

The regular meeting of the Lake Wales City Commission was held on August 26, 2010 at 6:00 p.m. in the Commission Chambers at the Municipal Administration Building. The meeting was called to order by Mayor L. Jack Van Sickle.

PLEDGE OF ALLEGIANCE

COMMISSIONERS PRESENT: Terrye Y. Howell; Jonathan Thornhill; John Paul Rogers; Michael S. Carter; Mayor L. Jack Van Sickle.

COMMISSIONERS ABSENT: None.

CITY REPRESENTATIVES PRESENT: Judith H. Delmar, City Manager; Albert C. Galloway, Jr., City Attorney; Clara VanBlargan, City Clerk; Jacquie Hawkins, Deputy City Clerk.

Agenda Item 1. Roll Call

All five City Commissioners were present.

Agenda Item 2. Sunrise Apartments – Residential PDP – Phase 1 and Master Plan South of Burns Avenue and west of Old Scenic Highway

The full staff memo is incorporated into the minutes.

[Begin agenda memo, prepared by Margaret Swanson, Planning & Development Director]

SYNOPSIS

Norstar Development USA, LP agent for Lake Wales Housing Authority, owner, is seeking approval for Sunrise Apartments, a residential development consisting of 196 units. Approval is requested for a master plan and phase 1 (72 multi-family units). Phase 2 is a 72-unit senior apartment building, and phase 3 consists of 52 multi-family units.

RECOMMENDATION

Staff recommends approval, with conditions, of a Master Plan and Phase 1 preliminary PDP plan for Sunrise Apartments with the following conditions:

1. The requirement for two entrances to the project is waived for Phase 1, provided an emergency access with a gate-opening system approved by the Fire Marshal is constructed with Phase 2.
2. Landscape buffer along 5th Street must be designed and installed to soften the impact of the emergency entrance. Approval by the City Commission of the plans for the entrance and landscaping is required.
3. All perimeter landscaped buffers shall be installed as part of Phase 1.

At its July 27th meeting, The Planning and Zoning Board voted unanimously to recommend approval, with conditions, of the preliminary planned development project for Sunrise Apartments Redevelopment as shown on the plan entitled "Redevelopment of Sunrise Park Apartments," dated July 16, 2010, prepared by Chastain Skillman of Lakeland.

The Planning Board raised objections to the emergency entrance from 5th Street (Spook Hill) and made a "strong recommendation for an alternative emergency entrance at the southwest corner of the property."

A public hearing is required. Public notice requirements have been met.

BACKGROUND

Request

Richard Cavalieri, Norstar Development, agent for Lake Wales Housing Authority is requesting approval of a preliminary planned development project (PDP) for a multi-family residential development consisting of 196 units. Funding has been approved for the project, with a requirement that construction commences by November 1, 2010.

The project is redevelopment of the 100-unit Sunrise Apartment complex damaged in the hurricanes of 2004 and demolished in 2005. The proposed density is about 11.5 units per acre (196 units/17 acres), under the maximum density of 12 units per acre for the HDR-High Density Residential land use classification of the property.

The layout creates three distinct neighborhoods connected by an access road. Several revisions of the layout were reviewed and discussed by the Development Review Committee prior to the Planning Board hearing. Police, Fire, Public Works, Building, and Planning's suggestions were incorporated into the plan. Concerns included avoiding a maze of travel ways through parking lots, parking spaces creating a hazard along the access road, fire truck maneuverability, site access safety, efficient pedestrian circulation, and tree preservation.

The main entrance to the development will be from the Old Scenic Highway. Interior roadways will not be dedicated as public streets. Sidewalks will be constructed throughout. A sidewalk connection to Burns Ave. mid-way along the northern frontage is proposed.

Units will be a mix of townhouses and flats. The buildings will have a stucco finish with wood accents. A total of 21 residential structures are proposed consisting of 10 townhouse buildings, 10 2-story apartment buildings, and a 5-story senior apartment building.

