

**CITY COUNCIL MEETING
August 18, 2010**

**APPROVED BY
September 8, 2010
CITY COUNCIL**

The City of Bradenton City Council met in regular session in the City Hall Council Chamber, 101 Old Main Street, Bradenton, Florida on August 18, 2010 at 8:30 a.m.

Present: Mayor Wayne Poston; Councilman Ward I Gene Gallo; Councilwoman Ward II Marianne Barnebey; Councilman Ward III Patrick Roff; Councilman Ward IV Bemis Smith and Vice Mayor and Councilman Ward V Harold E. Byrd, Jr.

City Officials: Carl Callahan, City Clerk and Treasurer/Chief of Staff; Claude Tankersley, Public Works Director; William Lisch, City Attorney; Mark Souders, Fire Chief; Michael Radzilowski, Police Chief; Tim Polk, Department of Planning and Community Development Director; Staci Cross, Information Technology Director, and Carolyn Moore, Human Resources Director.

Press: The Herald and The Bradenton Times.

The meeting was called to order by Mayor Poston.
Ecumenical invocation was led by Pastor Don Sturiano, Kingdom Life Christian Church.
Pledge of Allegiance was led by Mayor Poston.

PROCLAMATIONS

2010 WOMENS EQUITY DAY PROCLAMATION – August 21, 2010

Mr. Callahan administered the oath to any individuals who wished to speak on any non-agenda items and during the public hearings.

CITIZEN COMMENTS

No one came forward.

CONSENT AGENDA

- a) Minutes of July 21, 2010.
- b) Third Quarter Budget Adjustments.
- c) Renewal of Department of Corrections Work Squad Contract.
- d) Public Event – Italian Heritage Festival at Rossi Park March 26 & 27, 2011.
- e) Public Event – 24th “Rotary Taste of Manatee” on Main Street and Barcarrota Boulevard November 6 & 7, 2010.
- f) Public Event - 2nd Annual Downtown Bradenton Craft Festival February 12 & 13, 2011 on Barcarrota Boulevard.
- g) Drug Free Workplace Revision 6.
- h) Resolution 10-48 Clarifying Solid Waste Rates.
- i) Community Education Grant.
- j) 2010 Justice Assistance Grant Award.
- k) Resolution 10-49 Tampa Bay Region – “Project Get Ready” for Electric Vehicles.

MOTION TO APPROVE THE CONSENT AGENDA ITEMS A-K WAS MADE BY Councilman Gallo, seconded by Councilman Roff and passed 5-0 for approval.

BUSINESS/ADVERTISING, PETITIONS, HEARINGS AND COMMUNICATIONS

SECOND READING OF PROPOSED ORDINANCE 2921

PUBLIC HEARING

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, PERTAINING TO PROPERTY LOCATED AT 800 & 816 57th STREET EAST (MORGAN JOHNSON ROAD), BRADENTON, MAKING CERTAIN FINDINGS OF FACT; PROVIDING FOR AMENDMENT TO THE CITY OF BRADENTON COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT/FUTURE LAND USE MAP (SMALL SCALE DEVELOPMENT ACTIVITY AMENDMENT CP.10.0028) CHANGING THE FUTURE LAND USE DESIGNATION FROM COUNTY RESIDENTIAL-6 TO CITY SUBURBAN COMMERCIAL CORRIDOR; PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

The public hearing was opened, those in favor please come forward. No one came forward.

Those in opposition please come forward, no one came forward, the public hearing was closed.

SECOND READING OF PROPOSED ORDINANCE 2922

PUBLIC HEARING

AN ORDINANCE AMENDING ORDINANCE NO. 2913, CODE OF ORDINANCES OF THE CITY OF BRADENTON, FLORIDA BY A LAND USE ATLAS AMENDMENT TO CHANGE THE DESIGNATION FROM MANATEE COUNTY A-1 TO SUBURBAN COMMERCIAL CORRIDOR, OR OTHER APPROPRIATE ZONE FOR THE PROPERTY LOCATED AT 800 & 816 57th STREET EAST (MORGAN JOHNSON ROAD) AND LEGALLY DESCRIBED.

