

CITY COUNCIL MEETING
October 9, 2002

The City of Bradenton City Council met in regular session in the City Hall Council Chambers, 101 Old Main Street, Bradenton, Florida on October 9, 2002 at 8:30 a.m.

Present: Councilman Ward I Gene Gallo
Councilwoman Ward II Marianne Barnebey
Vice Mayor and Councilwoman Ward III Michele Weaver
Councilman Ward IV Bemis Smith
Councilman Ward V James T. Golden

Also Present: Carl Callahan, City Clerk and Treasurer
John Cumming, Public Works Director
William Lisch, City Attorney
Mark Souders, Fire Chief
Al Hogle, Police Chief
Jerry West, Planning Director

Press: Bradenton Herald
Manatee Herald Tribune
News Channel 13

The meeting was called to order by Mayor Poston.

Prayer to be led by Rev. Raymond Briggs, Anchor House, Palmetto, Florida.

Flag salute was led by Councilman Gallo.

MINUTES:

Minutes for September 10, 2002 Budget meeting.

No discussion followed.

Motion to approve the September 10, 2002 Budget minutes was made by Vice Mayor Weaver, seconded by Councilman Gallo and carried 5-0 for approval.

Minutes for September 11, 2002.

No discussion followed.

Motion to approve the September 11, 2002 minutes was made by Councilman Gallo, seconded by Vice Mayor Weaver and carried 5-0 for approval.

PROCLAMATION:

Mr. Callahan read the following:

University of South Florida Sarasota/Manatee Week Proclamation

Roger Frazee, President for University of South Florida Sarasota/Manatee Alumni Chapter accepted the proclamation and thanked Mayor Poston for the recognition. He distributed a schedule of events taking place on the USF campus.

Mr. Callahan read the following:

Domestic Violence Awareness Month Proclamation

Laurel Lynch, Director of Hope Family Services thanked Mayor Poston for the recognition and for the support given to all the victims that will never be known.

Mr. Callahan read the following:

Red Ribbon Week Proclamation

A representative accepted the proclamation that recognized the 2002 Florida Red Ribbon Celebration theme, "Freedom is Drug Free". The proclamation declared that Red Ribbon Week would emphasize the importance of supporting young people and strengthening parent/community networks by creating an environment in which our youth may live healthy and safe lives.

PRESENTATION:

Bradenton Police Department Awards

Chief Hogle and Major J.J. Lewis presented awards to **Sergeant John Affolter** for a courageous act in saving a life caused by a traffic accident on the Braden River Bridge. **Detective Walter Holloway** for his professionalism in apprehending the "Crow Bar Bandit". **Detective Thomas Petty** and **Detective Curtis Johnson** for their immediate response to another fellow officer in assisting life support and quick response for emergency services.

Public Works Awards

John Ormando presented awards to: The *Employee of the Month* for September, **Bill Jennings** from the Central Garage. The *Team of the Quarter*, **Dan Young** and **Pierre Bien-Aime** from Parks & Recreations, **Terry Parsley**, **Mark Elzey**, **Terrell Smith** and **Anthony Moore** from the Storm Drainage Department for their hard work in restructuring the Riverside Drive seawall. And the *Employee of the Month* for October, **Terry Parsley**.

Downtown Development Authority Long Range Planning

Bill Blalock, Chairman of the Downtown Development Authority Board, **Bill Theroux**, Executive Director of the Downtown Development Authority and consultant **John Moody**, Moody and Associates gave an overview of the Downtown Bradenton Strategic Development Plan which included the Historic Village of the Manatee Antiques District, the Ballard Park Neighborhood, the downtown Central Business District and the Village of the Arts. They displayed drawings of the before and after renderings of intersections to be landscaped and updated with paver walk way improvements throughout the City. Also discussed was the Master Tree Plan which included planting Crepe Myrtles throughout the City.

Mayor Poston commented that he had received a request from the Old Manatee Neighborhood asking for assistance with major infrastructure, lights and landscape improvements in their neighborhood.

(Tape 1, side 2)

Mr. Theroux stated that the Bradenton Downtown Progress and businesses would be promoting other similar events to the Getdown Downtown Events on other Thursday nights, naming classic car shows and a comedy night.