Renderings of the community building and residential buildings are attached.

Three phases are proposed:

- Phase 1 – West side of site – Old Scenic Highway
72 multi-family units (in 11 buildings), the leasing office/community center, tennis courts (2 townhouse buildings with 6 units each, 3 townhouse buildings with 4 units each, and 6 buildings with 8 flats each.)
- Phase 2 – East side of site – 5th Street
72-unit senior apartment building
- Phase 3 – Center of site
52 multi-family units in 8 buildings (5 townhouses with 4 units each, 3 buildings with 8 flats each)

The height of the senior apartment building and its appearance from Burns Ave. was a concern discussed during plans review. The building will meet the additional setbacks required for a 5-story building under the PDP regulations. The dramatic drop in elevation from Burns Ave. to the building is such that only the top two floors will be visible from the roadway. An elevation of the building site is attached.

Recreation: All three phases provide an active recreation area as well as open park space. In phase 1, a community center and tennis courts are planned along with a picnic area and play area. There is also green space provided around the dwelling units. The minimum recreation area required for 196 units is 0.83 acres; 1.36 acres is provided.

Landscaped buffers will be provided along property lines.

Waivers

A waiver is requested to allow only one entrance to the project. Per section 23-303.4.2 *no new residential development with more than fifty (50) dwelling units shall be approved with only one (1) entrance.*

The Planning Board and staff support the waiver, provided an emergency-only entrance also serves the project. However, the Planning Board had serious concerns about the location of the emergency entrance on 5th Street and its visual impact on the Spook Hill attraction. (See excerpt from draft minutes.)

Locating the entrance on Burns Ave. is problematic because of the steep slope. The Planning Board's suggestion that the emergency entrance be located in the southwest corner of the property (from Old Scenic Highway) does not meet the intent of the requirement. An entrance at that location would be side-by-side with the main entrance, so would not serve as an alternate. Residents in phases 2 and 3 might easily be cut off if there were a blockage on the interior roadway.

During the 2004 hurricanes, there was an issue with residents being blocked from the only entrance to a development. Henry Croley, the Fire Marshal, has stated that the second entrance requirement should not be waived, and that the location at 5th Street is the only identified option that is viable.

Staff suggests that a landscaping plan be developed for the entrance at 5th Street to ensure that the emergency gate is not obtrusive and that the gate cannot be seen from the stop line at the Spook Hill sign.

A waiver of the requirement to construct the entrance as part of phase 1 is suggested to allow the applicant to meet funding deadlines and to develop the entrance design. Mr. Cavalieri will have further information to present at the meeting regarding this matter.

The emergency entrance must meet the Fire Marshal's requirements for a locked gate and access way designed for the weight of a fire truck. The access way will be similar to the one constructed to provide fire access to the main building at Water's Edge. It will be camouflaged with grass.

Site information

The property is 17.07 acres located on the south east corner of Burns Avenue and Old Scenic Highway. The land use designations on the property are HDR – High Density Residential (maximum 12 units per acre) and R-3 Multi-family residential. Proposed density is about 11 units per acre. The minimum land area requirements for the R-3 zoning district are met.

North of the property is existing residential across Burns Avenue. South of the property is Spook Hill Elementary School. The main entrance is proposed to be off of Old Scenic Highway with an emergency-only entrance proposed for 5th Street (Spook Hill).

The land slopes from Burns Avenue south across the property. The northeast corner is the high point with an elevation of approximately 187 feet with the low point in the southeast corner at approximately 129 feet. The west side of the property does not have as dramatic of an elevation change. The northwest corner of the property is approximately 175 feet with the southwest corner approximately 160 feet in elevation.

Site circulation: An interior roadway connects the three phases of the project. Vehicular circulation within each phase is provided through parking areas. Sidewalks are provided throughout. The sidewalk along Burns Ave. will be undisturbed. The sidewalk along the Old Scenic Highway will be repaired or reconstructed as necessary. A new sidewalk will be provided along 5th Street connecting the Spook Hill Elementary School with the sidewalk on Burns Ave.