The public hearing was opened, those in favor please come forward. No one came forward.

Those in opposition please come forward, no one came forward, the public hearing was closed.

Tim Polk gave the Planning and Community Development staff report as follows:

STAFF RECOMMENDATION:

APPROVAL OF CP.10.0028 based on the Findings of Fact and Analysis of the proposed Comprehensive Plan FLUM Amendment, and

APPROVAL OF LU.10.0046, based on the Findings of Fact and Analysis of the proposed Land Use Atlas Amendment.

PLANNING COMMISSION RECOMMENDATION (July 19, 2010):

APPROVAL OF CP.10.0028 based on the Findings of Fact and Analysis of the proposed Comprehensive Plan FLUM Amendment, and

APPROVAL OF LU.10.0046, based on the Findings of Fact and Analysis of the proposed Land Use Atlas Amendment.

MOTION TO APPROVE ORDINANCE 2921, CP.10.0028 with the Planning and Community Development staff and Planning Commission recommendations for approval was made by Councilman Smith, seconded by Councilman Roff and passed 5-0 for approval.

MOTION TO APPROVE ORDINANCE 2922, LU.10.0046 with the Planning and Community Development staff and Planning Commission recommendations for approval was made by Councilman Smith, seconded by Councilman Roff and passed 5-0 for approval.

SECOND READING OF RESOLUTION 10 - 44

PUBLIC HEARING

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA, FINDING THAT THERE EXISTS AN AREA IN WHICH DETERIORATED CONDITIONS AND BLIGHTED CONDITIONS EXISTS; PROVIDING AN EFFECTIVE DATE.

SECOND READING OF PROPOSED ORDINANCE 2923

PUBLIC HEARING

A ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA AMENDING THE EXISTING COMMUNITY REDEVELOPMENT PLAN FOR THE DOWNTOWN BRADENTON COMMUNITY REDEVELOPMENT AREA BY CHANGING THE BOUNDARIES OF THE REDEVELOPMENT AREA TO ADD CERTAIN PROPERTIES AND TO SPECIFICALLY INCORPORATE THAT PLAN KNOWN AS "DOWNTOWN BY DESIGN" INTO THE CURRENT PLAN; AND PROVIDING AN EFFECTIVE DATE.

Carl Callahan stated that both items were to incorporate the Rossi Waterfront Park area to include additional city property, some privately owned property and part of the Manatee Players area into the downtown Community Redevelopment Area (CRA).

Bill Lisch stated that a provision had been added to include the area under the De Soto Bridge.

The public hearing was opened, those in favor please come forward.

Mike Kennedy, Downtown Development Authority Executive Director gave a brief overview of the activities planned for the downtown CRA area. He looked forward to the partnership with the Manatee Players and other businesses in the area. He stated there would be no financial impact to the city.

Those in opposition please come forward. No one came forward. The public hearing was closed.

MOTION TO APPROVE RESOLUTION 10-44 was made by Councilman Smith, seconded by Vice Mayor and Councilman Byrd and passed 5-0 for approval.

MOTION TO APPROVE ORDINANCE 2923 was made by Councilman Smith, seconded by Councilwoman Barnebey and passed 5-0 for approval.

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**SECOND READING OF RESOLUTION NO. 10 - 45**

**PUBLIC HEARING**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA, AMENDING THE COMMUNITY REDEVELOPMENT PLAN FOR THAT COMMUNITY REDEVELOPMENT AREA KNOWN AS THE 14<sup>TH</sup> STREET COMMUNITY REDEVELOPMENT PROJECT/AREA BY INCORPORATING WITHIN SUCH PLAN THAT PLAN KNOWN AS THE TAMIAMI TRAIL REVITALIZATION STRATEGY; PROVIDING AN EFFECTIVE DATE.

