

Regular Meeting

October 16, 2007

A Regular Meeting of the Arcadia City Council was held on October 16, 2007, at 6:00 p. m. in the Margaret Way Building at 23 North Polk Avenue. Council Members attending were Goodman, Fazzino, Johnson, and Dixon. Absent: Council Member Heine was out of town. Also in attendance were Administrator Strube, Attorney Holloman, City Marshall Lee, Special Projects Coordinator Hewett, Parks and Recreation Supervisor Waters, Ms. Way, and Recorder Baumann.

Mayor Goodman called the meeting to order.

The Invocation was given by Council Member, Dr. Roosevelt Johnson.

Pledge Allegiance to the Flag.

The minutes of the Regular Meeting of October 2, 2007 were adopted on a motion by Johnson; seconded by Fazzino and carried.

Mayor Goodman presented an expression of appreciation to Council Member Dr. Roosevelt Johnson for service as Mayor from October 3, 2006 to October 2, 2007. Fazzino moved to adopt Resolution No. 2007-19; seconded by Dixon and carried.

RESOLUTION NO. 2007-19

WHEREAS, DR. ROOSEVELT JOHNSON was elected by his fellow council members to serve as Mayor of the City of Arcadia from October 3, 2006 to October 2, 2007, and

WHEREAS, because of his dedication to office, his willingness to serve, and his strong commitment to make Arcadia a better community, he faithfully served in this position of leadership.

NOW, THEREFORE, BE IT DULY RESOLVED, by the City Council of the City of Arcadia that the Council, along with other City Officials, hereby express sincere appreciation to Dr. Roosevelt Johnson for serving the City with diligence, dignity and steadfastness , and

BE IT FURTHER RESOLVED that a copy of this expression of appreciation be presented to Dr. Roosevelt Johnson at a regularly scheduled Council Meeting and that this Resolution be made a part of the minutes of that meeting.

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(Resolution No 2007-19 continued)

PASSED BY THE CITY COUNCIL OF THE CITY OF ARCADIA, FLORIDA,
 in regular session this 16th day of October, 2007.

s/s DR. SHARON T. GOODMAN
 DR. SHARON T. GOODMAN
 MAYOR

s/s ROBERT W. HEINE
 ROBERT W. HEINE
 COUNCIL MEMBER

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

s/s LORENZO DIXON
 LORENZO DIXON
 COUNCILMAN

s/s DAVID C. HOLLOMAN
 DAVID C. HOLLOMAN
 CITY ATTORNEY

s/s EDWARD J. STRUBE
 EDWARD J. STRUBE
 CITY ADMINISTRATOR

s/s MARGARET WAY
 MARGARET WAY
 CITY ADVISOR

s/s CHARLES J. LEE
 CHARLES J. LEE
 CITY MARSHALL

ATTEST:

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

A proclamation from the Health Occupations Students of America (HOSA) in support of Tobacco Prevention Awareness Week scheduled for the week of November 5 -11, 2007, was presented. Fazzone moved to endorse this action; seconded by Johnson and carried. Mayor Goodman presented the proclamation to several members of HOSA that were in attendance.

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Several local builders and citizens addressed the Council to speak in opposition to the recently increased Equivalent Residential Connection (ERC) rates and the effect it will have on building affordable housing. Those who addressed the Council were Mr. Shaun Knepp, Mr. Glenn Mogal, Mr. Paul Hoover, Mr. Sam Morgan, Mrs. Jane Martin, and Mrs. Rayne Alexander. The consensus of the group is that the rates should not apply to any construction within the City limits. All Council members agreed that they are in favor of affordable housing and do not want to see construction stopped or slowed down due to the new fee. A study of ERC rates is presently being conducted. The results of those findings should be available in February, 2008. Administrator Strube addressed the Council to explain that what had been attempted by increasing the fees was to implement the allocation of capacity for water and wastewater. He noted that there will be an immediate cost for water as there is no excess capacity and a new well is needed. There is however unused capacity for wastewater. The City is required by Florida Growth Management to have infrastructure in place to allow for development. At this time the actual cost for a water tap fee is \$485.50 and \$636.00 for a sewer tap fee. This reflects only the cost for the pipe. It was noted that current utility customers are paying down the City debt of over 1,000,000.00. Administrator Strube said that he sympathizes with the construction industry; however he felt that if the City did not implement a new fee prior to the rate study there could have been a run on connection fees with local contractors. It was noted that builders who had a current permit were charged the lower tap fee. Johnson asked what the cost was to install a well and septic system and was told that it is about \$7,000.00 which is more than the \$5,000.00 for the City water and sewer tap fees. If a home is being repaired or renovated and is already on City water and sewer they are not charged any additional tap fees. Administrator Strube believes that utility service is the best tool to allow for annexation. There was some discussion on only increasing the rates to homes outside the City. Both Administrator Strube and Attorney Holloman expressed concern that a split fee could be challenged. Mayor Goodman stated that she sees the result of Mr. Knepp and other contractors' efforts and wants to see Arcadia continue to grow. Dixon moved to suspend the current rate fee going back to the previous ERC rate for construction within the City until a new rate study is presented; however construction in the County will be charged at the rate adopted at the September 4, 2007 meeting; seconded by Johnson and carried.