Tree preservation: The site has numerous trees, many damaged during the 2004 hurricanes. A preliminary survey was done by the County Forester to identify trees worth preservation. An attempt has been made to incorporate some existing trees into the layout. The tree preservation plan will be refined during the site development permit process.

OTHER OPTIONS

1. *Waive the requirement for a second entrance to the project.* This option is not recommended for life safety reasons as explained above.
2. *Require location of the emergency entrance in the southwest corner of the property as suggested by the Planning Board.* This option does not provide a workable alternative entrance/exit for emergency situations.
3. *Require an emergency entrance from Burns Ave.* Steep slopes along Burns Ave. in phases 2 and 3 make the feasibility of this option highly questionable and would require major redesign of the site plan. Redesign may impact the layout of Phase 1 and require project delay and loss of funding.
4. *Deny the PDP as not compliant with the requirement for two entrances.* Deadline for construction start would be missed and project funding jeopardized.

FISCAL IMPACT

Real estate taxes will not be increased because the project is tax exempt. City impact fee payments will be required. Current impact fees are \$6939/attached unit. (County impact fees can be waived under affordable housing regulations.)

End agenda memo

Ms. Swanson reviewed Agenda Item 2.

Richard Cavalieri from Norstar Development, agent for Lake Wales Housing Authority; Jason Rinard, Landscaper; and Ken Thiele, Civil Site Development Engineer from Chastain Skillman gave a brief Power Point presentation of the three-phased project. Mr. Cavalieri explained that they have funding deadlines, the project must be commenced by November 1, and at least 10% of the total cost of the project expended by that date, which could include architectural fees etc. By December 31, all stimulus funds must be expended or at least 30% of the total cost of the project.

Mayor Van Sickle said he was concerned that the people would try to use the emergency entrance gate and damage the arm. He suggested a more substantial type gate with perhaps a chain and padlock to prevent that from happening. Ms. Delmar asked if the emergency entrance gate would be an actual gate or a gate arm. Mr. Thiele said it would be a gate arm and that the Fire Department would have a key to open it. It would not have public access and would not look like a typical road.

Mayor Van Sickle suggested a paved road at the emergency entrance instead of the proposed grass road because he had concerns about the Fire Department driving across sod and possibly jumping the curb with a \$300,000 fire truck. Mr. Thiele said it was only an emergency entrance and the front gate would be used by emergency vehicles 99.99% of the time.

Commissioner Rogers asked Fire Marshall Crowley if he was satisfied with the plan and he explained why he was. Mr. Crowley agreed that the gate needed to be more substantial so the public could not force it open and that the sod road needed to be delineated so 20 years from now, the next Fire Marshall would know where it was. He said there had been talk about getting a waiver of the requirement for two means of access, but after digging into the Florida Code, he found that this to be a requirement, short of an engineer's report refuting his opinion. He said he would love to see pavement put there, but it should be what the community and commission wanted at that tourist site.

Ms. Delmar asked if the new ladder truck would be able to reach the five-story building or would the city have to buy a new fire truck. Mr. Crowley said it would not reach the top floor but that the building would have a state-of-the-art fire-alarm system for early detection and a fire-spray system that will either extinguish or hold the fire in check long enough to allow fire fighters to get there and for residents to leave the building. He said he did not have a problem with the five stories though there was nothing to prevent an act of God or a criminal act, and you cannot afford to cover every "what if." He said he was absolutely, comfortable with what we currently have or are proposing.

Mr. Thiele said that the Planning and Zoning Board had wanted Spook Hill to be preserved without altering, adjusting, modifying, or impacting it. But, if the Commission desired to have a curb there, it would not be an issue. They were simply trying to respect the comments expressed at the Planning & Zoning Board hearing.

