



**AGENDA**  
**BRADENTON CITY COUNCIL**  
**August 16, 2006**  
**8:30 a.m.**

**1. INVOCATION AND PLEDGE:**

Invocation led by Herb Mc Millian, First Church of the Nazarene.

**2. PROCLAMATION:**

- a) Tribute to Heroes Day

**3. PRESENTATION:**

- a) Bradenton Fire Department Recognition
- b) Bradenton Police Department
  - 1. C.A.L.E.A. Accreditation
  - 2. Swearing of New Officers
- c) Public Works Employee Recognition
- d) Community Development Block Grant Administration Services by Julie Johnston

**4. ADMINISTERING THE OATH:**

**5. CITIZEN COMMENTS:**

**6. COUNCIL REPORTS:**

**7. CONSENT AGENDA:**

- a) Approval of Minutes for July 19, 2006.
- b) Norma Lloyd Park FRDAP Grant

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

- a) **CP.06.0015 WARD 4 NEIGHBORHOOD 20.03 RS**  
Request of Marla Hough, agent for RMC Partners, Ltd, owner, for Small Scale Comprehensive Plan Amendment to change the Future Land Use designation from County ROR to City Commercial for property located at 4455 SR 64 East.

**FIRST READING OF PROPOSED ORDINANCE 2839**

*AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, PERTAINING TO PROPERTY LOCATED AT 4455 SR 64 EAST, 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.06.0015) CHANGING THE FUTURE LAND USE DESIGNATION FROM COUNTY ROR TO CITY COMMERCIAL; PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.*

b) **LU.06.0030 WARD 4 NEIGHBORHOOD 20.03 RS**

Request of Marla Hough, agent for RMC Partners, Ltd, owner, to change the Land Use Atlas designation from County GC to City C-3 for property located at 4455 SR 64 East.

**FIRST READING OF PROPOSED ORDINANCE 2840**

*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 TO CITY C-3 FOR THE PROPERTY LOCATED AT 4455 SR 64 EAST AND LEGALLY DESCRIBED.*

c) **LU.06.0032 CITY OF BRADENTON MM**

Request of City of Bradenton for text amendments to the City of Bradenton Land Use Regulations relating to the Architectural Review Board and Design Compatibility Review.

**FIRST READING OF PROPOSED ORDINANCE NO. 2844**

*AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR TEXT AMENDMENTS TO THE CITY OF BRADENTON LAND USE REGULATIONS TO ADD NEW LANGUAGE RELATING TO THE ARCHITECTURAL REVIEW BOARD (ARB) AND DESIGN COMPATIBILITY REVIEW AND THE REGULATION THEREOF; PROVIDING FOR REPEAL OF PROVISIONS OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.*

d) **LU.06.0031 WARD 4 NEIGHBORHOOD 7.02A RS**

Request of Roy Fairbrother, agent for Yaron Divald, owner, to change the Land Use Atlas designation from R-1B to PDP for property located at 1201 27<sup>th</sup> Street East.

**FIRST READING OF PROPOSED ORDINANCE NO. 2845**

*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 R-1B to PDP FOR PROPERTY LOCATED AT 1201 27<sup>TH</sup> STREET EAST AND LEGALLY DESCRIBED.*

e) **SECOND READING OF PROPOSED ORDINANCE NO. 2843** **PUBLIC HEARING**

*AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, AMENDING AND RESTATING PART 1, CHARTER AND RELATED LAWS, SUBPART B, RELATED LAWS, ARTICLE III, FIREFIGHTERS' RETIREMENT SYSTEM, OF THE CODE OF ORDINANCES OF THE CITY OF BRADENTON, FLORIDA; PROVIDING FOR DEFINITIONS; PROVIDING FOR MEMBERSHIP; PROVIDING FOR A BOARD OF TRUSTEES; PROVIDING FOR FINANCES AND FUND MANAGEMENT; PROVIDING FOR CONTRIBUTIONS; PROVIDING FOR BENEFIT AMOUNTS AND ELIGIBILITY; PROVIDING FOR PRE-RETIREMENT DEATH BENEFITS; PROVIDING FOR DISABILITY BENEFITS; PROVIDING FOR VESTING OF BENEFITS; PROVIDING OPTIONAL FORMS OF BENEFITS; PROVIDING FOR BENEFICIARIES; PROVIDING CLAIMS PROCEDURES; PROVIDING FOR REPORTS TO THE DIVISION OF RETIREMENT; PROVIDING FOR A ROSTER OF RETIREES; PROVIDING FOR A MAXIMUM PENSION LIMITATION; PROVIDING FOR DISTRIBUTION OF BENEFITS; PROVIDING MISCELLANEOUS PROVISIONS; PROVIDING FOR REPEAL OR TERMINATION OF THE SYSTEM; PROVIDING FOR DOMESTIC RELATIONS ORDERS, RETIREE DIRECTED PAYMENTS, EXEMPTION FROM EXECUTION AND NON-ASSIGNABILITY; PROVIDING FOR PENSION VALIDITY; PROVIDING FOR FORFEITURE OF PENSION UNDER CERTAIN CIRCUMSTANCES; PROVIDING FOR CONVICTION AND FORFEITURE; FALSE, MISLEADING OR FRAUDULENT STATEMENTS; PROVIDING FOR INDEMNIFICATION AND DEFENSE OF CLAIMS; PROVIDING FOR PURCHASE OF CREDIT FOR MILITARY SERVICE PRIOR TO EMPLOYMENT; PROVIDING FOR DIRECT TRANSFERS OF ELIGIBLE ROLLOVER DISTRIBUTIONS AND ELIMINATION OF MANDATORY DISTRIBUTIONS; PROVIDING FOR PURCHASE OF CREDITED SERVICE FOR FAMILY AND MEDICAL LEAVE TIME; PROVIDING FOR PURCHASE OF CREDITED SERVICE FOR PRIOR FIRE SERVICE; PROVIDING FOR REEMPLOYMENT AFTER RETIREMENT; PROVIDING FOR A DEFERRED RETIREMENT OPTION PLAN; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.*