The public hearing was opened, those in favor please come forward. No one came forward.

Those in opposition please come forward, no one came forward the public hearing was closed.

**MOTION TO APPROVE RESOLUTION 10-45 was made by Councilman Smith, seconded by Councilman Roff and passed 5-0 for approval.**

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SECOND READING OF PROPOSED ORDINANCE 2924

PUBLIC HEARING

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, AMENDING SUB-PART A SECTION 59 OF THE CHARTER BY CHANGING THE DATE OF ELECTIONS OF OFFICERS FROM THE FIRST TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER OF ODD NUMBERED YEARS TO THE FIRST TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER OF EACH EVEN NUMBERED YEAR TO COINCIDE WITH STATE AND COUNTY WIDE ELECTIONS; ADJUSTING TERMS OF OFFICE NECESSITATED BY SUCH ELECTION DATE CHANGES; PROVIDING AN EFFECTIVE DATE.

The public hearing was opened, those in favor please come forward.

Bill Evers, former Bradenton Mayor, requested clarification on the ordinance asking if this ordinance would result in skipping the next scheduled 2011 election.

Carl Callahan answered that since the elected officials were elected for a four-year term, we could not go backwards; therefore, the election term would need to be extended by one year to coincide with the state and county elections in even years.

Those in opposition please come forward.

Bill Evers stated he was in opposition to the ordinance as the charter stated elections were for four-year terms, but this would allow the mayor and council to have an extra year when the people had elected the officials to serve four-year terms only. He objected to the fact that this ordinance would make the election term null and void and would allow the mayor and council to serve another year without giving the citizens the opportunity to vote.

Mr. Evers suggested putting off this ordinance until after the 2011 election or passing the ordinance with the contingency to have the 2011 election, then making the terms for three years to catch up to coincide with the even year election.

Mayor Poston stated there were several reasons to pass this ordinance now; 1. It would save the city approximately \$100,000 every two years as the city election would then fall within the county and state election process. 2. The voter turnout for city elections had been very low in the past and this would get more people to participate in the city election. 3. This was legal as I trust our city attorney to know the laws. Mayor Poston stated the people voted for their city officials to make decisions, and the decision made was to save the citizens money as these were difficult times for everyone.

Susan Erwin stated she had lived in Bradenton for over 30 years and had been an active political observer during that time. She voiced her opposition to this ordinance which would extend the terms for another year without giving the public the opportunity to vote.

She stated she was opposed to Ordinance 2925 as the ordinance would remove the current run-off system and would open the door for rogue candidates encouraged to run for election for the sole purpose of drawing votes away from a potential qualified candidate and give the advantage to the incumbent who already had the advantage of name recognition.

Richard O'Brien stated that Ordinance 2924 was undemocratic and improper. He stated the issue should be researched more and see public input. He stated he would like to see more information as to what the savings would be and to discuss this issue further.

The public hearing was closed.

Carl Callahan stated that the information came from the Supervisor of Elections' office which had data of historical elections and the costs associated with those elections. He stated the last mayoral election with a run-off had cost approximately \$100,000. The individual election last year had cost approximately \$55,000. He stated he had discussed the issue with Bob Sweat, the Supervisor of Elections. Mr. Sweat indicated that the city would have minimal costs, if the city chose to go with the state and county elections.

City Attorney Bill Lisch stated that state law specifically states that a council could change the dates of their elections but could not adjust the length of terms without a referendum. He also stated that state law required a referendum to change the charter and omit run-off elections.

MOTION TO APPROVE ORDINANCE 2924 was made by Councilman Gallo, seconded by Councilman Roff and passed 5-0 for approval.

