

CITY OF CLEWISTON
Regular Commission Meeting
January 8, 2018

The City of Clewiston City Commission held its regular Commission Meeting in the City Hall Commission Chambers Monday, January 8, 2018. The meeting was called to order at 5:30 p.m. by Mayor Gardner. Mayor Gardner gave an opening prayer and the audience joined in reciting the the Pledge of Allegiance.

Commissioners Present: Mayor Mali Gardner, Vice Mayor Michael Atkinson, Commissioner Kristine Petersen, Commissioner Julio Rodriguez and Commissioner Phillip Roland.

Personnel Present: Interim City Clerk Mary K. Combass, Finance Director Shari Howell, Police Chief Aaron Angell, Public Works Director Sean Scheffler, Community Development Director Travis Reese, Utilities Director Danny Williams, Code Enforcement Officer Debbie McNeil, City Engineer Scott Jones and City Attorney Gary Brandenburg.

Visitors Present: Chris Felker, Jerry Cochrane, Asa and Betty Godsey, Laura Smith, Terry Gardner, Chris Zimmerman and Andy Tilton.

CALL MEETING TO ORDER

PRAYER AND PLEDGE OF ALLEGIANCE

ADDITIONS/DELETIONS/CHANGES AND APPROVAL OF THE AGENDA - none

1. Consent Agenda

- A. *Commission Workshop Minutes – December 14, 2017*
- B. *Commission Workshop Regarding US Highway 27 Standards Minutes – December 14, 2017*
- C. *Commission Meeting Minutes – December 18, 2017*
- D. *2018 Commission Workshops and Regular Meetings Schedule*
- E. *Event Application – Hendry County Fair – February 13-18, 2018*

Commissioner Petersen made a motion, seconded by Vice Mayor Atkinson, to approve the Consent Agenda. Vote 5 yeas, 0 nays

ORDINANCES

- 2. Ordinance No. 2018-01 – First Reading** – Ordinance 2018-01 revises Article III of the City’s Code of Laws and Ordinances modifying the City’s purchasing procedures.

Mayor Gardner summarized and read Ordinance No. 2018-01 by titled.

Vice Mayor Atkinson made a motion, seconded by Commissioner Roland, to approve Ordinance No. 2018-01 on first reading and set the public hearing for February 5, 2018. Vote 5 yeas, 0 nays

RESOLUTIONS

- 3. Resolution No. 2018-01** – Resolution No. 2018-01 approves an agreement titled “State of Florida Department of Transportation Memorandum of Agreement” for highway maintenance and authorizes the City Manager to execute said agreement on behalf of the City. This agreement is \$4,570.04 more than the current agreement.

Mayor Gardner read Resolution No. 2018-01 by title.

Commissioner Petersen made a motion, seconded by Commissioner Rodriguez to approve Resolution No. 2018-01. Vote 5 yeas, 0 nays

Before the vote, Commissioner Rodriguez asked for what type of maintenance the funds used and Public Works Director Sean Scheffler explained they are used to offset the cost of what is paid to contractors to mow on US Highway 27.

- 4. Resolution No. 2018-02** – Resolution No. 2018-02 authorizes the Mayor to execute an agreement for professional services for an architect to provide the necessary plans and drawings for the renovations to the existing building at 300 South Berner Road, Clewiston, FL 33440 for a new police station.

Mayor Gardner read Resolution No. 2018-02 by title.

Chief Angell stated the agreement is for Phase 2 which will take us into construction. He also stated that we should have a complete set of construction documents ready to go out to bid in six weeks and a contract could be awarded the end of March or beginning of April. He next confirmed that this agreement includes preparation of the bid documents and June 30, 2018 is when all funds have to be encumbered and the project substantially complete. City Attorney Brandenburg suggested that the architect be instructed to include language stating that the project has to be substantially complete by June 20, 2018 in the contract documents. Chief Angell next described the work that has to be done to the building. Mayor Gardner asked Chris Zimmerman, President of CPZ Architects, Inc., if he feels that all funds can be encumbered and the project substantially complete by June 30, 2018. Mr. Zimmerman stated that it will take weekends to complete the project which may cause the cost to rise. He also stated the project is divided into a lot of work that can be done simultaneously which will hopefully expedite the completion date. He further stated that anything that can be done to expedite the process will help. Vice Mayor Atkinson asked about the additional services that are not included. Mr. Zimmerman explained those services will be required as part of the construction contract. Commissioner Rodriguez asked for the exact amount of money available for the renovations. Chief Angell said there is approximately \$500,000 available to do the renovations. He also said the cost estimate that was provided by the architect without a contingency was \$472,000, which was under the budget amount and with the contingency it was about \$518,000. Commissioner Rodriguez expressed that he will not approve of any City funds to do this project. Chief Angell explained that the essential items have been identified and will be done; the additions or alternates can be added on if the budget and time permits. There was a brief discussion regarding replacement of the roof. Mr. Zimmerman stated the roof will need to be replaced in five to six years but there will have to be some roof repairs because it is leaking now. City Attorney Brandenburg suggested the bid documents require the contractor to substantially complete the renovations by June 30, 2018 and put on any overtime crews necessary to do that.

Vice Mayor Atkinson made a motion, seconded by Commissioner Petersen, to approve Resolution No. 2018-02 with the bid documents to include a requirement for the contractor to have the renovations completed by June 30, 2018. Vote 5 yeas, 0 nays

Attorney Brandenburg stated the drawings would not come back to the Commission before the project goes out to bid.