Mayor Poston commented that the open government Public Mayor program had been very successful in the past and that it would start up again January, 2003. Mayor Poston stated that Bill Theroux would be promoting and highlighting various sections throughout the City to enlighten the citizens as to what's happening in the downtown area.

(2 minute break)

**Storm Water Study and Report
Jones, Edmund & Sons**

Claude Tankersley presented a summary of the City's recently completed Storm Water Management Study reviewing needed drainage improvements. Mr. Tankersley gave an overview of *Securing Bradenton's Storm Water Management Utility for the Future* listing the benefits, operations and Capital Improvement Projects needed to improve the current storm water system. In conclusion he brought attention to the City's current storm water rate of \$1.50 which had been unchanged since 1996. He commented that the revenues were not adequate to cover both operations and capital improvements. He stated that the City of Bradenton was much lower than the average \$3.36 utility rate fee in the State of Florida. He discussed twenty-two flood locations that needed the storm water system upgraded and stated that if the rate was not increased then supplemental funding would have to come from other sources.

He stated that the solution for funding the program would be to:

1. Issue Bonds and proceed with the Storm Water Management Study.
2. Increase Residential (single and mulit-family) rate on a per month per unit basis.
3. Increase Commercial/Industrial rate based upon the impervious areas.

He suggested to:

1. Set an initial base rate for Commercial/Industrial to five times the Residential target rate.
2. Add incremental rate of \$2.00 per 1000 square footage for areas between 8,000 square footage and 48,000 square footage.
3. Increase commercial & industrial rates to better reflect contribution to a storm water system at a minimum \$20.00 per month, maximum \$100.00 per month.
4. Base Commercial/Industrial rate on the impervious area.

He recommended to enhance the existing program by:

1. Incrementally increase the residential rate to \$4.00 over the next three years and proceed with the prioritized drainage improvements outlined in the Storm Water Management Study.
2. After the \$4.00 rate was established thereafter institute an automatic annual rate increase each fiscal year to cover increasing operating expenses then the fees would automatically increase by the Consumer Price Index – Urban Consumers-CPI-U.
2. Raise the rates in increments to \$3.00 in 2003, \$3.50 in 2004 and \$4.00 in 2005.

Discussion: Federal mandates, raising the rates over the three year period.

Mr. Callahan explained that when the \$1.50 storm water rate started in 1996 it was suppose to increase by \$.25 each year which would have helped fund the improvements. He stated that taxes were beginning to increase so at that time the decision was to hold off on raising the rates. He stated that this created the issue where there were no funds for the storm water projects.

(Tape 2, side 1)

Discussion: Projects funded by sales tax, cost increases over the next few years.

(2 minute break)

Vice Mayor Weaver stated as elected officials the Council needed to look at the overall picture for the betterment of the city and stated this was the right step to correct the problem.

Councilwoman Barnebey asked if this issue could be decided on at the next Council meeting to give the citizens an opportunity to review the information and to understand the problems and how it would effect the quality of life if this was not done.

Councilman Smith stated he had the same concerns as Councilwoman Barnebey and stated that he was uncomfortable with raising the rates after the taxes had just been raised. He stated that he would like to receive more information on this issue.

Councilman Golden stated that he would like to see a smaller amount that would raise the rates in the beginning. That the issue was not to tax, the issue was how to tax in order to continue with increasing the quality of life. He stated he would be supporting the motion.

Motion to accept the report and approve the recommendation given by Jones Edmonds & Associates to raise the storm water utility fee to a target rate of \$4.00. Implemented incrementally effective January 1, 2003 increasing the fee by \$1.00, January 1, 2004 increasing the fee by \$.75, January 1, 2005 increasing the fee by \$.75. Effective immediately implement a Commercial/Industrial storm water fee based upon the impervious area. Upon reaching the target fee authorize annual increases based on the Consumer Price Index- Urban Consumers (CPI-U). The annual increase would be automatic unless Council decided otherwise was made by Vice Mayor Weaver, seconded by Councilman Golden 3-2 for approval with Councilman Smith and Councilwoman Barnebey in opposition.

Mr. Callahan administered the Oath to any individuals who wished to speak during the public hearings.

PUBLIC COMMENTS:

No one came forward.