SECOND READING OF PROPOSED ORDINANCE 2925

PUBLIC HEARING

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, AMENDING SUB-PART A OF SECTION 59 OF THE CHARTER OF THE CITY OF BRADENTON, AND CHAPTER 30, SECTION 11 OF THE CODE OF ORDINANCES REPEALING THE REQUIREMENT OF MAJORITY VOTE AND REPEALING THE REQUIREMENT OF A RUN-OFF ELECTION; PROVIDING FOR THE CANDIDATE(S) RECEIVING THE MOST VOTES TO BE ELECTED TO AN OPEN SEAT; PROVIDING AN EFFECTIVE DATE.

Carl Callahan stated that by state law, a referendum was necessary to repeal the requirement of a runoff election. Mr. Sweat, Supervisor of Elections, had stated that this issue was too late to be placed on the ballot this year and would have to wait until the next election.

The public hearing was opened; those in favor please come forward. No one came forward.

Those in opposition please come forward.

Bill Evers voiced his opposition stating that this was nothing but a bail out for incumbents. Mr. Evers agreed that this would save money in the long run, but was still wrong as it would take away the rights of the people to vote.

The public hearing was closed.

City Attorney Bill Lisch stated if the ordinance passed, the elimination of runoff elections would not become effective until approved by a referendum at the next election.

MOTION TO APPROVE ORDINANCE 2925 was made by Councilman Gallo, seconded by Councilman Roff and passed 5-0 for approval.

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**MA.10.0024 WARD 4 NEIGHBORHOOD 20.03 RS**

**PUBLIC HEARING**

Request of David McNabb, White Oak Development, agent for Florida Coast Development Corp. owner; for a Major PDP Amendment for the Cottages at San Casciano located at 121 48<sup>th</sup> Street Court Northeast (zoned R-1).

The public hearing was opened, those in favor please come forward.

**Steven Thompson** attorney representing David McNabb, White Oak Development gave a brief overview of a request to amend the previously approved PDP development for 177 attached villas. He stated that due to the poor economy, a request was now being made to reduce density and instead develop 99 single family units. If approved today, development would begin in 60 days.

Those in opposition please come forward. No one came forward, the public hearing was closed.

Tim Polk gave the Planning and Community Development staff report as follows:

**STAFF RECOMMENDATION: APPROVAL** of the proposed amendment, with the following ten (10) stipulations:

1. Any historical or archaeological resources that may be discovered during development must be immediately reported to the Florida Department of State Division of Historical Resources (DHR) and mitigation would be determined by the DHR and the City of Bradenton prior to resuming disturbance activities.
2. If any endangered, threatened, or species of special concern listed in Rule 68A-27.003 through 68A-27.005 of the Florida Administrative Code were observed frequenting the site for nesting or breeding purposes, appropriate mitigation and/or protection measures would

be taken, with immediate notification provided to the Department of Planning and Community Development.

3. The wetland and wetland buffer shall be designated with a conservation easement and indicated as preserved and non-disturbed. Any disturbance to the prescribed buffer areas not reviewed as part of this approval would require review and approval by the Planning and Community Development Director.
4. Oak tree preservation shall be provided to the fullest extent possible. All oak stands proposed for removal shall require approval by the Planning and Community Development Director. All 16" and larger oak trees proposed for removal in the proposed site plan must be individually identified, with removal requiring approval by the Planning and Community Development Director for a determination of preservation versus mitigation. All trees identified for removal would be replaced in accordance with Section 2.2.3.2 of the Land Use Regulations.
5. The architectural design and features of the proposed residences would be approved by the Design Review Committee.
6. The Final PDP must address all Stipulations and other Staff/DRC recommendations/concerns included in this report, including but not limited to easements and fire separation.
7. Front setbacks shall be 15 feet, rear setbacks shall be 10 feet, and side setbacks shall be six (6) feet.
8. Overhangs into side yards cannot be located over an easement.
9. Impact fee equivalency would be required in accordance with the definitions of the ACCORD prior to the issuance of a Certificate of Occupancy as determined by the City of Bradenton Planning and Community Development Director.
10. Any deviation from the approved requirements, as determined by Planning and Community Development, may require a PDP amendment.

