

**Palmetto City Council
April 1, 2002 7:00 PM**

Elected Officials Present:

**Larry Bustle, Mayor
Mary Lancaster, Vice Mayor
Shirley Bryant, Council Member
Tamara Cornwell, Council Member
Charlie Grace, Council Member
Brian Williams, Council Member**

Staff and others present:

**Alan Prather, City Attorney
Karen A. Conlon, City Clerk
Chief Garry Lowe, Palmetto Police Department
Mike Hickey, Public Works Director
Diane Ponder, Administrative Assistant**

Mayor Bustle called the meeting to order at 7:30 pm.

Mayor Bustle read a proclamation declaring April 2002 as Fair Housing Month.

1. APPROVAL OF AGENDA

MOTION: Ms. Bryant moved, Ms. Cornwell seconded and motion carried unanimously approving the April 1, 2002 agenda.

2. KEEP MANATEE BEAUTIFUL GREAT AMERICAN CLEAN UP

Geoff Seger, supervisor of Parks & Recreation, discussed the clean up event scheduled April 20, 2002 from 9am to 12 pm. Two yard dumpsters which will be removed at the end of the day will be placed a three locations in the City. Monitors at the locations will not accept white goods, toxic materials or tires. Mr. Hickey advised Council the public works department would be prepared to remove excess materials.

3. FINAL ORDER – JAMIE DIAZ APPEAL

MOTION: Ms. Cornwell moved, Mr. Williams seconded and motion carried unanimously to approve the Final Order in the Jamie Diaz appeal of the City's Notice of Violation of an abandoned construction site.

4. SWFWMD COOPERATIVE FUNDING AGREEMENT FOR CARR DRAIN

Mrs. Conlon stated that once the agreement was approved the bid for Carr Drain could be awarded. SWFWMD will review information concerning Carr Drain before construction begins to ensure the City receives the \$72,000 in grant funds.

MOTION: Ms. Bryant moved, Mr. Williams seconded and motion carried unanimously to approve the Cooperative Funding Agreement with Southwest Florida Water Management District for Carr Drain, Agreement #02CON000020.

5. AWARD OF BID – PROJECT B2, CARR DRAIN

Jeff Siewert of JEA Inc. briefly reviewed the project presented to Council on March 18, 2002. Mr. Siewert described the difference in the pre-cast (arched, frictionless culvert) vs. cast-in-place (standard box with reinforcement down the middle of the culvert) construction. Mr. Siewert previously recommended the pre-cast type of construction for both maintenance and aesthetic reasons. Mayor Bustle discussed the proposed resolution with Manatee County committing to the contribution of \$50,000 to the project.

MOTION: Mrs. Lancaster moved, Ms. Bryant seconded and motion carried unanimously that based on the evaluation of the bids received, and the recommendation from city staff and consultants, to award the B-2 Carr Drain contract to Larry Aldrich Enterprises, Inc. DBA L. A. Enterprises, Inc. in the pre-cast base bid of \$283,823.25 as the lowest responsive, responsible bid and the bid in the best interest of the City of Palmetto.

6. AWARD OF BID – PROJECT B3, OAKRIDGE

Jeff Siewert discussed the required paperwork that was submitted by McCloud Land Services, his subsequent investigation of the company, and the fact all reports received were favorable. Mrs. Conlon referenced the fact this company was \$101,000 less on the base bid. Attorney Prather discussed the fact Council could consider making specific findings that the bid submitted by McCloud Land Services, Inc. is now responsive based on the fact the money issue may be a sufficient reason to consider the formalities of the bid not having been met by the company. Mr. Prather further cautioned Council the decision by Council could lend itself to future bid issues.

Motion: Mrs. Lancaster moved, Mr. Williams seconded and motion carried 4 to 1 that based on the evaluation of the bids received, and the recommendation from City staff and the consultants, to award the B-3 Oakridge Storm Water Contract to McLeod Land Services, Inc. in the base bid amount of \$646,464.93 as the lowest responsive, responsible bid and the bid in the best interest of the City of Palmetto. Ms. Bryant voted no.

Mrs. Lancaster further commented that City staff and the engineer should work with the owners to move on to the alternate bid.