MISCELLANEOUS ACTION AND DISCUSSION ITEMS

- 5. Discussion Regarding Resurfacing of Roads** – Public Works Director Sean Scheffler

Public Works Director Sean Scheffler presented handouts to the Commission depicting the completed and planned paving projects and cost estimates of paving projects for the next five years. He stated that a plan to pave 2 to 2 ½ miles per year would be sufficient to cover the entire 52 miles of paved streets in the City over a 20 year period but the current budget does not reflect the funding that is needed. Mayor Gardner stated that staff has applied for SCOP funding and will continue to apply for grant funding. Director Scheffler stated that he requested Compliance Manager Lynne Mila to start the grant process on two SCOP projects. Mayor Gardner stated that staff has also asked for appropriations for the entire length of

Ventura Avenue. Director Scheffler stated that the Ventura Project from Francisco to Deane Duff is to totally rebuild Ventura Avenue with no curbs or medians. Commissioner Rodriguez stated that he has received complaints of potholes. Director Scheffler stated that staff currently repairs them but they have been popping up quicker than they can patch them. He next reviewed the local option fuel taxes with the Commission. Mayor Gardner asked Director Scheffler what he sees that would safeguard the City's roads for the future. He noted that other cities are also behind on paving streets and suggested that the line item for road materials be increased by \$50,000 to \$60,000 and marked for hotspot repairs so that those funds are not taken away from the major overlay project. There was a brief discussion regarding the weight limit for secondary roads and the damage to Hoover Dike Road from the culvert replacement project. Director Scheffler stated the weight limit on most secondary roads is 9 tons and that it is his understanding that the contractor will repair the damage to Hoover Dike Road. Director Scheffler stated that according to a conversation he had with a Harry Pepper contractor, they are prepared to work with the City in repairing the road. Mayor Gardner asked Director Scheffler to make an appointment with the Corps of Engineers to discuss this issue because of the continued use of the road to construct the cutoff wall. Director Scheffler stated that he was led to believe a letter should be written to the contractor requesting repairs to the road. Mayor Gardner asked Clerk Combass to follow up with City Manager Perry and Director Scheffler regarding this issue. Director Reese noted that the contractor has a videotape of the road before the construction began. He stated that it is his understanding the contract between the U.S. Army Corps of Engineers and Harry Pepper states that the contractor will repair any damage to the road. Commissioner Rodriguez asked when the county roads in the City will be paved. Director Scheffler stated that Hendry County has a five year plan and he thinks Davidson Road will be done in 2018 and WC Owen and Francisco will be done in 2020. He agreed to provide the County's five year plan to the Commission.

PUBLIC COMMENTS – none

COMMENTS FROM CITY MANAGER - none

COMMENTS FROM THE CITY ATTORNEY- City Attorney Brandenburg updated the Commission on the FMPA transaction. He stated that he told FMPA officials and lawyers that he will not sign off on the opinion and suggested an opinion that he would sign which was unacceptable to them. He stated the options for FMPA that remain are to close with no opinion from Clewiston, close with the opinion that he offered, hire a law firm to review and sign the opinion or not sign off at all. He recommended that FMPA pay the full cost if a law firm is hired. He stated that he is not a power expert lawyer and does not have the skill level to sign off on the opinion. He also stated that he has informed FMPA of their options and has not yet heard back from them. Mayor Gardner stated that all cities have to approve the sale of Vero Beach or they can't do the project. Attorney Brandenburg explained that there is no responsibility on the City's part to consider the agreement and feels that FMPA should pay for the legal opinion. Mayor Gardner stated there is time to make a decision and this matter will be on the next meeting agenda for discussion. She then asked Utilities Director Danny Williams to reach out to FMPA to let them know where we are in making a decision. Director Williams agreed to provide a list of cities that have voted to the Commission.

COMMENTS FROM THE CITY COMMISSION – Vice Mayor Atkinson stated that he has received complaints regarding semi-trucks turning onto San Pedro. Public Works Director Scheffler stated that the turning radius at that location is too small. Mayor Gardner stated that weight limits for Olympia, San Pedro and other streets where large trucks are an issue, need to be looked at and requested staff to discuss this matter and come back to the Commission with recommendations.

Commissioner Roland stated that a business in the industrial district is parking on both sides of the right of way. Code Enforcement Officer Debbie McNeil stated that case is ongoing and will come before the magistrate. Commissioner Rodriguez stated there are other businesses in that area that are also parking on the right of ways. Officer McNeil confirmed that the code would be enforced for all businesses.

Commissioner Rodriguez stated that he is seeing underage drivers operating golf carts on the north side of town and expressed that he feels the police officers should spend more time patrolling the residential areas of the City and less time patrolling US Highway 27. Mayor

Gardner suggested that Commissioner Rodriguez call the Police Department to report them when he sees them. She explained that the City is limited on the number of police officers and if something is seen that is a violation, the Police Department should be notified. She asked Chief Angell to provide updated call volume and stops information to the Commission. Chief Angell stated that the Police Department receives as many complaints on US Highway 27 as off US Highway 27. He also stated that statistics have proven that the most effective crime preventative tool is traffic.

Mayor Gardner asked staff to schedule another workshop to discuss standards for US27 and overall commercial businesses. She also wished everyone a Happy New Year.

ADJOURNMENT

The meeting was adjourned at 6:43 p.m.

Mali Gardner, Mayor

Mary K. Combass, Interim City Clerk