

REGULAR MEETING

MAY 17, 2005

A Regular Meeting of the Arcadia City Council was held on May 17, 2005 at 6:00 p.m. in Room D of the Way Building at 23 N. Polk Avenue. Councilmember's attending were: Whitlock, Heine, Fazzino, Goodman and Johnson. Also in attendance were: Administrator Strube, Attorney Holloman, Fire Chief Rutherford, Police Officer Evans, Special Projects Coordinator Hewett, Public Works Supervisor Reed, Ms. Way, and Recorder Baumann.

Mayor Whitlock called the meeting to order.

The Invocation was given by Mayor Whitlock.

Pledge of Allegiance to the Flag.

The minutes of the Work Session of April 19, 2005 and Regular Meeting of April 19, 2005 were adopted on motion of Heine; seconded by Johnson and carried.

Administrator Strube addressed Council regarding a request from the DeSoto County School District for closure of an alley between Mills Avenue and Robert Avenue. Johnson stated that the School District owns the property on either side of the alley. Ms. Way stated that if the alley is to be vacated letters must be sent by the School District to all utility companies to see if they would have any problems with the closure. The School District wants to locate portable units on the property. It was noted that they would be required to meet all necessary set backs. Administrator Strube stated that he did not have any objection to where the portables are placed. He then requested that the School District provide a detailed site plan showing the proposed location of the portables and that they be given the alley closing procedures to follow. Johnson moved to approve the alley closing subject to the School District following all of the rules for alley closing procedures; seconded by Fazzino. Attorney Holloman noted that Council Members Johnson and Goodman are both employed by the DeSoto County School District and he requests that they abstain from voting and sign a conflict of interest form. Johnson then rescinded his motion and Fazzino his second. Fazzino then moved to approve the alley closing based on the School District following all requirements of the statutes and the City's alley closing procedures; seconded by Heine and carried. Johnson and Goodman abstained from voting.

Flo Rife owner of Maddy's Antiques addressed Council to request special approval for a sign located at 313 W. Oak Street. The sign in question is located on a tree on the City right-of-way which is in violation of the City's rules and regulations regarding signs. Ms. Rife presented pictures of her sign along with other signs located in the downtown area including one that is attached to a decorative ladder which is then attached to the awning support post. Administrator Strube stated that several years ago the City was more lenient regarding the enforcement of the sign rules in an attempt to work with the Main Street Association to come up with better signage to direct customers downtown. At the time the A-frame sign was the sign of choice. Most of the stores downtown have a sign hanging over the sidewalk/right-of-way however they are allowed as long as they meet the height restrictions. Administrator Strube noted that Ms. Rife's new location is located out of the main downtown area; however an A-frame sign could be authorized. Ms. Rife stated that an A-frame would not be able to

Regular Meeting
May 17, 2005
Continued

be seen from a distance over the cars parked on the street which is why she put the sign on the tree. Special Projects Coordinator Hewett stated that if Council goes by the current sign regulations then a sign on a tree would not be allowed. Attorney Holloman stated that he is not sure that Council could grant the request because it would violate the City's sign ordinance. Johnson stated that if one sign is wrong then all others must be treated alike. Goodman requests enforcement of the rules that have already been approved. Johnson would like a written request from the Main Street Association regarding what they would like to do such as signs in order to see if they are in compliance with the City Code. Johnson then stated that at one time the downtown area ended at Orange Avenue and he believes that this needs to be looked at so that others past Orange Avenue would receive the same consideration as the merchants in the heart of downtown. Ms. Rife was informed that her sign must come down. It was also noted that the sign attached to a ladder and then attached to a support post must also be removed.

A report of Police Fines and Forfeitures for the month of April indicates fines \$1,768.39, law enforcement \$29.50 and radios \$12.50.

The Recorder's report of Revenues and Expenditures for the month of April 2005 was presented.

The Public Works report for the month of April 2005 was presented.

Public Works Supervisor Reed addressed Council concerning Council Member Heine's request that holes be filled in on Monroe Avenue, a temporary patch will be put on. It was noted that this street is on a FEMA Project Worksheet and any permanent repairs would be done based on the worksheet. Cypress Street was also mentioned, Mr. Reed stated that the entire base of the road needs to be removed and replaced.

Bill Minnear of Air-Cadia, Inc. addressed Council stating that there was an excellent turnout of over 1,000 people attending the first Rods and Wings event held on Sunday, May 15, 2005. He thanked Mayor Whitlock for speaking at the event. Mr. Minnear then invited Mayor Whitlock, the Council and representatives from the Police and Fire Departments to attend a car show to be held at the Sonic Drive In on Friday, May 27, 2005.

Administrator Strube addressed Council to discuss and set the summer meeting schedule. Goodman moved to have the Council meet once a month on the first (1st) Tuesday of the month for the months of June, July and August; seconded by Heine and carried. It was noted that if other meetings become necessary a special meeting could be called.

Attorney Holloman reported that he has been working with Code Enforcement Officer Keen and that two (2) cases have been closed and that compliance is being obtained.

Fazzone would like to discuss the hiring of a new Fire Chief. Fazzone moved to have the City Administrator proceed with the hiring of a new Fire Chief, from a pool of local applicants and that the selected applicants name be submitted to Council for a final approval.

Regular Meeting
May 17, 2005
Continued

This motion died for lack of a second. Johnson wants to look at individuals from within the City Fire Department and wants the Council involved in the process. Attorney Holloman stated that the current Code does not allow for the Council to hire, it is the City Administrator's duty to hire staff. Goodman agrees to hire from within the department. Goodman then noted that we need to move forward with the process, she again stated for the record that she does not intend to take any authority away from Administrator Strube. Mayor Whitlock would like to understand how involved the Council wants to be in this process. Goodman noted that Council had previously stated that they want to change the Code to allow Council to hire. It was decided that Council will use the scheduled work session of June 7, 2005, at 5:00 PM to discuss what changes should be made to the Code regarding Council's involvement in hiring staff. Council all stated that they do not have a problem with Administrator Strube hiring/appointing an interim Fire Chief until the Code can be changed.

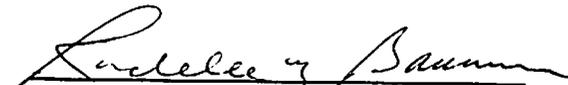
Fazzone reported that the City / County Fire Merger Committee met today and interviewed two (2) consultants, there are (2) two additional consultants still to interview.

Heine asked about the street lights on US 17, Administrator Strube will check with DOT to see when they will be fixed.

Mayor Whitlock reported that Kevin Joens was named the City EMS Provider of the year at a meeting at DeSoto Memorial Hospital on Monday, May 16, 2005.

Mayor Whitlock requests that Barbara Olm with the Wal-Mart distribution center be invited to attend the next Council meeting to give a presentation to the Council.

There being no further business the meeting was adjourned.


CITY RECORDER


PRESIDENT