



**AGENDA**  
**BRADENTON CITY COUNCIL**  
**April 12, 2006**  
**8:30 a.m.**

**1. INVOCATION AND PLEDGE:**

Invocation led by Pastor Herb McMillian, First church of the Nazarene.

**2. PROCLAMATION:**

- a) COMMUNITY DEVELOPMENT WEEK

**3. PRESENTATION:**

- a) Bradenton Police Department - Swearing of new officers
- b) Public Works Department – Employees Recognition

**4. ADMINISTERING THE OATH:**

**5. CITIZEN COMMENTS:**

**6. COUNCIL REPORTS:**

**7. CONSENT AGENDA:**

- a) Approval of Minutes for March 22, 2006.
- b) RESOLUTION 06-29 APPOINTING TIM POLK TO THE MANATEE OPPORTUNITY COUNCIL FOR THE CITY OF BRADENTON, FLORIDA AND DEFINING HIS TERM.
- c) Sarasota/Manatee Metropolitan Planning Organization Interlocal Agreement
- d) Budget Adjustments

**8. BUSINESS/ADVERTISING, PETITIONS, HEARINGS AND COMMUNICATIONS:**

- a) **AX.06.0013 WARD 4 NEIGHBORHOOD 20.03 RS**  
Request of Stephen W. Thompson, Esquire, agent for EU-US, LLC, owner, for an annexation of 19.40 acres located at 4915 1<sup>st</sup> Avenue East. (Zoned County A1)

**FIRST READING OF PROPOSED ORDINANCE 2824**

*AN ORDINANCE ANNEXING TO THE CITY OF BRADENTON, FLORIDA, CERTAIN LAND CONTIGUOUS THERETO, LOCATED AT 4915 1<sup>st</sup> AVENUE EAST AND LEGALLY DESCRIBED.*

- b) **AX.06.0015 WARD 4 NEIGHBORHOOD 20.03 RS**  
Request of Stephen W. Thompson, Esquire, agent for Southern Hospitality Associates, LLC, owner, for an annexation of a 20 foot long strip of land located at 245 48<sup>th</sup> Street Court East. (Zoned County A1)

**FIRST READING OF PROPOSED ORDINANCE 2826**

*AN ORDINANCE ANNEXING TO THE CITY OF BRADENTON, FLORIDA, CERTAIN LAND CONTIGUOUS THERETO, LOCATED AT 245 48<sup>TH</sup> STREET COURT EAST AND LEGALLY DESCRIBED.*

- c) **FIRST READING OF PROPOSED ORDINANCE 2825**  
*AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, AMENDING PART 1, CHARTER AND RELATED LAWS, SUBPART B, RELATED LAWS, ARTICLE IV, POLICE OFFICERS' RETIREMENT SYSTEM, OF THE CODE OF ORDINANCES OF THE CITY OF BRADENTON, FLORIDA; AMENDING SECTION 1. DEFINITIONS, BY AMENDING THE DEFINITION OF "CREDITED SERVICE; AMENDING SECTION 10, OPTIONAL FORMS OF BENEFITS; AMENDING SECTION 16, DISTRIBUTION OF BENEFITS; AMENDING SECTION 23, DIRECT TRANSFERS OF ELIGIBLE ROLLOVER DISTRIBUTIONS; AMENDING SECTION 26, DEFERRED RETIREMENT OPTION PLAN; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.*
- d) **LU.05.0025 WARD 2 NEIGHBORHOOD 12.02 RS**  
Request of Clifford L. Walters, agent for The Episcopal Day Private School of Bradenton, owner, for Land Use Atlas Amendment from County RSF4.5 to City R1-C for property located at 304 37<sup>th</sup> Street West, 222 37<sup>th</sup> Street West, and 315 41<sup>st</sup> Street West.