**PLANNING COMMISSION RECOMMENDATION** (July 19, 2010): APPROVAL with ten (10) stipulations recommended by staff.

**MOTION TO APPROVE THE REQUEST OF David McNabb, White Oak Development with the recommendations made by the Planning and Community Development staff and Planning Commission with 10 stipulations was made by Councilman Smith, Vice Mayor and Councilman Byrd and passed 5-0 for approval.**

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SU.10.0078 WARD 5 NEIGHBORHOOD 7.03 RS PUBLIC HEARING

Request of M. Andrew Allison, Allison Engineering, agent for Melvin Stevenson, owner; for a Special Use to expand an existing building material establishment located at 701 9th Avenue East (zoned UCBD).

The public hearing was opened, those in favor please come forward.

Andrew Allison representative gave an overview of the special use request and displayed a site plan of the existing facility.

Those in opposition please come forward. No one came forward, the public hearing was closed.

Tim Polk gave the Planning and Community Development staff report as follows:

STAFF RECOMMENDATION: APPROVAL with the following three (3) stipulations:

1. Landscaping indicated on the original site plan approval (SE.98.19) was still in effect and must be complied with. Any missing trees, shrubs or landscape materials would be replaced.

- 2. The additional landscaping proposed with construction of the accessory building would be installed prior to occupancy of the building.
- 3. Confederate jasmine or other type of native vine would be installed along the north fence at intervals of no less than 10 feet in order to buffer the accessory structures as well as the outdoor storage areas.

PLANNING COMMISSION RECOMMENDATION (July 19, 2010): APPROVAL with the following three (3) stipulations:

- 1. Landscaping indicated on the original site plan approval (SE.98.19) was still in effect and must be complied with. Any missing trees, shrubs or landscape materials would be replaced.
- 2. The additional landscaping proposed with construction of the accessory building would be installed prior to occupancy of the building.
- 3. Slats would be installed along the north fence in order to buffer the accessory structures as well as the outdoor storage areas.

General Discussion: Concerns for installation of a solid material as a wall would be a magnet for graffiti. Request to have an alternative wall material and/or plantings of not so friendly hardy low maintenance plants in front of the wall to deter graffiti.

Tim Polk stated staff would work with the requestor to come up with an aesthetic wall.

MOTION TO REQUEST OF Andrew Allison SU.10.0078 with the recommendations made by the Planning and Community Development staff and Planning Commission with 3 stipulations was made by Vice Mayor and Councilman Byrd, seconded by Councilman Roff and passed 5-0 for approval.

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**SU.10.0079 WARD 1 NEIGHBORHOOD 4.05/4.06 RS PUBLIC HEARING**

Request of Scott Palmer, agent for WDC/HLP Cortez LLC, owner; for a Special Use to allow an arcade amusement establishment at 5502 Cortez Road West (zoned Suburban Commercial Corridor).

The public hearing was opened, those in favor please come forward.

**Scott Palmer**, agent, gave an overview of the request to allow an arcade amusement establishment located in the Cortez Commons Plaza. He stated the use was not considered gambling as far as state law was concerned as there was no cash involved. The arcade machines require a card, similar to an ATM card, with \$.75 increments placed on the card. He stated the average patron was 55 years of age or older and would neither get rich nor lose too much money by playing.

General discussion: There were other such arcades in the city with no problems reported and this type of business appeared to be legal.

Those in opposition please come forward, no one came forward, the public hearing was closed.

Tim Polk gave the Planning and Community Development staff report as follows:

**STAFF RECOMMENDATION: APPROVAL** with the following three (3) stipulations:

- 1. Hours of operation would be as stated in the application, specifically 9 am to 10 pm.
- 2. Prior to occupancy, a representative of the Bradenton Police Department Crime Prevention Unit would conduct an inspection in order to provide suggestions and initiatives for safety for the business and the clients.

