



AGENDA
BRADENTON CITY COUNCIL
December 12, 2007
8:30 a.m.

1. INVOCATION AND PLEDGE:

Invocation led by Councilman Golden, City Chaplain.
St. Stephen's Episcopal Day School Christmas Carolers.

2. PROCLAMATION:

3. PRESENTATION:

BRADENTON POLICE DEPARTMENT

- Officer of the Month – Officer Yolanda Torres
- Twenty Years of Service Plaque to Ms. Shirley Edwards
- Twenty Years of Service Plaque to Master Patrol Officer Scott Fritz

GREAT WEST YEAR END REPORT

4. ADMINISTERING THE OATH:

5. CITIZEN COMMENTS:

6. COUNCIL REPORTS:

7. CONSENT AGENDA:

- a) Approval of Minutes of November 7, 2007.
- b) Approval of Minutes of November 14, 2007.
- c) Approval of Minutes of November 28, 2007.
- d) Resolution 07-57 } Appointment of **Gilbert “Doug” Jones** to Housing Authority Board.
- e) Resolution 07-60 } Re-appointment of **Debra Cooper** and **William Robinson** to the Downtown Development Authority Board.
- f) MA.07.0019 WARD 3 NEIGHBORHOOD 1.01 RS - Request of WilsonMiller, agent for Old City Hall Associates, owner, for one year Extension of Time for property located at 500 15th Street West. (Zoned PDP)
- g) MB.07.0018 WARD 1 NEIGHBORHOOD 4.07 RS
Request of ZNS Engineering, L.C., agent for LagoInvest, owner, for one year Extension of Time for property located at 1401 Village Green Parkway. (Zoned PDP)
- h) A public event request by the Arthritis Foundation to hold their annual Jingle Bell Run on Thursday, December 13, 2007 on Old Main Street.
- i) A public event request by Florida Fundraiser to hold the Bradenton Beer Festival on Saturday, February 2, 2008 on Old Main Street to raise money for the Brain & Spinal Cord Injury program.
- j) A public event request by Church World Services, to hold the Crop Walk on Sunday, February 24, 2008 in Rossi Park to raise awareness & money for hunger locally & globally.
- k) A public event request by Saint Stephens Episcopal School, to hold the Falcon 5K Run on Saturday, February 23, 2008 on 1st Avenue West from 37th Street West east one mile, to raise funds for the athletic club's non-profit projects.
- l) A public event request by Manatee Players, Inc. to hold a presentation of the *Play Life is a Dream* on March 7, 2008 in English and March 8, 2008 in Spanish at the Rossi Park outdoor amphitheatre to attract new audiences to the park, serve our Latino population and to raise awareness of the new Manatee Players Performing Arts Center.

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

- a) **RV.07.0019 WARD 4 NEIGHBORHOOD 7.02A RS**
Request of Russell Tilton, agent for Geezers Parachute Inc., owner, for approval of Right-of-Way Vacation for part of an alley for property located at 2105 Manatee Avenue East. (Zoned C-3)

RESOLUTION 07- 50 **PUBLIC HEARING**
A RESOLUTION PURSUANT TO SECTIONS 200.G and 200.J.6, CITY LAND USE REGULATIONS, "VACATION OF PUBLIC RIGHT-OF-WAY" OF A 20' WIDE PLATTED ALLEY LOCATED AT 2105 MANATEE AVENUE EAST AND LEGALLY DESCRIBED.

- b) **CP.07.0022 WARD 1 NEIGHBORHOOD 12.02 RS**
Request of Mark P. Barnebey, Esq., agent for C&L Patrick, owner, for a Small Scale Comprehensive Plan Amendment to change the Future Land Use designation from County ROR, Res-6 to City Commercial for property located at 5300 Manatee Avenue West.

SECOND READING OF PROPOSED ORDINANCE 2881 **PUBLIC HEARING**
AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, PERTAINING TO PROPERTY LOCATED AT 5300 MANATEE AVENUE WEST, 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.07.0022) CHANGING THE FUTURE LAND USE DESIGNATION FROM COUNTY ROR AND RES-6 TO CITY COMMERCIAL PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

- c) **LU.07.0040 WARD 1 NEIGHBORHOOD 12.02 RS**
Request of Mark P. Barnebey, Esq., agent for C&L Patrick,, owner, to change the Land Use Atlas designation from County GC, RSF- 4.5 to City C-2 for property located at 5300 Manatee Avenue West.

SECOND READING OF PROPOSED ORDINANCE 2882 **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 GC, RSF-4.5 TO CITY C-2 FOR PROPERTY LOCATED AT 5300 MANATEE AVENUE WEST AND LEGALLY DESCRIBED.

