

## REGULAR MEETING

SEPTEMBER 6, 2005

A Regular Meeting of the Arcadia City Council was held on September 6, 2005 at 5:00 p.m. in Room D of the Way Building at 23 N. Polk Avenue. Councilmember's attending were: Whitlock, Heine, Goodman, Fazzone, and Johnson. Also in attendance were: Administrator Strube, Attorney Holloman, Fire Chief Rutherford, Police Capitan Anderson, Parks and Recreation Supervisor Waters, Special Projects Coordinator Hewett, Ms. Way, and Recorder Baumann.

Mayor Whitlock called the meeting to order.

The Invocation was given by Council Member Johnson.

Pledge of Allegiance to the Flag.

The minutes of the Work Session of August 2, 2005, and the Regular Meeting of August 2, 2005 were adopted on motion of Heine; seconded by Goodman and carried.

Proposed Ordinance No. 917 was presented on second reading. Goodman moved to waive the rules and read the proposed ordinance by title only; seconded by Johnson and carried.

## ORDINANCE NO. 917

AN ORDINANCE OF THE CITY OF ARCADIA, FLORIDA,  
AMENDING THE CAPITAL IMPROVEMENTS ELEMENT OF THE  
COMPREHENSIVE PLAN OF THE CITY OF ARCADIA, FLORIDA;  
SPECIFICALLY, ADOPTING THE ANNUAL UPDATE OF THE  
CAPITAL IMPROVEMENTS PROGRAM (CIP); TRANSMITTING  
SAID AMENDMENT TO THE FLORIDA DEPARTMENT OF  
COMMUNITY AFFAIRS (DCA) FOR A FINDING OF COMPLINACE;  
PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN  
EFFECTIVE DATE.

Fazzone then moved to approve Ordinance No. 917 on second reading; seconded by Heine. Mayor Whitlock called for comments from the public, there were none. The motion carried on roll call vote. Ayes: Heine, Fazzone, Johnson, Goodman, and Whitlock. Nays: None.

Mayor Whitlock proclaimed the week of September 4<sup>th</sup> through September 10<sup>th</sup>, 2005 as Arcadia Firefighters Appreciation week to commend our City Firefighters for their efforts on behalf of the Muscular Dystrophy Association (MDA). Johnson moved to endorse this action; seconded by Goodman and carried. MDA Coordinator Marianne Clark presented Fire Chief Rutherford with a plaque of appreciation stating that City firefighters and paramedics collected \$8,000.00 for MDA during the "Fill the Boot" campaign in March 2005.

C.W. Blosser of the Arcadia Fire Department, and past President of the Florida State Firefighters Association addressed Council to report that Arcadia Volunteer Fireman Robert Bush has been named the Florida Volunteer Firefighter of the Year. Mr. Bush was selected for the award due to his service to the community after Hurricane Charley. Mr. Bush

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continued to assist the Arcadia Fire Department and Police Department even after he lost his own home to the hurricane. The Arcadia Volunteer Fire Department was given a \$500.00 grant for equipment in honor of Mr. Bush. Mr. Bush then addressed Council stating that began volunteering at the Fire Department in 1998 and that he loves being a volunteer. Mr. Bush will be honored in April 2006 at a banquet in Tallahassee.

Mayor Whitlock then presented a Proclamation to Cathy Miller representing Teen Court proclaiming September 2005 as Florida Youth Court Month. Johnson moved to endorse this action; seconded by Goodman and carried. It was noted that the youth from Teen Court will be at the Council Meeting of September 20, 2005 to give a presentation to the Council.

Gloria Kendrick representing Redland Christian Migrant Association (RCMA) addressed Council regarding their request for approval to construct a child care facility in proximity to their currently leased facilities located at the Smith Brown complex. The proposed location would allow RCMA to continue to use the existing playground and increase parking by removing the oldest portable building. RCMA will be receiving a grant to pay for the construction. The City would need to modify the existing lease to include the new building. Sam Morgan expressed concern noting that Smith Brown Gym is the only area for after school programs and he feels that if the proposed building is constructed it will lessen land available for recreation events. It was noted that the new building would only replace an existing old portable building; the gym would remain as it is. Goodman stated that for the safety of the children they should be in a permanent building rather than a portable. Goodman moved to grant the request to allow RCMA to construct a new building in place of an existing old portable building and to update RCMA's lease with the City to include the new building; seconded by Heine and carried.

