

CITY COMMISSION WORK SESSION

October 2, 1995

The City Commission of the City of Clearwater met Monday, October 2, 1995, at City Hall with the following members present:

Rita Garvey	Mayor/Commissioner
Sue A. Berfield	Vice-Mayor/Commissioner
Fred A. Thomas	Commissioner
J. B. Johnson	Commissioner
William Justice	Commissioner

Also present:

Elizabeth M. Deptula	City Manager
William C. Baker	Assistant City Manager
Kathy S. Rice	Deputy City Manager
Pamela K. Akin	City Attorney
Mary K. Diana	Assistant City Clerk
Patricia O. Sullivan	Board Reporter

The meeting was called to order at 9:00 a.m.

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Approve installation of sidewalk along South & West sides of University Drive, between Belcher Road and Druid Road

The proposed subject sidewalk was included in the 1995 Sidewalk Installation Contract following a University Drive resident's request and recommendation by Traffic Engineering. The Mayor and Commissioners received petitions of opposition and support for consideration.

Pedestrian counts indicate 20 children and 6 adults walk along University Drive during school dismissal hours and 6 adults during evening hours. This amount of activity merits consideration for school walk route safety needs as well as pedestrian safety and mobility needs. Traffic volumes of 225 vehicles per day and average vehicle speeds of 26 MPH would present normal conflict conditions.

Staff feels the nearby schools of Clearwater High, Oak Grove Middle and Plumb Elementary, ADA requirements, the City's transition plan and the concept of providing infrastructure for the community at large make this project feasible.

It was pointed out that dissension to the project is causing problems. It was felt the project should be dropped. A request was made for staff to use funds from this project for sidewalks on Clearwater beach. It was recommended that staff make that determination. It was noted sidewalks on Clearwater beach had been removed several

years ago at City Commission direction to redirect pedestrian traffic away from the street and toward the beach.

Consensus was to pull this item from the October 5, 1995 agenda.

The City Manager requested direction regarding citizen requests for new sidewalks. Consensus was for the City to fill in gaps between sidewalks without polling. If a new sidewalk is proposed for an existing neighborhood, the total neighborhood should be polled. At least half of the neighborhood must agree to the proposal before the new sidewalk is constructed. All new road construction will include sidewalk construction. It was noted new houses and businesses are required to install a sidewalk as part of the construction project.

In answer to a question, the City Attorney said under ADA, the City is required to make a reasonable effort to provide sidewalk access but does not have to build an entire strip of sidewalk based on a single request. She indicated she would review this issue.

Excerpt of 12/2/96 Worksession Minutes

Sidewalk Construction issues

New sidewalk program priorities: 1) public school routes, particularly elementary schools; 2) ADA (Americans with Disabilities Act) access to private and government public facilities; 3) access to City facility improvements i.e., municipal buildings, parks, etc.; 4) anticipated/observed pedestrian usage along proposed route; 5) pedestrian usage when access patterns are dangerous or conflict with vehicles; 6) property owner request/ objection; 7) availability of right-of-way or sidewalk easement; 8) City, County, or State right-of-way; 9) construction costs; 10) environmental impact, i.e., wetlands & associated costs, and 11) street type i.e., arterial, collector, local. Sidewalks are funded by CIPs (Capital Improvement Programs): 1) new construction - \$190,000 in FY (fiscal year) 1996/97 and 2) renewal & replacement - \$240,000 in FY 1996/97 .

The new sidewalk program's goal is to construct new sidewalk for pedestrian access. Current Commission policy is to install new sidewalk only along routes where the majority of property owners request installation. The renewal and replacement program's goal is to restore damaged sidewalk and reduce accident liability exposure. Generally, Public Works handles sidewalk materials and Engineering handles contractual services.