A request for permission to plant the median East of Arcadia, which contains the "Best Small Town in Florida" sign, with the City providing maintenance, was tabled on a motion by Johnson; seconded by Fazzone and carried. Mrs. Genie Martin of the Beautification Committee was not present at this meeting. Captain Matt Anderson of the Arcadia Police Department stated there were concerns that plants may block the view at this location and noted that the Parks and Recreation Department is working with the Beautification Committee on this issue.

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A request for Council to approve the replacement of historic architecturally correct windows in the City owned McSwain Building with non-historic windows was presented to the Council by the DeSoto County Chamber of Commerce. Mr. Adrian Cline, Superintendent of the DeSoto County School District, and a member of the Historical Society, addressed the Council regarding the replacement of the windows. Mr. Cline presented the Council with a letter from Renner- Elch-Parks Architects with a recommendation for the removal and storage of the existing windows and materials, and installing a new metal framed unit within the existing frame. The architect recommends that the sash, pulleys, sash weights, and parting beads be stored, so that in the future, anyone wishing to restore the windows to their original appearances will be able to do so with 100% accuracy. Councilman Dixon asked if changing the windows would affect the historical value or historical designation of the building to which Mr. Cline replied that it would not. Council Member Johnson questioned if the change would impact acquiring a grant at a later date to which Administrator Strube stated it would not. Mayor Goodman stated that according to the letter from the architects, the building would still be recognized as a historical site. Mr. Cline noted that the windows at the Family Service Center (the old West Elementary School), had been changed in the same way. He stated this building was also a historical site, and this had not impacted the historical value. Dixon moved to accept the change of windows, and store original window parts in the attic at the McSwain Building; seconded by Fazzone and carried.

The Fines and Forfeitures report for the month of September, 2007 was presented showing fines in the amount of \$2,132.09.

Marshall Lee then addressed the Council regarding a recent event at the City's wastewater treatment plant. Marshall Lee stated that on October 13, 2007, he was called to the plant upon the discovery of fetal parts found in the wastewater treatment plant. Marshall Lee stated he was before the Council to refute criticism of his department's handling of the investigation. He stated that he had heard that he and Capitan Matt Anderson were hard to locate on that date. Marshall Lee stated that Capitan Anderson was in Atlanta and he (Lee) was on the scene within ten (10) minutes after he received the call. He remained on the scene until evidence was gathered and the fetal mass sent to the medical examiner's office. Marshall Lee stated that he had contacted the Florida Department of Law Enforcement to make sure the procedures he was following were the correct procedures, which they were. He then stated that he heard from a news team, that one of the employees at the wastewater treatment plant had informed the news media of the incident. Marshall Lee stated that the rumor that the water system was contaminated did not come from his office. He reported that he met with Mayor Goodman Sunday and briefed her about the investigation. Mayor Goodman asked Marshall Lee if he had made any statement to the media to which Marshall Lee replied that he had not. The results of the Medical Examiners report advised that it was a probable product of a spontaneous miscarriage. Mayor Goodman asked Administrator Strube if it was known who the

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employee was that leaked the information. Administrator Strube stated he did not know if it was, in fact, an employee noting that someone could have picked up information by way of what was relayed by the dispatcher over the radio. Mayor Goodman asked Administrator Strube if the Personnel Policy addressed the matter of employees giving out information regarding the City's business or incidents occurring within the City. Administrator Strube stated he believed this was in the policy. Mayor Goodman requests that a copy of the Personnel Policy be given to each Council member by the next Council meeting.

Mr. Sam Morgan addressed the Council regarding the need for a stop light at Highway 17 and Martin Luther Street. Special Projects Coordinator Hewett stated he had spoken with the Department of Transportation (DOT) regarding this area. He also reported in a previous Council meeting, that a survey would be done by D.O.T. at the end of September/October, 2007. Dr. Hewett stated the D.O.T. spokesperson reported to him that they had plans to redo the road at a future date. Dr. Hewett also reported that the spokesperson noted that sometimes putting a light at an area actually caused more accidents than not having a light. Mayor Goodman stated that when she was first elected she went to Bartow to talk with D.O.T. and asked what could be done at that intersection. Councilmember Dixon requests that all of Hargrave Street be named for Dr. Martin Luther King and not just a portion. Mayor Goodman does not want any signage to get in the way of a light being placed at the intersection. She then asked that Administrator Strube write a letter to D.O.T. and invite a representative to address the Council on this issue. Fazzone moved that the Department of Transportation (DOT) be contacted by letter to request a representative attend a future Council meeting; seconded by Johnson and carried. Mayor Goodman requests that the newspaper be notified as soon as a date is set in order to advertise the meeting date for the entire community to attend.

Special Projects Coordinator Hewett reminded the Council that he would be taking a group pictures on November 6, 2007 prior to the meeting.

There being no further business the meeting was adjourned.


CITY RECORDER


PRESIDENT