COUNCIL REPORTS:

Councilman Gene Gallo, Ward I:

Nothing to report.

Councilwoman Marianne Barnebey, Ward II:

Councilwoman Barnebey thanked everyone who attended The Great Outdoor Conservancy "Oktoberfest" and stated it was a great success.

Councilwoman Barnebey announced that the Vietnam Wall Experience would be on display at the Manasota Memorial Park , October 24th through the 27th.

Councilwoman Barnebey invited businesses, churches, residences and schools to participate in the community decorating contest to celebrate American Patriotism Week.

Vice-Mayor Michele Weaver, Ward III

Vice Mayor Weaver stated she attended the ground breaking at the Manatee County Nursery at 26th Street and 9th Avenue.

Vice Mayor Weaver commented that she was proud of the great service that the City of Bradenton gives to its citizens daily. She commented that the Public Works Department immediately repaired a hole that was brought to their attention the day before.

Councilman Bemis Smith, Ward IV:

Councilman Smith thanked the Downtown Development Authority representatives for their informative presentation and stated he was looking forward in participating with the Downtown Development Authority regarding the improvements in his ward.

Councilman Smith congratulated Sandy McDonald and Rebecca Pilsbury for their promotion to Senior Secretary.

Councilman Smith invited everyone to attend the fundraiser for Manatee Children's Services on October 18, 2002 at the City Auditorium.

Councilman James Golden, Ward V:

Councilman Golden stated that at a prior Council meeting Mary Dunbar commented on the broken promises made by the Bradenton Housing Authority in regards to previous residents moving back into the Bradenton Village. He explained that she was offered a one bedroom apartment but she had requested a two bedroom. He stated that Ms. Dunbar did not meet the Department of Housing and Urban Development guidelines for a two bedroom apartment.

(Tape 2, Side 2)

Councilman Golden stated he was looking forward to the development of a game park on the corner of 6th Street West and Martin Luther King Boulevard.

Councilman Golden stated he had been committed in attempting to help the 13th Avenue Community Center in obtaining their own property. He stated that he had numerous meetings with the Bradenton Housing Authority, the 13th Avenue Community Center Board and with the chairman of the Central Community Redevelopment Agency Board. He stated that he had exhausted all possibilities for this to happen and thanked everyone for allowing him the opportunity to explore that option.

Mayor Poston requested anyone wishing to speak in opposition of the request to please come forward. No one came forward.

Mayor Poston closed the public hearing.

Jerry West stated that the Planning Staff supported and recommended the resolution.

Mayor Poston stated that by passing this resolution it would allow the City to apply for state and federal grants for Brownfield reclamation and clean up of sites.

Motion to approve the resolution was made by Councilman Golden, seconded by Vice Mayor Weaver and carried 5-0 for approval.

NEW BUSINESS BY DEPARTMENT HEADS, CITY ATTORNEY AND COUNCIL:

Mr. Callahan read the following:

The Taste of Manatee a fundraiser for Meals on Wheels is requesting to hold their annual event on Sunday, November 3, 2002 on Barcarrota Boulevard and Old Main Street from 8:00 a.m. to 6:00 p.m.

Mr. Callahan recommended approval of the request with a **stipulation** to move the stage from the southern entrance of the Courtyard and requested that the stage be north of the first entrance nearest 3rd Avenue for convenience to the Courtyard residents.

Councilman Gallo voiced his concern for an earlier public event on Barcarrota Boulevard regarding the dumping of grease on grass and concrete areas. He stated that there was destruction done to the brick paved street. He asked if there could be a committee formed to discuss a cost factor for this type of clean up and to possibly charge more for these events.

Discussion: Increasing the damage deposit to \$1,500.00 and placing the money into a special fund for repairing damaged areas caused by public events.

Mr. Callahan stated that this last event was for three days which had caused a lot of inconveniences with the surrounding residents. He voiced his concern regarding downtown events causing a conflict with the auditorium and problems with parking for the auditorium events.

Discussion: To study the logistics of the problem. To possibly have the event applicants pay rental on the auditorium during these downtown events.

Mayor Poston stated that at the next Department Head meeting this issue could be discussed with a recommendation to the Council.