Mr. Thiele said they could put another gate on the west side of the corridor to keep traffic from entering from the housing side with a Knox rapid entry system if directed by the Commission. He said they chose the swing arm to minimize the visual impact, but the Commission could change the type of gate if it wished. Mr. Cavalier said stamped concrete would be used at all major intersections, roughed up to deter people from speeding for traffic calming.

Commissioner Howell made the following comments:

- **Emergency Entrance Gate:** Commissioner Howell said she was glad the Fire Marshall did not allow the second gate on Old Scenic Hwy because that made no sense.
- **Landscaping:** Commissioner Howell said she understood the concern of having it look nice near Spook Hill, but it had not looked great the past five years, which should have been addressed back in 2005.
- **Curb:** Commissioner Howell said if the curb had to be lowered that was fine.
- **Sod Road:** Commissioner Howell said that if the road is paved with asphalt, people would want to park or turn around there.
- **Retention Pond:** Commissioner Howell said there was a retention pond on the elementary school property right by the fence and asked if Sunrise Apartments would have a separate pond. She was told it would be a separate pond.
- **Fence:** Commissioner Howell asked if the fence separating the school and their property would stay and was told that it would have to stay.
- **Gate:** Commissioner Howell said that just past the retention pond was a gate and asked if there would be a sidewalk coming from that property onto the Spook Elementary School grounds. She explained that the school had built a sidewalk from the school to the fence so kids would not have to go all the way around the school to get to the property. Ms. Bangley said that it was their understanding that the school board was not amenable to having a gate opened to this property for security reasons, but staff could meet with the school board again to see if they would be amenable to it. She said the developer is not opposed to having a sidewalk connection there if the school board was willing to open the gate, but if the school board was not going to open the gate there would be no reason to have it.
- **Entrance Gate:** Commissioner Howell asked if there was a type of entrance gate other than a mechanical one that would prevent it from being broken and deter anyone from going through it. Ms. Bangley said the type of gate has not yet been decided, but only where the gate would be. She said that there was plenty of time for it to be brought back to the Commission for that decision. Commissioner Howell asked if this would delay the start of Phase One and was told it would not because the gate would not be installed until near the end of completion.

Commissioner Thornhill made the following comments:

- **Emergency Entrance Gate:** He said he was in favor of having a more substantial gate at both ends.
- **Sod Road:** Commissioner Thornhill said he was more in favor of a grass driveway than an asphalt road to deter people from using it. A curb cut could also impose a problem because people would think they could use it.
- **Fence and Retaining Wall:** Commissioner Thornhill said the fencing and retaining wall looked like a good idea.
- **Landscaping:** Commissioner Thornhill gave suggestions of other plants that grow eight or ten feet in two years that could be planted instead that would create more pockets. Mr. Rinard said there was currently a buffer along Burns Avenue that was probably ten to twelve feet.

Commissioner Carter made the following comments:

- **Gates:** He was in favor of a gate at both ends.
- **Sod Road:** Commissioner Carter preferred the grass driveway instead of asphalt to add to the overall green effect of the project and because the gate would only be used in extreme emergencies.
- **Ladder Truck** – Commissioner Carter asked how long it would take the county to respond if a longer ladder was needed. Fire Marshall Crowley said about 20 to 30 minutes but that did not concern him because it would be one of the safest developments in Lake Wales.
- **Curb:** Commissioner Carter said he thought the curb-cut was a good idea, though he feared that if it looked like a driveway people would use it as one. But, the police could put up no parking signage and then enforce it.
- **Emergency Entrance Gate:** Commissioner Carter asked why Planning had made the strong recommendation for the alternate emergency entrance to be put at the southwest corner of the property. Ms. Bangley said the Planning & Zoning Board, and not staff, recommended that location because it had serious concerns about the location of the emergency entrance on 5th Street and its visual impact on the Spook Hill attraction, though they understood the need for two entrances. The developer made the present design from their concern, moving the gate further back into the property so it was not on the edge. Commissioner Carter asked if the Planning Board was now comfortable with the design and Ms. Bangley said they have not seen it and the decision lies with the Commission though she believed their concerns had been addressed through the modifications.
- **Construction Phase:** Commissioner Carter asked if a preference would be given to local sub-contractors and Mr. Cavalieri said that in their contract agreement with the Housing Authority, they are mandated to have at least 30% minority participation, hire section three employees, and use local businesses, which they are committed to do so.
- **Apprenticeship Program:** Commissioner Carter asked if there would be an apprenticeship program, giving young people an opportunity to learn electric, plumbing and other trades. Mr. Cavalieri said they met with representatives from the Housing Authority and Polk Works to set that up. He said they used the apprentice program in Fort Meyers and it was extremely successful.