3. Prior to occupancy, fire hydrant installation and dumpster relocation would be completed and approved by Public Works.

**PLANNING COMMISSION RECOMMENDATION** (July 19, 2010): APPROVAL with the following three (3) stipulations:

1. Hours of operation would be as stated in the application, specifically 9 am to 10pm.
2. Prior to occupancy, a representative of the Bradenton Police Department Crime Prevention Unit would conduct an inspection in order to provide suggestions and initiatives for safety for the business and the clients.
3. Prior to permitting, fire hydrant installation and dumpster relocation would be completed and approved by Public Works.

City Attorney Bill Lisch clarified that, if Council approved the request, it was not rendering an opinion as to whether the requestor was in compliance with state gaming laws.

**MOTION TO APPROVE SU.10.0079 with the recommendations made by the Planning and Community Development staff and Planning Commission with three (3) stipulations as underlined by the Planning Commission was made by Councilman Gallo, seconded by Councilman Roff and passed 5-0 for approval.**

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SU.10.0080 WARD 3 NEIGHBORHOOD 1.01 RS PUBLIC HEARING

Request of Glen Murdoch, agent for Robert Woodring, owner; for a Special Use for light manufacturing of wine and mead on the property located at 406-412 Old Main Street (12th Street West) (zoned UC/Urban Core).

The public hearing was opened, those in favor please come forward.

Robert Woodring, Glen Murdock and Jon Paul Taylor, representatives for the request, gave an overview of the plans to manufacture wine and mead mainly for distribution. They explained the manufacturing process of mead which consisted of honey, water and yeast, with a three month fermenting process. They stated there was no cooking or odor with natural fermenting of the mead.

Those in opposition please come forward.

Russ Kitching representing the First Baptist Church, 1306 Manatee Avenue, voiced his opposition against the special use, as a brewery would encourage people to drink more. He stated there was already a major problem with people drinking too much and defecating, urinating, trashing and vandalizing all around the church and in the parking lots behind the Lost Kangaroo. He stated they had found people passed out around the nursery and children’s area and in their cars the next morning.

General discussion: The Public Works Department has been great about picking up trash early in the morning in this area. Businesses need to be more aware of people walking out with beverages after the bar closes. Attributing the majority of the problem with vandalism, trash, defecation and urination to the homeless. That numerous bars had been in the downtown area for years with the Lost Kangaroo having only moved across the street from where it previously had been.

Mr. Woodring stated that the product would be distributed around the Tampa Bay area with plans in the future for tours of the brewery with wine and mead tasting.

The public hearing was closed.

Tim Polk gave the Planning and Community Development staff report as follows:

STAFF RECOMMENDATION FOR SU.10.0080: APPROVAL with the following three (3) stipulations:

1. Prior to submittal of a building permit for tank installation, provide engineering that verifies the condition of the building and the ability to withstand the weight of the proposed tanks.
2. A Certificate of Appropriateness from the Architectural Review Board would be required for the exterior expansion of the balcony.
3. Hours of operation for the public's use would be the same as those mandated by the State of Florida in accordance with the Alcoholic Beverage License.

PLANNING COMMISSION RECOMMENDATION (July 19, 2010): APPROVAL with the three (3) stipulations as recommended by staff.

MOTION TO APPROVE SU.10.0080 with the recommendations made by the Planning and Community Development staff and Planning Commission with three (3) stipulations was made by Councilman Roff, seconded by Councilman Smith and passed 5-0 for approval.

NEW BUSINESS BY DEPARTMENT HEADS, CITY ATTORNEY AND COUNCIL

Tim Polk

REQUEST TO AUTHORIZE Mayor Poston to sign the Form-Based Code Contract with Dover Kohl and Partners.