Mac Martin addressed Council to request the use of McSwain Park for the Arcadia Fine Arts Fair to be held on Saturday, March 4, 2006 from 9:00 A.M. until 4:00 P.M. Heine moved to grant the request as presented; seconded by Johnson and carried.

Johnnie Johnson addressed Council requesting permission to install a flag pole with a light and an American flag at the entrance to Oak Ridge Cemetery. This would be sponsored by the Auxiliary branches of the Veteran's organizations. Ms. Johnson then presented an itemized list of items needed. It was noted that there is a flag pole toward the center of the cemetery. The flag pole was damaged during Hurricane Charley and has just recently been replaced. The proposed new flag pole would be a monument dedicated to all residents of Arcadia who lost their life in service to our Country. Administrator Strube stated that this would be more visible and of better quality than the one currently at the cemetery. The current flag pole was put in place by a veterans group in the late 70's or early 80's. Heine moved to leave the current flag pole where it is until the new flag pole can be installed; seconded by Fazzone and carried. Ms. Johnson will check with the organization that placed the previous monument to see if they will allow it to be moved.

Jerald Newberry, President of the DeSoto County Historical Society addressed Council to request approval to stage a 1905 Thanksgiving Day fire remembrance day ceremony on November 26, 2005. Mr. Newberry suggests hosting a bonfire at the old Roe house on the

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corner of Cypress Street and Polk Avenue as the Fire Department already has plans to burn the residence. Heine moved to grant the request for the DeSoto County Historical Society to have a remembrance day ceremony on Saturday, November 26, 2005; seconded by Johnson and carried.

Jessica Ritch addressed Council to request a variance to code violations at her residence at 411 La Solona Avenue. The Special Master did hear this case and found them in violation of City Codes. Attorney Holloman then read a section from the City Code regarding variances. Attorney Holloman does not believe that a variance would be approved and does not recommend it. Fazzone moved to refer the request to the Planning and Zoning Board for a recommendation; seconded by Heine and carried.

Kim Spencer, President of the DeSoto County Chamber of Commerce addressed Council to request an increase in City funding from \$7,500.00 to \$12,000.00 per year. Fazzone stated that he is a past president of the Chamber and feels that the City does its part by contributing \$7,500.00 per year and supplying a building rent free for the Chambers use. It was noted that the County will be giving \$10,000.00 to the Chamber this year. Fazzone feels that the City should be mentioned in the title of the organization and he would like to have a lease agreement with the Chamber for the use of the City's building. Heine stated that the City's budget would be addressed at a budget hearing, Tuesday, September 13, 2005. No other action was taken on the request.

Pam Ames, President of the Arcadia Main Street Program, Inc. addressed Council to request an increase in funding for FY 2005/06 from \$5,000.00 to \$10,000.00 per year. Ms. Ames was informed that her request will be considered during the upcoming budget hearing.

Ms. Ames then addressed Council to request to close Oak Street between Monroe Avenue at Highway 17 and Polk Avenue and Oak Street on Saturday, October 29, 2005 from 2:30 P.M. until 9:30 P.M. for an Old Fashioned Fall Festival. Fazzone moved to grant the request pending approval by Marshal Lee and that Monroe Avenue remain open; seconded by Goodman and carried.

Ms. Ames asked if the Main Street Program could replace the "Welcome to Arcadia" sign on South US. 17 as the previous sign was damaged by Hurricane Charley. Council stated that they would like to see a picture of the suggested replacement. Goodman and Johnson expressed concern stating that the previous sign was done as a city wide process and the new sign should be re-done with the same process. No other action was taken.

A report of Police Fines and Forfeitures for the month of July 2005 indicates fines in the amount of \$1,737.48, and \$12.50 for radios.

The Police Activity Report for the month of August 2005 was presented.

Capitan Anderson then presented a list of Code Violations for Illegal Dumping. Fazzone asked if the City should run an ad in the paper regarding illegal dumping and was informed

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that an ad has been run and that all water customers have been given a notice regarding trash pickup. It was noted that some of the debris in question is being placed on vacant lots without the knowledge or permission of the owners. It is very hard to fine the owner if they are not aware of the problem. Goodman and Johnson both expressed problems with trash not being pickup when it is scheduled to be. Goodman then moved to have the City clean up the properties on the list as presented by the Police Department; seconded by Johnson and carried.

