM or as soon there after as possible.
2. That the request of Michael E. Cross to rezone Lot 5 and West 18 ft. Lot 6, Block 34, Original Survey of Arcadia and the North 24 ft. of the East 32 ft. Lot 6 and the North 24 ft. of the West 8 ft of Lot 7, Block 34, a subdivision of the West ½ of the Southwest ¼ of Section 31, Township 37, Range 25 East, Town of Arcadia from Multiple Dwelling R-3 District to Residential-Professional and Business RPB District to be scheduled for a joint Public Hearing with a possible date of July 7, 2009 time to be set a 6:00 PM or as soon thereafter as possible.

Heine moved to schedule both rezoning request for a Joint Public Hearing with the Council to be held on July 7, 2009 at 6:00 PM or as soon thereafter as possible; seconded by Goodman and carried.

Recorder Baumann stated that all property owners within three hundred (300) feet must be notified by registered mail at least thirty (30) days prior to the Public Hearing.

Ms Algie Didlaukies addressed the Council to request permission to hold a Flag Day Celebration at the Tree of Knowledge Park on June 15, 2009 from 12:30 p.m. until 1: 00 p.m. Ms. Didlaukies extended a request to the Council to attend the event and requested that the Mayor or Deputy Mayor give a speech. Goodman moved to approve the request to hold a Flag Day Celebration on June 15, 2009 at the Tree of Knowledge Park; seconded by Johnson and carried.

Mrs. Jennifer Codo-Salisbury of the Central Florida Regional Planning Council (CFRPC) addressed the Council and presented information regarding the Evaluation and Appraisal Report (EAR). She stated that updating the 2009 EAR is requirement and a part of the

REGULAR MEETING

MAY 19, 2009

Continued

City Comprehensive Plan. Mrs. Codo-Salisbury requested that a workshop with the Planning and Zoning Board and the Council be scheduled for 5:30 PM on June 2, 2009 at which time she will present the EAR in full. She also requests that the Planning and Zoning Board also attend the Council's 6:00 PM meeting that evening in order to formally recommend and accept the EAR at a Public Hearing. Administrator Rupp stated that all required legal advertisements have been put in place for this Joint Work Session and Meeting.

The Fines and Forfeitures report for the month of May, 2009 was presented showing fines in the amount of \$3,148.00.

Marshall Lee addressed the Council with a request for a presentation to the Council by GATSO a company that installs cameras to aid cities in receiving fines for running red lights. The company would get Thirty Dollars (\$30.00) for each case that is filed. The cameras could also be used in an Amber Alert situation and for also providing information in other crimes. Johnson moved to have CATSO give a presentation on June 2, 2009; at 5:00 PM; seconded by Goodman and carried.

Marshall Lee reported that his department issued twenty two (22) citations for violations of the water restriction code in the last two (2) weeks. Marshall Lee stated even though rain had been received, the water restrictions were still in effect.

Marshall Lee requested permission for a parade to be held on July 11, 2009 to honor Chris Clemmons, a local young man who was recently drafted by the Miami Dolphins. Chris has been given Three Thousand Dollars (\$3,000.00) in equipment from Nike, to be given out locally at this event. He will also provide a free football camp for local youth.

Marshall Lee stated he would like to present Chris with a key to the City. Councilwoman Goodman requested that a proclamation declaring July 11, 2009 as Chris Clemmons Day be prepared and include all the Council members' signatures. Marshall Lee will give all the information for the proclamation to Administrator Rupp. Heine moved to approve a parade for Chris Clemmons to be held on July 11, 2009 and that a proclamation for Chris Clemmons be presented for Council approval at the next Council meeting; seconded by Goodman and carried.

City Attorney Galvano stated he was glad to be back from the Legislature Meetings in Tallahassee and he thanked the Council for their patience while he was away. He also stated that he is looking forward to working with Administrator Rupp and will be meeting with her tomorrow.

City Recorder Baumann addressed the Council and informed them that the Financial Statement Audit report in their packet is the same report that the members had received at their home address.