New sidewalk is constructed where sidewalk does not exist or as a connection between existing sections. No problems generally occur when completed sections are close together. When sections are farther apart, some property owners view the project as new construction. According to Code: Subdivision and Condominium Platting: Sec. 46.68 Sidewalks (1) Sidewalks shall be required along both sides of expressway, arterial, collector, and local street including private streets, . . . and (3) Unless otherwise required or permitted by the City, sidewalks shall be placed within the dedicated right-of-way approximately one-foot from and parallel to the edge of the right-of-way.

Staff questioned if a homeowner association's petition can be substituted for a petition from a majority of residents. Staff suggested if non-voluntary construction of sidewalk continues to be a problem, the CIP description could be replaced with one code for sidewalk construction. Funding then could be spent on new and replacement sidewalk as requested or requested. The City has large areas needing sidewalk replacement.

Mr. Baier said the City recently received a petition from homeowners who do not want sidewalk constructed in front of their homes. Staff had reviewed several streets without sidewalk South of Sunset Point Road between Kings Highway and Betty Lane and recommended constructing sidewalk on Parkwood and Fairmont Streets. Nearby schools indicated this neighborhood is zoned for another school district. Staff heard concerns regarding local evening activities, school bus locations, children walking in the street, etc. Staff contacted Chief Klein who indicated Police support for sidewalks where there are children and traffic issues.

Mr. Baier questioned if sidewalks serve only those who walk on them or are they a community feature. The City goes beyond other communities and restores sprinklers and sod following sidewalk construction. He compared a recent letter from the president of a homeowner's association requesting sidewalks throughout the neighborhood with letters from a resident who opposes the request. The City Manager questioned if sidewalk construction

support is determined by property owners along the proposed path or nearby residents who need to use a sidewalk. It was suggested Neighborhood Watch Groups could collect data. Neighborhoods often are very divided on these issues. It was suggested the CRT (Community Response Team) collect data.

It was felt sidewalks increase home values. It was noted many do not want sidewalks constructed in their front yards. It was noted Woodbine Street residents oppose sidewalks on their street because vehicles in their driveways would straddle the sidewalk. It was suggested neighborhood organizations should determine need. It was noted children need sidewalks when they walk to school. It was suggested sidewalk is an expected amenity of urban life. Mr. Baier expressed concern regarding needed sidewalk construction along streets in enclaves or State and Federal roads. The City Manager said grass is rutted along parts of Gulf-to-Bay Boulevard by pedestrian traffic. Mr. Baier said the State could reimburse the City for constructing sidewalk along a State road or construct sidewalk themselves. The City also has received calls regarding a need for sidewalk along S. Ft. Harrison Avenue, South of the City.

Consensus was to work with the State to address sidewalk needs along State roads and to poll neighborhoods before sidewalks are constructed.

Concern was expressed property owners will oppose sidewalk construction in front of their homes even though neighborhoods need them. Mr. Baier said neighborhoods without clear boundaries will be difficult to survey. In response to a question, he said most Woodbine Street residents oppose sidewalk construction in front of their homes. It was suggested staff send more user friendly letters.

Consensus was to apply the same rules to infill and new sidewalk construction. It was suggested at least 50% of residents approve sidewalks before they are constructed.

January 19, 1999 Worksession

Sidewalk Contract 1998-99, Purvis Curbs Corp., \$474,006.71

This contract, part of an on-going program to repair sidewalks, will complete work Public Service crews cannot accommodate in a timely manner. Broken and uneven sidewalks will be repaired to improve public safety and reduce the City's accident liability exposure. Various ramps in the City will be brought into compliance with current ADA (Americans with Disabilities Act) standards. Some new sidewalks also will be installed throughout the City. The 180-day project will start around February 8, 1999.

In response to a question, Mr. Baier said this contract will cover sidewalk in-fill needs. None of the projects will be on Sunset Point Road, a County road. In response to a concern, Public Works Bureau Director/Public Services Gary Johnson said staff will seek neighborhood input before installing new sidewalks. It was suggested a "Welcome to Clearwater" sign be erected on Bayshore.