7. SCHOOL RESOURCE OFFICER AGREEMENT

MOTION: Ms. Cornwell moved, Ms. Bryant seconded and motion carried unanimously to approve the School Resource Officer Agreement with Manatee County School Board.

8. RESOLUTION NO. 02-04

A RESOLUTION OF THE CITY COUNCIL OF PALMETTO, FLORIDA, DESIGNATING US HIGHWAY 41, INCLUDING US HIGHWAY BUSINESS 41, AS A SCENIC HIGHWAY; PROVIDING AN EFFECTIVE DATE

MOTION: Ms. Bryant moved, Mrs. Lancaster seconded and motion carried unanimously to adopt Resolution No. 02-04.

9. CONSENT AGENDA

- A) Minutes of March 18 and 25, 2002 Council Meetings
- B) Special Function Permit for Green Bridge Fishing Tournament

MOTION: Ms. Bryant moved, Ms. Cornwell seconded and motion carried unanimously to approve the Consent Agenda.

10. DEPARTMENT HEAD REPORTS

There were no department head reports.

11. INDIVIDUAL COMMENTS

Mrs. Lancaster

In reply to Mrs. Lancaster's inquiry, Mr. Hickey reported the requisition for the 4th Avenue paving project has been completed and is in the process of being reviewed by Mr. Tusing.

Ms. Bryant

Reported people are parking on the sidewalks at 17th Street & 2nd Avenue.

Requested the amount of funds remaining in the police department's special fund. She also expressed her opinion that Council should establish a policy on any funds being deposit into or used from a fund that would be used by any of the City's departments. Mrs. Conlon advised Council the investigation report on the former chief would be distributed by the end of the week.

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Ms. Cornwell

Requested the name of the individual at the School Board with whom Mrs. Conlon had discussed the Erie Road property.

Discussed an intersection where sinking is occurring. On the crosswalks, the information received did not include traffic control; therefore, it was not included in the cost of the crosswalk. Discussed the possibility of researching a crosswalk closer to Albertson's and abandon the crosswalk at 10th St. and 8th Avenue. It was consensus of Council to pursue the crosswalk closer to the Albertson's location.

Public Works will be posting a public notice for No Parking signs on the street in back of Albertson's.

Commented on Florida League of Cities notification containing a reference to CRA's. Ms. Cornwell stated she wanted to make the City's CRA understand any boundary expansion they initiate will be affected by legislation HB1341.

Mr. Grace

CRA is requesting information on 8th Avenue crossing guards around the Oakridge area. Chief Lowe stated his budget would allow a guard near 18th Street and 8th Avenue and the topic is being researched.

Discussed the article in the paper on deposits held by municipalities and the fact it listed the City had refused to give the information. Mrs. Conlon explained events precipitating the article. Mr. Grace commented on the City's policy regarding deposits and asked staff review the policy to see if changes should be made.

Mr. Williams

Department heads need to review the suspense log and provide current status and completion date information.

Suggested the Council should develop a uniform bid process policy.

Road striping needs to be done throughout the City.

A pedestrian on the Green Bridge was hit by a bicyclist. Riverwalk is working to determine the possible of adding a bicycle lane on the bridge. The City may have to consider adding signage at the base of the bridge.

12. MAYOR'S REPORT

April 6, 2002 is the Council's retreat that will include department heads.

The ACCORD will be discussed at the April 8, 2002 meeting. The topic will be added to the April 15, 2002 meeting, when he expects a vote on adoption and the appointment of a representative to the Joint Planning Committee.

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13. PUBLIC COMMENT

Mr. Kinz, Palm Bay Mobile Home Park, discussed the ditches that need cleaning. Mr. Hickey reported the ditches are all private property. Public Works has reviewed the drains and found them able to function as designed. Mr. Prather discussed the City's ability clean and then place a lien on the property provided the City has deemed the property a public hazard. Staff was instructed to consult the City's ordinance to determine available options. Mr. Williams asked that Mr. Hickey provide Council proof of ownership of the ditches and the keep Mr. Kinz notified of the research.

Meeting adjourned at 9:10 pm.

Minutes approved: April 15, 2002



Karen A. Conlon
City Clerk