The team of Dover, Kohl and Partners, **Joseph Kohl**, Principal; **Andrew Georgiadis**, Project Manager and **Karin Murphy**, Planning and Consultant introduced themselves. Mr. Georgiadis stated that Hall Planning & Engineering, a firm from Tallahassee, Florida would be assisting with the project but could not be here today.

Mr. Georgiadis gave an overview of the plans and process and expressed the company's desire to learn the area, to understand what the previous efforts had been, to familiarize themselves with the three CRA's, and to work with city staff.

Carl Callahan welcomed Karin Murphy who had worked with the city on other projects and on the CRA's.

MOTION TO AUTHORIZE Mayor Poston to sign the Form-Based Code Contract with Dover Kohl and Partners was made by Councilman Smith, seconded by Vice Mayor and Councilman Byrd and passed 5-0 for approval.

Claude Tankersley

Mr. Tankersley stated he would like to clarify some facts for the following items:

Stormwater Rates

Is an enterprise fund.

Must pay for all of activities associated.

Must be sustainable on its own.

Was implemented in 2003.

Rates had not been raised since 2003.

Personnel had been reduced by 25%.

The average increase would be 25 cents per month.

REQUEST FOR A RESOLUTION ADJUSTING THE STORMWATER UTILITY FEES EFFECTIVE OCTOBER 1, 2010.

MOTION TO APPROVE THE RESOLUTION was made by Councilman Roff, seconded by Vice Mayor and Councilman Byrd and passed 5-0 for approval.

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**Water Sewer Rates**

Is an enterprise fund.  
Must be sustainable on its own.  
Must be paid for by its users.  
Personnel had been reduced by 25%.  
Overall repair and rehab costs had gone up by 53%.  
Chemical costs in last 4 years had doubled at an increase of 105%.  
With countless housing vacancies there had been a 6% decrease in consumption.  
Recommended to increase the water sewer rate by 2.5%.  
By state law, there must be a notice of a rate increase with a public hearing.  
A notice would be placed on the water bills advising of the public hearing.

**REQUEST FOR A PUBLIC HEARING ON SEPTEMBER 22, 2010 TO MOVE FORWARD FOR THE WATER SEWER RATE INCREASE.**

**MOTION TO MOVE FORWARD FOR A PUBLIC HEARING ON SEPTEMBER 22, 2010 WAS MADE BY Councilwoman Barnebey, seconded by Vice Mayor and Councilman Byrd and passed 5-0 for approval.**

**JPA SR 64 Agreement with FDOT**

Mr. Tankersley gave a brief overview of the downtown Manatee Avenue project between 9<sup>th</sup> Street West and 15<sup>th</sup> Street West. He stated FDOT had agreed to the improvements cost of \$420,000 which was half of the original cost. He stated that the Downtown Development Authority would be reimbursing the city for this amount; however the agreement would be between the city and FDOT.

**RECOMMENDATION MADE BY Carl Callahan based on the fact that the DDA had budgeted \$275,000 this year and \$150,000 in each of the 3 subsequent years indicated that there were sufficient funds to cover the total cost of this project including contingency. (\$402,000 + \$40,000 contingency = \$442,000.)**

**MOTION TO APPROVE THE JPA SR 64 AGREEMENT WITH FDOT WITH THE RECOMMENDATION MADE BY CARL CALLAHAN was made by Councilman Smith, seconded by Councilman Roff and passed 5-0 for approval.**

**EMERGENCY SEWER PIPE REPAIR**

Claude Tankersley stated that the expansion project of the east side waste water system was in progress and that there had been a collapse of an old gravity sewer line near this project. To keep our customers happy, this emergency pipe repair had to be done quickly, so the department had negotiated a good price with a contractor.