Mayor Van Sickle said he had no objection to the greenway approach to the road, though he still believed there needed to be a cut in the curb, whether using concrete or something that would disguise it in

another way. He said he takes a lot of visitors from the north to Spook Hill when they come down and it looks pretty poor there with all the weeds and things. The landscaping plan he said would improve that and a cut in the curb would not detract in any way from the tourist attraction. Mr. Cavalieri said they could use a half-cut that would deter a car from going up there but a fire truck would not have a problem. The Mayor said that a low-rider or smart car with 12-inch tires would have a problem getting over a regular sized curb. Commissioner Howell said that in an emergency, in order to get out, she would take her car over a curb no matter how big it was. If a low-rider vehicle could not get over the curb they could get out at the curb and walk if it was an emergency. The Mayor said he would not like the City to be liable for damages to vehicles and Ms. Howell said it would be an emergency.

Commissioner Thornhill asked how they came up with 38 students out of 190 units on the fiscal impact. Ms. Bangley said they got that number from the school board's calculations. Commissioner Thornhill said he thought it would be a little higher than that.

OPENED PUBLIC HEARING

There were no comments made by the public.

CLOSED PUBLIC HEARING

Commissioner Howell made a motion to approve the Master Plan and Phase 1 preliminary PDP plan for Sunrise Apartments with the following conditions:

1. The requirement for two entrances to the project is waived for Phase 1, provided an emergency access with a gate-opening system approved by the Fire Marshal is constructed with Phase 2.
2. Landscape buffer along 5th Street must be designed and installed to soften the impact of the emergency entrance. Approval by the City Commission of the plans for the entrance and landscaping is not required.
3. All perimeter landscaped buffers shall be installed as part of Phase 1, except for the north portion of the emergency entrance from 5th Street to Burns Avenue.

The motion was seconded by Commissioner Carter.

By Roll Call Vote:

Commissioner Howell	"YES"
Commissioner Carter	"YES"
Commissioner Rogers	"YES"
Commissioner Thornhill	"YES"
Mayor Van Sickle	"YES"

The motion carried 5-0

Mr. Cavalieri said that because the original project of 100 units was demolished in 2005, there was a three-year period for the waiving of impact fees, and there was a limited definition of affordable housing, limited to single family or duplex, so as a result they will have to pay full impact fees to the tune of about one half million dollars. As this is an affordable housing project, they will be coming back to the Commission at a later date to ask that the fees, excluding the sewer impact and connection fees, be waived to give them more money to build the project. He asked that they be considering this in the meantime.

Agenda Item 3. Award of Contract for sidewalk Replacement and Repair

The full staff memo is incorporated into the minutes.

[Begin agenda memo, prepared by Tom Moran, Public Works Director]

SYNOPSIS

The City Commission will consider awarding NBS Construction the contract to replace sidewalks on Central Avenue, Tillman Avenue, Orange Avenue and Lakeshore Boulevard in the City of Lake Wales for an amount not to exceed \$80,365.65.