Motion to approve the request with the stipulation was made by Councilwoman Barnebey, seconded by Vice Mayor Weaver and carried 4-1 with Councilman Golden in opposition.

Fire Chief Souders

Controlled Burns

Chief Souders requested approval to burn the following three buildings:

1010 6th Street West owner The Mitchell Company, Inc.
1025 8th Street West, owner The Mitchell Company, Inc.
129 Martin Luther King Boulevard East owner Mt. Gilead Seventh Day Adventist Church.

Discussion: Each site is negotiated to cover all expenses with an additional \$500 to \$1000 that is placed into the general fund.

Motion to approve the request for three controlled burns was made by Councilman Smith, seconded by Councilman Golden and carried 5-0 for approval.

Police Chief Hogle

Request to fund a Boy Scout Troop

Chief Hogle requested approval to spend \$1000 from the Law Enforcement Trust Fund to assist in forming two Boy Scout Troops one for the 13th Avenue area and the other for the Avondale neighborhood.

Councilwoman Barnebey asked that if a similar request came forward from the Girls Scout to please have funds available for them also.

Motion to approve the request was made by Councilman Gallo, seconded by Councilwoman Barnebey and carried 5-0 for approval.

John Cumming

Reports from Jones, Edmunds & Associates, Inc.

- 1. 3rd Avenue West Extension Project**
- 2. Waterfront Park Improvements Project**

Claude Tankersley gave a brief update of the 3rd Avenue West Extension Project and on the Waterfront Park Improvement Project which would be done in three phases.

Phase I was the 3rd Avenue Extension from 9th Street West to 3rd Street West.
Phase II was the Waterfront Park Improvement Project.
Phase III was the extension of 3rd Avenue from 3rd Street West to 1st Street.

Mr. Tankersley requested approval to move forward to advertise for this project.

Discussion: Relocating a billboard onto the Bradenton Herald property.

Mr. Callahan stated that he had been working on several options for a land swap with Herb Fisher owner of the lease portion behind the Bradenton Herald. Option one was to reduce the amount of Mr. Fisher's lease. Option two was to include additional properties which would enhance his project.

Mr. Callahan stated that Mr. Fisher choose the second option and that he was currently working out the details with Mr. Fisher.

Discussion: Funds available with cost increases.

John Cumming stated that he was requesting a work order to move ahead with the 3rd Avenue project.

Motion to approve the 3rd Avenue Extension Project work order was made by Vice Mayor Weaver, seconded by Councilman Golden and carried 5-0 for approval.

DEPARTMENT HEADS:

Carl Callahan

Mr. Callahan thanked the Department Heads for their quick response regarding the Management Incentive Plan.

Mr. Callahan stated that October 8, 2002 there were over seven hundred applicants who had signed up to apply for the Section 8 Housing and that there was still two more days left to apply.

Chief Souders

Chief Souders stated that he had accompanied the Fire Department Honor Guard to Washington, D.C. to participate in the National Fallen Fire Fighters Memorial Ceremony. He expressed his respect that it was a very moving ceremony.

Chief Souders stated that on Saturday, October 12, 2002 there would be a local memorial ceremony for the local fire fighters at the Manatee County Courthouse starting at 8:30 a.m.

Chief Souders stated he would be attending the Sarasota Manatee Advanced Traffic Management System Master Plan which would be discussing a method for changing traffic lights for responding vehicles.

Chief Hogle

Chief Hogle commented that the police speed trailer would have a new look identifying it as the Bradenton Police speed trailer.

John Cumming

Mr. Cumming announced that the Cape Town bid would be on Tuesday, October 15, 2002 and the Waterfront Park bid was scheduled for Friday, October 25, 2002.

Jerry West

Mr. West stated that the Planning Staff was reviewing the plan for the Martin Luther King Park and that the plan would be brought forth to the Council in December, 2002.

Bill Lisch

Nothing to report.

Mayor Poston

Mayor Poston stated that he and the Council would be touring the new Bradenton Village development to be led by Ron Allen, President of NDC Construction, Inc. contractor for the development.

ADJOURNMENT

There being no further business, Mayor Poston adjourned the meeting at 11:45 a.m.

NOTE: This is not a verbatim record. An audio tape recording of the meeting is available upon request.