- d) **PR.07.0035 WARD 4 NEIGHBORHOOD 20.04 RS** **PUBLIC HEARING**
Request of Craig Ward of Gulf Coast Survey, agent for Property Investment LLC, owner, for approval of a Planned Development Project (PDP) for a 100 unit riverfront residential development with a community clubhouse and pool for property located at 3700 SR 64 East. (Zoned PDP)

- e) **CA.07.0016**
Request of Craig Ward, Gulf Coast Survey, agent for Bradenton Property Investment, LLC, for Architectural Design approval of Back Bay Preserve, located at 3700 East SR 64, Bradenton, Florida. (Zoned PDP)

- f) **SU.07.0045 WARD 4 NEIGHBORHOOD 7.02B RS** **PUBLIC HEARING**
Request of Ken McKeithen, Sun Bay Properties Inc., agent, for John M. Hutson, owner, for Special Use approval for a dry cleaning plant for property located at 2402 Manatee Avenue East in the Sun Bay Shopping Plaza. (Zoned C-3)

- g) **SU.07.0046 WARD 5 NEIGHBORHOOD 1.03/1.04 RS** **PUBLIC HEARING**
Request of Professional Engineering & Design, agent, for Kevin Rich, d/b/a Burke's Auto Body, owner, for Special Use approval for automotive repair for property located at 2011 9th Street West. (Zoned C-3)

- h) **SU.07.0047 WARD 5 NEIGHBORHOOD 1.03/1.04 RS** **PUBLIC HEARING**
Request of Johnny C. & Daphney S. Barnes, owners, for Special Use approval to operate an Activity Center for property located at 626 9th Avenue West. (Zoned C-1/UCBD)
- i) **MA.07.0018 WARD 1 NEIGHBORHOOD 4.07 RS** **PUBLIC HEARING**
Request of ZNS Engineering, agent for Promenade Associates, owner, for approval of a Planned Development Major Amendment application for an outparcel addition for a restaurant for property located at 6701 Manatee Avenue West in the Promenade Shopping Center. (Zoned PDP)

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

Carl Callahan

- a) **RESOLUTION 07-61**
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA, ESTABLISHING A MILAGE REIMBURSEMENT RATE FOR CITY OF BRADENTON EMPLOYEES USING PERSONAL VEHICLES TO TRAVEL ON CITY BUSINESS; PROVIDING AN EFFECTIVE DATE.

John Cumming

- a) ASR Bid Recommendations

Tim Polk

- a) **RESOLUTION 07-58**
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA, APPROVING THE 2008 UTILITY ALLOWANCE FOR SECTION 8 HOUSING CHOICE VOUCHER PROGRAM AND AUTHORIZING THE MAYOR TO EXECUTE THE UTILITY ALLOWANCES; PROVIDING AN EFFECTIVE DATE.
- b) **RESOLUTION 07-59 / PUBLIC HEARING**
A RESOLUTION ON THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA ADOPTING THE CITY OF BRADENTON'S COMMUNITY DEVELOPMENT 2006-2007 CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REPORT (CAPER).

Carolyn Moore

- a) 2007 United Way Campaign

10. BUSINESS BY APPOINTMENT:

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 from 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 Beverly Rhodes, CMC Deputy City Clerk at City Hall, by phone 941-932-9445, email: bev.rhodes@cityofbradenton.com or fax 941-932-9547 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 per the Mayor or Council person in charge of the meeting. NOTE: The Mayor may ask a city department to look into the issue prior to the meeting to see if the issue can be resolved. If the Mayor or Council person in charge of the meeting feels 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, they shall first complete a comment card available at the back of the Chamber. To discuss items listed on the agenda, the *Public Hearing Comment* (green) card should be completed. *(Please circle "In Favor" or "Opposed" on the card as you will be summoned by that category.)* To discuss non-agenda items, the *Citizen Comment* (yellow) card should be completed. *(Please state topic you would like to comment on.)* Submit the card to the Deputy City Clerk, who will then forward it to the Mayor. At the appropriate portion of the meeting, under *Citizen Comment* or at the time of the *Public Hearing* the Mayor will call your name to come forward. After being recognized by the Mayor, the person should come to the podium and, for the public record, state their name, address, whether they are a resident taxpayer of the City of Bradenton, and whether they are in favor of or against the item they wish to address. In the case of an agent, they shall identify themselves, then identify their clients by name, their clients' address, whether their clients are resident taxpayers of the City of Bradenton, and whether their clients are in favor of or against the topic they wish to address. They should then proceed to state their position or present their information. Appearance on all items will be limited to three (3) minutes unless the Mayor rules otherwise. (Note: If handouts are being distributed please provide a minimum of ten (10) copies to the City Clerk. If you wish to display a drawing or rendering contact the Deputy City Clerk prior to the meeting.) Any submissions commented on, photographs, letters, renderings, etc. will be kept by the City Clerk for the record.

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.