**REQUEST TO INCREASE THE CHANGE ORDER FOR THE CURRENT PROJECT by \$68,000 previously budgeted at \$6,210,861 to pay for the emergency repair of the gravity sewer line was made by Councilman Roff, seconded by Councilman Gallo and passed 5-0 for approval.**

**COUNCIL REPORTS**

**Councilman Gene Gallo, Ward I:** Nothing to report.

**Councilwoman Marianne Barnebey, Ward II:** Announced that the Women's Equity Luncheon would be held this Saturday, August 21<sup>st</sup> at the Polo Grill.

Councilwoman Barnebey announced that the Manatee High School football game would be broadcast on ESPN, a national network, Friday, August 27<sup>th</sup>. She stated Steve Parisian, a Manatee High School alumnus, owns the Central Banquet Hall building. Steve has offered to open up the hall to televise this event to support the Manatee High School Alumni Association. Contact Frank Brunner at Manatee High School for more information.

**Councilman Patrick Roff, Ward III:** As the Tampa Bay Regional Planning Council area representative, stated that Resolution 10-49 in the Consent Agenda supported "Project Get Ready," an initiative to start getting ready for electric cars. This process has already begun to get the necessary infrastructure in place to change over from gas to electric cars.

**Councilman Bemis Smith, Ward IV:** Commended Deputy Police Chief Tokajer for his professionalism to a family visiting the area and showing that Bradenton was "The Friendly City."

**Vice Mayor and Councilman Harold Byrd, Jr., Ward V:** Asked Mr. Tankersley when the 13<sup>th</sup> Avenue Project would be completed.

Mr. Tankersley stated he anticipated the project would be completed by November, 2010 and that we were putting a lot of pressure on the contractor for completion.

Vice Mayor and Councilman Byrd asked if there was any way in which the city could be proactive to cover graffiti on vacant properties. He suggested setting aside some money and getting the CRA's to assist.

Police Chief Radzilowski stated the police department had established "Operation Sunshine" to remove graffiti within 24 hours and with Public Works taking care of larger problems. He encouraged citizens to report any graffiti to the police department. He stated someone would respond to get the area painted as soon as possible, as this was an eye sore in the city.

**Mayor Wayne Poston:** Reminded everyone that school begins next week.

#### DEPARTMENT HEADS

**Carl Callahan:** Responded to Vice Mayor and Councilman Byrd's request regarding vacant properties with overgrown lawns and graffiti, and stated that even though no money was budgeted, the city was pro-active in responding to clean up areas as it could become a health and safety problem.

Mayor Poston stated that the city was still billing the banks that hold foreclosure properties, and some pay and others don't.

**REQUEST BY CARL CALLAHAN** to spend up to \$3000 for glass barriers for the Customer Service area because of health concerns and customer threats.

**ACTION: COUNCIL HAD NO OBJECTIONS.**

**Chief Souders:** Nothing to report.

**Staci Cross:** Nothing to report.

**Chief Radzilowski:** Attended the NAACP event that was held in the Bradenton Auditorium last night.

Chief Radzilowski stated that, as a service, the supervisors in the police department follow up with a survey to everyone who had previously contacted the department, as to their satisfaction in the way the department had handled their needs. He was happy to report that most of the people were satisfied and thanked the officer for calling.

**Claude Tankersley:** Nothing to report.

**Tom Cookingham for Tim Polk:** Gave an update on the NSP program with 2 closings today, 3 more to go, and 8 completed ending up with 3 more than our goal.

Mr. Cookingham stated that he had been working closely with the Manatee County Housing Authority getting bid specifications ready, and working with an architect on plans for quality replacement housing. He stated out of the 14 units, 7 would be new quality homes.

Mr. Cookingham stated that NSP 3 would soon become active with more money available and without a time deadline, thus giving more flexibility to search in other areas of the city.

**Bill Lisch:** Nothing to report.

**Carolyn Moore:** Excused from the meeting.

## ADJOURNMENT

There being no further business, Mayor Poston adjourned the meeting at 11:00 a.m.

NOTE: This is not a verbatim record. An audio CD or DVD recording of the meeting is available for a fee upon request.