REGULAR MEETING

MAY 19, 2009

Continued

Administrator Rupp addressed the Council and announced that the Council has received an invitation from the Rotary Club to attend an event honoring the Honor Guard. The City may purchase a table for eight (8) for Five Hundred Dollars (\$500.00) and could then either attend the event or give tickets to whomever they wanted to represent the City. They could also attend individually. No action was taken.

Administrator Rupp addressed the Council to discuss the proposed Summer Schedule of Council meetings. Administrator Rupp recommends that the 1st Tuesday of the months of June, July and August be scheduled as a regular Council meeting and that the 3rd Tuesday be used for workshops and budget discussions. The Council was in agreement to the proposed schedule.

Administrator Rupp then informed the Council that there would not be a meeting on June 16, 2009 as she would be out of town attending the Certified Municipal Managers Program.

Administrator Rupp addressed the Council and reported that the exterior door locks of the Way Building had been changed for security purpose. Administrator Rupp suggested a refundable key deposit of Twenty five (\$25.00) Dollars be established for anyone requesting the use of the building. If the building was left in good condition the \$25.00 would be refunded. Administrator Rupp proposed a new policy and procedure with rules and guidelines be established for the use of the Way Building. She noted that anyone wanting a key would need to contact Administrator Rupp's office and schedule the use of the building. A key would be signed out to the person and once an inspection of the area was done and approved, the key deposit would be refunded. Councilwoman Goodman asked if someone misused the building, could the privilege of using it again be revoked to which Administrator Rupp stated that it could. Councilwoman Goodman asked if groups who are currently using the building on a regular basis would be required to put up the key deposit each time to which Administrator Rupp stated they would not. Councilman Johnson asked if the keys are a master key and was informed that all exterior doors are keyed alike using one master key and that the keys will be marked "do not duplicate" and will be numbered in order to keep track of who was assigned a key. Deputy Mayor Dixon stated this did not mean that the building is open to the Public for any type of event but for non profit or charitable events only to which Administrator Rupp stated that was correct. Administrator Rupp stated that rules would be posted in various areas, such as the in the kitchen, bathrooms and meeting rooms. Heine moved to approve a Twenty five (\$25.00) Dollar refundable key deposit; seconded by Goodman and carried.

The Airport Report for the month of April 2009 was presented.

The Golf Course Report for the month of April 2009 was presented.

The Public Works Report for the month of April 2009 was presented.

REGULAR MEETING
MAY 19, 2009
Continued

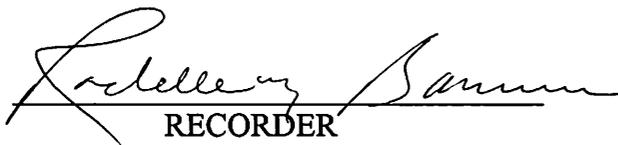
Mrs. Algie Didlaukies, a member of the public, addressed the Council and presented a copy of a letter from the Brotherhood Ride from the Naples Fire Department. She stated this group would be riding bikes for four hundred thirteen (413) miles to honor fallen comrades killed in the line of duty. They will arrive in Arcadia on July 18, 2009, around 4:00 PM. The local Fire Department will be holding a BBQ for them. Breakfast the next morning will be provided by merchants in the downtown area. Mrs. Didlaukies asked if the Mayor or Deputy Mayor could be present to welcome them when they arrived in Arcadia.

Ms. Paulette Alexander, a member of the public, addressed the Council to report loud music in her neighborhood. She asked if the City had a Noise Ordinance and was informed by Deputy Mayor Dixon that one is in place. She stated music from passing cars rattled the windows in her home and was a disturbance to her elderly mother. Marshall Lee stated some of the noise was coming from an illegal club near her home. He stated the Police Department would be in the area this Friday night doing a bust.

Recorder Baumann informed the Council that she would not be at the June 2, 2009 meeting as she would be attending the Florida Government Finance Officers Conference.

The Council all welcomed Attorney Galvano back and Deputy Mayor Dixon stated that Mr. Galvano made it clear when he was hired that he would be away for three to four months during the Legislative Session.

There being no further business the meeting was adjourned.


RECORDER


PRESIDENT