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

The Planning and Zoning Board met on August 9, 2005 and recommended that the site plan as proposed by John Konstandindis for a fifteen (15) unit Professional Office Complex be granted subject to meeting all City, County and State codes and regulations. Fazzone moved to approve Mr. Konstandindis's site plan as presented; seconded by Heine and carried.

Steve Weeks, Grant Administrator addressed Council to recommend acceptance of the bid proposal from Buchanan's Excavation for demolition and removal of Community Development Block Grant (CDBG) eligible client housing. Heine moved to accept the bid from Buchanan's Excavation in the amount of \$32,300.00 for the removal and demolition of demolished or damaged homes in order for new CDBG homes to be constructed; seconded by Fazzone and carried.

Mr. Weeks then addressed Council to recommend acceptance of the bid proposal from Mourer & Mourer, Inc. for rehabilitation of a home owned by Tammy Smith at 1412 N.E. Hickory Street in the amount of \$29,930.00. Mr. Weeks noted that the price is higher than he expected and that only one (1) bid was received. Fazzone moved to award a contract to Mourer & Mourer, Inc. in the amount of \$29,930.00 for rehabilitation work at 1412 N.E. Hickory Street; seconded by Johnson and carried.

The Public Works report for the Month of July 2005 was presented.

The August 2005 report of Arcadia Golf Course receipts and number of play was presented.

Administrator Strube reported that the National League of Cities has requested that the City appoint a voting delegate to the National League of Cities' Annual Business Meeting, December 10, 2005. Goodman moved to appoint Council Member Johnson as the City's voting delegate; seconded by Heine and carried.

Jeannie Martin of the Arcadia/DeSoto County Beautification Committee presented pictures to Council of trash needing to be picked up.

Martha Craven addressed Council to report that most of the downtown businesses have received a code citation regarding the placement of A-frame signs. Ms. Craven feels that actual code violations should be addressed. Fazzone stated that he likes the A-frame signs.

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Special Projects Coordinator Hewett stated that the Main Street Association did make a proposal of signs for the downtown area and he is now working with Attorney Holloman to update proposed signs. Fazzone moved to not enforce the citation for A-frame signs until after the Council and Main Street get a proposal together for allowable signs for the downtown; seconded by Heine. The motion failed. Ayes: Fazzone and Heine. Nays: Johnson, Goodman, and Whitlock.

Special Projects Coordinator Hewett noted that the A-frames were cited because an individual requested that the Marshal enforce the placement of signs on right-of-ways. Johnson stated that the Council voted that everyone be treated equally and that we must follow the sign ordinance that is in place.

Adriane Daly stated that Code Enforcement should focus on the major issues.

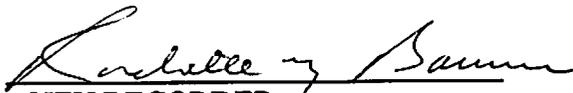
Goodman stated that the code needs to be enforced throughout the City to which Johnson and Whitlock agreed.

Retiring Fire Chief Rutherford addressed Council stating that this would be his last Council meeting and thanking them for allowing him to serve the City for thirty (30) years.

Administrator Strube stated that there will be a Budget Hearing on Tuesday, September 13, 2005 as noted on the Trim notice.

Johnson reported that Pastor Cannon of the United Pentecostal Church has requested that the sidewalks be repaired. The request will be turned over to the Public Works Department.

There being no further business the meeting was adjourned.

  
CITY RECORDER

  
PRESIDENT

A Certificate of Canvassing Board for the City Council Election held on September 6, 2005, was presented showing the following results:  
FOR CITY COUNCIL, total all votes received:

LORENZO DIXON	249
RICHARD P. FAZZONE	280
SHARON T. GOODMAN	318
ROBERT W. HEINE	252

The total number of ballots cast in the City of Arcadia was 1099 for a 31% turnout.

Richard P. Fazzone, Sharon T. Goodman, and Robert W. Heine were elected each to serve a four (4) year term on the City Council, beginning October 1, 2005.