RECOMMENDATION

Staff recommends that the City Commission approve the following action:

1. Approve the contract for sidewalk replacement and repair with NBS Construction and authorize the City Manager to execute the contract.

BACKGROUND

On July 19, 2010 staff advertised a request for sealed bids for the replacement and repair for sidewalks on Central Avenue, Tillman Avenue, Orange Avenue and Lakeshore Boulevard in the City of Lake Wales with sealed bids due on Monday, August 23, 2010.

Bids were received from Pellot Construction Services, LAS Contractors, NSB Construction, Concrete Construction Services, ARC Development, Anger Construction and Albritton Williams.

The companies were evaluated on their ability to complete the work in the time specified (by September 30, 2010) and in accordance to FDOT Design Standards and Standard Specification for Road and Bridge Construction. Results of the rankings are as follows:

First: NSB Construction
Second: Concrete Construction Services
Third: ARC Development
Fourth: Anger Construction
Fifth: Albritton Williams

Pellot Construction Services and LAS Contractors were disqualified for incomplete bid packages.

FISCAL IMPACT

The current fiscal year maintenance and repair sidewalk budget has \$4,592.00. The remaining funding for this project will come from budget transfers within the Streets Department budget.

OTHER OPTIONS

Do not replace or repair the sidewalks at this time

End agenda memo

Mr. Moran reviewed Agenda Item 3. He said that this was put out to bid and the bid comparison only identified the three lowest bidders, two of which submitted incomplete bid packages.

Mayor Van Sickle said the Commission did not get the information on the addendum until right before the meeting, so he did not have time to study it. He asked what was incomplete about the two disqualified bid packages. Mr. Moran explained that there were three addendums put out and each contractor had been

emailed to inform them of the change. The two contractors that were disqualified did not include Addendum #3 in their packets.

The Mayor said that as he understands it, when there is an addendum, we are changing the bid packet for some reason. He asked if the contractors were given enough time to look at the addendum and work on it. He said he did not understand why there would be addendums to sidewalk work because the work would be definable. Mr. Moran said the first addendum had some typos, which caused a lot of questions at the pre-bid meeting. The second addendum addressed those questions and that addendum also contained typos. The third addendum was to address the typos in Addendum #2 and to clarify the bid form reflected in addendum #1 because it was not in Addendum #2. Staff had gotten an email from a contractor asking if they were going to change the bid form to match the addendum, so they did. He said, even though the bid form was not changed until Addendum #3, all the text that reflected that change had been in Addendum #1 so he believed they had enough time.

Mayor Van Sickle said what he was hearing was that the City had procedural problems with the bid when they put the package together, such as spelling errors that caused additional addendums to go out. Ms. Delmar asked if it had been a technical error or if it was a substantive omission affecting the quality of the bid. The Mayor said the two rejected bids were lower than the others. Mr. Moran explained that the issue was with the quantity of concrete in the bid. The original bid form called for 287 square yards of concrete and the addendum called for 534 square yards of concrete, which was why the bid was lower. He said the Purchasing Agent emailed the addendum stating the change to the contractors and attached the email acknowledgment receipt to the addendum. The Mayor said that the City sent a bid out for 287 yards of concrete, and then later modified that to 534 square yards. Mr. Moran said that was the typo. The Mayor said those typos were a big issue because the City is asking contractors to do work over and over, which is labor and a cost to them. Mr. Moran said the typo was discovered in Addendum #1 which was sent out after the pre-bid meeting. The actual change to the bid form did not go out until Addendum #3, but had been identified in Addendum #1. He said he understands and it is a valid concern. Ms. Delmar asked if the lower bid reflected the 287 square yards of concrete instead of 534 square yards and Mr. Moran said that was correct.