- f) **RV.05.0008 WARD 4 NEIGHBORHOOD 7.03**  
Request of WilsonMiller, agent for Riviera Southshore, owner, for approval of a right-of-way vacation at 1203 Manatee Avenue East (Zoned R-1B, C-1A, C-1 & PDP).

**RESOLUTION NO. 06-31** **PUBLIC HEARING**  
*A RESOLUTION PURSUANT TO SECTIONS 200.G and 200.J.6, CITY LAND USE REGULATIONS, "VACATION OF PUBLIC RIGHTS-OF-WAY" LEGALLY DESCRIBED.*

- g) **RV.05.0009 WARD 4 NEIGHBORHOOD 7.03 C**  
Request of WilsonMiller, agent for Riviera Southshore, owner, for approval of Subdivision Vacation at 1203 Manatee Avenue East (Zoned R-1B, C-1A, C-1 & PDP).

**RESOLUTION NO. 06-32** **PUBLIC HEARING**  
*A RESOLUTION PURSUANT TO SECTIONS 200.G and 200.J.6, CITY LAND USE REGULATIONS, "PLAT VACATION" LEGALLY DESCRIBED.*

- h) **LU.05.0020 WARD 4 NEIGHBORHOOD 7.03 C**  
Request of WilsonMiller, agent for Riviera Southshore, owner, for Land Use Atlas Amendment from R-1B, C-1A, PDP to PDP for property located at 1203 Manatee Avenue East.

**SECOND READING OF PROPOSED ORDINANCE NO. 2842** **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 R-1B, C-1A, C-1, PDP TO PDP FOR THE PROPERTY LOCATED AT 1203 MANATEE AVENUE EAST AND LEGALLY DESCRIBED.*

- i) **PR.05.0017 WARD 4 NEIGHBORHOOD 7.03 C** **PUBLIC HEARING**  
Request of WilsonMiller, agent for Riviera Southshore, owner, for preliminary approval of a Planned Development Project known as Riviera Southshore located at 1203 Manatee Avenue East (Zoned R-1B, C-1A, C-1 & PDP).

- j) **SA. 06.0006 WARD 5 NEIGHBORHOOD 7.02B RS** **PUBLIC HEARING**  
Request of Becky Canesse, agent for Manatee County Girls Club, Inc., owner, for Special Use approval to add a 4,000 to 6,000 sq. ft. classroom wing to an existing building at property located at 1011 21<sup>st</sup> Street East (Zoned R-1C.)

- k) **PR.06.0025 WARD 5 NEIGHBORHOOD 7.02B/8.03 MM/RS** **PUBLIC HEARING**  
Request of King Engineering Associates, agent for Ryan Mixon, LLC, owner, for preliminary approval of a Planned Development Project known as Villages of Glen Creek for property located at 2605 26<sup>th</sup> Avenue East (PDP).

- l) **SP.06.0005 WARD 5 NEIGHBORHOOD 7.02B/8.03 MM/RS**  
Request of King Engineering Associates, agent for Ryan Mixon, LLC, owner, for preliminary approval of a Subdivision known as Villages of Glen Creek for property located at 2605 26<sup>th</sup> Avenue East (PDP)

- m) **SF.06.0007 WARD 5 NEIGHBORHOOD 1.02/1.04**  
Request of Leo Mills, Agent for Samuel S. Smith, owner, for final plat approval for subdivision known as "Der Lind" located at 605 19<sup>th</sup> Avenue West.

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

Carl Callahan

- a) Request by George B. Williams, Jr. for an occupational license to operate a business known as Wheelchair Transport Service, Inc.

Tim Polk

- a. Request by Masterwork Sign Systems for the installation of a sign on the corner of Manatee Avenue and 67<sup>th</sup> Street West

**TO BE HEARD AT SOME TIME AFTER THE LUNCH BREAK**

- o) **SECOND READING OF PROPOSED ORDINANCE 2814** **PUBLIC HEARING**  
*AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA PROHIBITING THE USE OF PUBLIC OR PRIVATE PLACES FOR OUT-OF-DOORS LODGING; PROVIDING DEFINITIONS; PROVIDING STANDARDS FOR VIOLATION AND ENFORCEMENT; PROVIDING FOR THE SEVERABILITY OF THE PARTS HEREOF; PROVIDING FOR READING BY TITLE ONLY; AND PROVIDING FOR AN EFFECTIVE DATE.*

**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 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 three (3) 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.