



**AGENDA
BRADENTON CITY
COUNCIL
April 9, 2003
8:30 p.m.**

1. PRAYER AND APPROVAL OF MINUTES:

- a) Prayer to be led by Reverend Ron Gaudio, Manatee Memorial Hospital Chaplain.
- b) Approval of Minutes for March 12, 2003 and March 20, 2003.

2. PROCLAMATION:

- a) 2003 BIBLE READING MARATHON

3. PRESENTATION:

- a) Palma Sola Causeway Beautification

4. ADMINISTERING THE OATH:

5. PUBLIC COMMENTS:

6. COUNCIL REPORTS:

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

- a) **ABL-03-01 WARD 2 NEIGHBORHOOD 5.01** **PUBLIC HEARING**
Request of Cheng Dong Yang, for Publix Supermarkets, Inc. owner for alcoholic beverage approval for a 2COP License (sale of beer and wine for consumption on premises) on the property **located at 3901 Manatee Avenue West/Westgate Shopping Center** (Zoned C-2).
- b) **M-LUDR-02-15** **FIRST READING OF AN ORDINANCE**
Request of the City of Bradenton for an amendment to the Land Use and Development Regulations regarding incentives for redevelopment, errata and general amendments affecting Land Use Regulations.

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR AMENDMENTS TO THE CITY OF BRADENTON LAND USE AND DEVELOPMENT REGULATIONS; PROVIDING FOR REPEAL OF PROVISIONS OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

c) **FIRST READING OF AN ORDINANCE**

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, AMENDING 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; AMENDING SECTION 1, DEFINITIONS, TO AMEND THE DEFINITION OF "AVERAGE FINAL COMPENSATION"; AMENDING SECTION 8, DISABILITY; AMENDING SECTION 10, OPTIONAL FORMS OF BENEFITS; AMENDING SECTION 15, MAXIMUM PENSION, SECTION 27, PRIOR FIRE SERVICE; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.

d) **SECOND READING OF AN ORDINANCE**

PUBLIC HEARING

CPA-M-03-02 WARD 4 NEIGHBORHOOD 20.03

Request of Maurice and Renee Healey, owner for a small scale Comprehensive Plan Map Amendment to change the Future Land Use Map Designation from ROR (County-Suburban Agriculture) to Commercial for the property **located at 404 39th Street East** (Zoned A-1)

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, PERTAINING TO PROPERTY LOCATED AT 404 39th STREET EAST, 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 CPA-M-03-01) CHANGING THE FUTURE LAND USE DESIGNATION FROM COUNTY ROR (LARGE RETAIL/OFFICE/WHOLESALE USES) TO COMMERCIAL; PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

e) **SECOND READING OF AN ORDINANCE**

PUBLIC HEARING

LUR-AA-03-02 WARD 4 NEIGHBORHOOD 20.03

Request of Maurice and Renee Healey, owner for a Zoning Atlas Amendment to change the designation from A-1 (County-Suburban Agriculture) to C-3 (Commercial) for the property **located at 404 39th Street East** (Zoned A-1).

AN ORDINANCE AMENDING ORDINANCE NO. 2627, CODE OF ORDINANCES OF THE CITY OF BRADENTON, FLORIDA BY A ZONING ATLAS AMENDMENT TO CHANGE THE ZONING DESIGNATION FROM COUNTY A-1 TO C-3 OR OTHER APPROPRIATE ZONE FOR THE PROPERTY LOCATED AT 404 39TH STREET EAST AND LEGALLY DESCRIBED.

f) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA, ESTABLISHING VARIOUS FEES AND CHARGES TO ADDRESS THE EXPENSES AND COSTS OF ADMINISTERING AND DETERMINING APPLICATIONS FOR DEVELOPMENT PERMITS AND DEVELOPMENT ORDERS PURSUANT TO THE CITY'S LAND USE AND DEVELOPMENT REGULATIONS.

g) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA, AUTHORIZING A MODIFICATION AGREEMENT AMONG THE CITY, BANK OF AMERICAN, N.A. AND MANATEE SCHOOL OF ARTS AND SCIENCES, INC. RELATING TO THE CITY'S INDUSTRIAL DEVELOPMENT REVENUE BOND ISSUED FOR THE BENEFIT OF MANATEE OF ARTS AND SCIENCES, INC.; AND PROVIDING AN EFFECTIVE DATE.

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

- a) Pastor Livingston is requesting to hold a "Bible Reading Marathon" from Wednesday, April 30th to Sunday, May 4th in front of the Manatee County Courthouse.
- b) 2003 City of Bradenton Election
- c) Joint Planning Committee

9. BUSINESS BY APPOINTMENT:

10. DEPARTMENT HEADS:

BILL LISCH

- a) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA, AMENDING THE RULES AND REGULATIONS OF THE MERIT PERSONNEL SYSTEM OF THE CITY OF BRADENTON BY COORDINATING SECTION 2-161 OF THE CODE OF ORDINANCES RELATING TO EXEMPTIONS FROM THE MERIT PERSONNEL SYSTEM WITH PROVISIONS OF SECTION 4-3 OF THE PERSONNEL RULES AND REGULATIONS RELATING TO EXEMPTIONS FROM CAREER SERVICE APPEALS FOR EMPLOYEES AND POSITIONS AND BY ADDING THERETO THE POSITIONS OF POLICE LIEUTENANTS AS AN EXEMPT EMPLOYEE; PROVIDING AN EFFECTIVE DATE.

***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) 708-6200 EXT. 278, 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.