**SECOND READING OF PROPOSED ORDINANCE 2820**

**PUBLIC HEARING**

*AN ORDINANCE AMENDING ORDINANCE NO. 2627, CODE OF ORDINANCES OF THE CITY OF BRADENTON, FLORIDA BY A LAND USE ATLAS AMENDMENT TO CHANGE THE DESIGNATION FROM COUNTY RSF-4.5 TO CITY R1-C FOR THE PROPERTY LOCATED AT 315 41<sup>ST</sup> STREET WEST, 222 37<sup>TH</sup> STREET WEST, 304 37<sup>TH</sup> STREET WEST AND A PARCEL WITH NO ASSIGNED ADDRESS AND LEGALLY DESCRIBED.*

- e) **SU.06.0020 WARD 1 NEIGHBORHOOD 4.07 RS** **PUBLIC HEARING**  
Request of TDS Construction, agent for Fountain Court Investors, owners, and Save-A-Lot, tenant, for Special Use approval of a grocery store within an existing shopping center located at 6605 Manatee Avenue West (Zoned PDP)
- f) **SU.06.0021 WARD 2 NEIGHBORHOOD 11.03 RS** **PUBLIC HEARING**  
Request of Quaker Steak & Lube, agent for USRP Funding, owner, for Special Use approval for outdoor patio seating, special events and permission to erect a 25 foot sign on Cortez Road for property located at 4401 Cortez Road West (Zoned C3)

**9. NEW BUSINESS BY DEPARTMENT HEADS, CITY ATTORNEY AND COUNCIL:**

**10. BUSINESS BY APPOINTMENT:**

- a) Request by Mecon, Inc./ David Horton  
Road Closure in Vicinity of Blake Center/Air Handler Installations

**11. DEPARTMENT HEADS:**

***RULES OF PROCEDURE FOR AGENDA AND PUBLIC  
APPEARANCES BEFORE CITY COUNCIL***

***PLEASE PLACE CELL PHONES ON SILENT MODE***

**PRIOR TO COUNCIL MEETING:** Agenda will be prepared and available to the public by 5:00 p.m. of the Friday preceding the Council meeting. Appointments on the agenda, all items for Department Heads, and all other interested parties must be submitted before 5:00 p.m. on the Thursday preceding the Council meeting. Anyone wishing to be placed on the agenda must contact the City Clerk's Office at City Hall, giving their name, business name (if applicable), whether they are resident taxpayers of the City and must state their business. Appearances before Council will be scheduled to last five (5) minutes. If more time is needed, the Mayor or Council person in charge of the Ward involved should be contacted. If they feel the request is justified, they will instruct the City Clerk as to how much time to allow on the agenda. Be advised that, in accordance with the American With Disabilities Act, persons needing a reasonable accommodation to participate in this proceeding should contact the City Clerk & Treasurer of the City of Bradenton at 101 Old Main Street, Bradenton, Florida 34205, telephone (941) 932-9445, not later than seven (7) days prior to the proceeding.

**AT COUNCIL MEETING:** If a person (or agent) wishes to address the City Council, he shall first request recognition by the Mayor. After being recognized, he should approach the City Clerk, giving his name and address and stating whether he is a resident taxpayer of the City of Bradenton (in the case of an agent, he shall then identify his clients by name, give their address and whether they are resident taxpayers of Bradenton) and identify the agenda item with which he is concerned, state whether he is in favor of or against the item and then proceed to state his position or present his information. A maximum of five (5) minutes will be allowed unless the Mayor rules otherwise. If it appears the matter about which the person wishes to speak is not on the agenda, he shall clearly state the emergency circumstances justifying Council consideration at this time, and the Council shall determine whether he shall be permitted to proceed. (Note: If handouts are being distributed please provide a minimum of ten (10) copies.)

**PURSUANT TO FLORIDA STATUTE 286.0105:** If a person decides to appeal any decision made by the board, council, agency, or commission at this meeting, such person will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

**PLEDGE OF PUBLIC CONDUCT:** We, the Mayor, City Council and Employees of the City of Bradenton agree to: \* Establish a process to promote positive interaction among ourselves and the citizens of Bradenton in a positive and non-threatening environment. \* Encourage visible, involved and active participation among all. \* Promote improved communication through active listening, providing feedback and honest expression of ideas. \* Utilize consensus for decision making. We realized that though we may disagree, we will be respectful of each other. We will direct all comments to the issues and will avoid personal attacks.