Commissioner Carter asked the following questions:

- He asked how they went about determining which locations would be repaired. Mr. Moran said there was input from various sources and then he and Ms. Pennington, who works out there and knows which sidewalks are most used, drove to the various sites and together they determined which ones needed to be repaired. He added that 80% of the sidewalks in the City need repair but they only have so much money for that purpose. Mr. Carter said he drove by the locations and he questioned the need on the north and south sides of Orange Avenue and Market Street for there were a lot of sidewalks in need more than those sections. Mr. Moran said the ones on Orange Avenue and Market Street were well used sidewalks and Ms. Pennington added that they are used in most downtown events. She said the ones on Lake Shore have a lot of foot traffic due to things like ball games and Pioneer Days, and Tillman was used a lot for Mardi Gras and the carnival. Commissioner Howell asked if those downtown sidewalks were only used during special events and Ms. Pennington said they were not.
- Commissioner Carter asked if there was some sort of prioritized repair list or inventory for all the sidewalks and Ms. Pennington said there was. She said the sidewalks on the list have been talked about for years but the City did not have the money to rip them up, though they have replaced quite a few of them already.
- Commissioner Carter asked if the sidewalks going to and from schools got special consideration and Ms. Pendergrass said they did and went through the list of sidewalks that have been replaced at various schools. Ms. Delmar said this agenda item was not intended to fix everything, though many repairs could be done on a patch basis, but that the sidewalks on this list needed significant repairs.

- Commissioner Carter asked if these sidewalks were the best choices for spending the \$80,000, considering the traffic and kids going to schools and Ms. Pennington said yes.
- Commissioner Carter said the concrete on handicap ramps installed at several intersections does not go all the way up to the grass, causing a constant erosion problem. He asked that when they put those ramps in, they bring the concrete up to the level of the grass to avoid this problem.

Commissioner Howell asked the following questions:

- She asked if they were repairing the entire length of the sidewalk whether it needed it or not instead of repairing them in pieces. Mr. Moran said the length to be repaired was identified in the scope of services but to make the sidewalks look good, it was better not to piecemeal.
- Commissioner Howell asked why the job had to be done by September 30th and Ms. Delmar explained that the funds were budgeted for this year so needed to be done within the year. She said we were a little late getting started and should have started sooner. Commissioner Howell asked if money would be subtracted from the total if they do not finish on time. Mr. Moran said they did not include that in the indemnification but there was enough time for the project to be completed.

Commissioner Rogers asked the following questions;

- He asked if the concrete would be repaired on Tillman Avenue by the Police Station because there was a half-block section that was crushed to pieces by vehicles driving on it. Ms. Pennington explained that instead of semi-trucks coming into the alley, they turn into the parking lot and hop the curb. She said that part of the sidewalk was brand new.
- Commissioner Rogers asked if there was a sidewalk committee that recommended these and Commissioner Carter said he understood that the Bicycle and Pedestrian Committee researched and prioritized the list and gave it to the City. Ms. Delmar said that list of sidewalks had already been done.

Commissioner Rogers made a motion to approve the contract for sidewalk replacement and repair with NBS Construction and authorize the City Manager to execute the contract. The motion was seconded by Commissioner Thornhill.

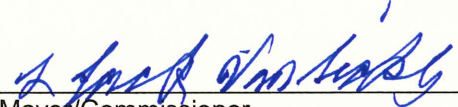
By Voice Vote:

Commissioner Rogers Howell	"YES"
Commissioner Thornhill	"YES"
Commissioner Carter	"YES"
Commissioner Howell	"YES"
Mayor Van Sickle	"YES"

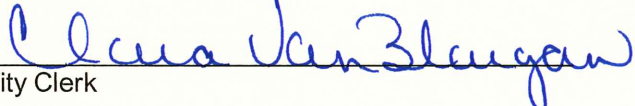
The motion carried 5-0.

Commissioner Howell asked where they were going to put the millings that were being stored on the Sunrise property and also asked if they were continuing to put the millings on the alleyways. Ms. Pennington said they were in the process of removing the millings and would be working the weekend to get the job completed.

There being no further business the meeting was adjourned.



Mayor/Commissioner



City Clerk