

**CITY COUNCIL MEETING
June 13, 2007**

APPROVED BY
June 27, 2007
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 June 13, 2007 at 8:30 a.m.

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

City Officials: Carl Callahan, City Clerk and Treasurer; John Cumming, Public Works Director; William Lisch, City Attorney; Tom Cookingham, Assistant Planning and Community Development Director, Police Major William Tokajer, Mark Souders, Fire Chief and Staci Cross, Information Technology Director.

Press: The Herald and the Herald-Tribune.

The meeting was called to order by Mayor Poston.

Ecumenical invocation was led by Vice Mayor and Councilman Gallo.

Pledge of Allegiance was led by Fabian Washington, Summer Student with Community Development.

Councilman Ward V James T. Golden was excused from the meeting.

Michael Radzilowski, Police Chief, Tim Polk, Department of Planning and Community Development Director and Carolyn Moore, Human Resources Director were excused from the meeting.

PRESENTATIONS

BRADENTON POLICE DEPARTMENT OFFICER OF THE MONTH

Major J.J. Lewis recognized **Officer Sean O'Leary** as Officer of the Month for June.

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

CITIZEN COMMENTS

Janene Witham and **Jerry Piotrowicz** on behalf of Manatee Players thanked the city for supporting the Players on their capital campaign fund drive.

Dr. Hendricks Brown and **Dr. Kathi Cervenka** stated that a final judgment had been filed in the office of the Manatee County Clerk of Court against First Dartmouth Homes, a Frank Maggio Company, in the amount of \$746,000. He gave a brief overview of the problems they had encountered with defects in construction on their home by First Dartmouth Homes.

COUNCIL REPORTS

Vice Mayor/Councilman Gene Gallo, Ward I: Nothing to report.

Councilwoman Marianne Barnebey, Ward II: Nothing to report.

Councilman Patrick Roff, Ward III: Complimented the Downtown Development Authority for all the neighborhood improvements in the Ballard Park area.

Councilman Bemis Smith, Ward IV: Thanked Dr. Brown and Dr. Cervenka for their remarks and for sharing the problems they have had with First Dartmouth Homes and Frank Maggio.

Councilman James Golden, Ward V: Excused from the meeting.

Mayor Wayne Poston: Nothing to report.

CONSENT AGENDA

1. Approval of Minutes of May 23, 2007.
2. **MB.07.0014 WARD 4 NEIGHBORHOOD 7.03**
Request of R. Scott Tibbitts, owner, for a one-year Planned Development Project (PDP) Extension for the future Tarpon Pointe project at property located at 234 6th Street Northeast. (Zoned PDP)
3. Budget Adjustments over \$10,000.

MOTION TO APPROVE the Consent Agenda consisting of the May 23, 2007 Council minutes, MB.07.0014 request and Budget Adjustments was made by Vice Mayor and Councilman Gallo, seconded by Councilman Smith and carried 3-1 for approval with Councilwoman Barnebey in opposition. (Councilman Golden was excused from the meeting.)

BUSINESS/ADVERTISING, PETITIONS, HEARINGS AND COMMUNICATIONS

SECOND READING OF PROPOSED ORDINANCE NO. 2865

PUBLIC HEARING

AN ORDINANCE RELATING TO THE REGULATION OF THE USE AND DEVELOPMENT OF LAND IN THE INCORPORATED AREAS OF THE CITY OF BRADENTON, FLORIDA; IMPOSING AN IMPACT FEE ON LAND DEVELOPMENT IN THE CITY OF BRADENTON FOR PROVIDING NEW ROADS AND RELATED FACILITIES NECESSITATED BY SUCH NEW DEVELOPMENT; STATING THE AUTHORITY FOR ADOPTION OF THE ORDINANCE; PROVIDING DEFINITIONS; PROVIDING FINDINGS AND DECLARATIONS OF THE CITY COUNCIL; PROVIDING FOR THE PAYMENT AND TIME OF PAYMENT OF A ROADS IMPACT FEE; PROVIDING FOR REVIEW OF ROADS IMPACT FEES AND THE FEE SCHEDULES; PROVIDING FOR THE ESTABLISHMENT OF A ROADS IMPACT FEE DISTRICT; PROVIDING FOR THE PLACEMENT OF REVENUE COLLECTED FROM ROADS IMPACT FEES INTO THE ROADS IMPACT FEE TRUST FUND ESTABLISHED FOR THAT PURPOSE; PROVIDING FOR EXEMPTIONS AND CREDITS; PROVIDING FOR REFUND OF UNEXPENDED FUNDS; PROVIDING FOR USE OF FUNDS DERIVED FROM ROADS IMPACT FEES; PROVIDING THAT ROADS IMPACT FEES MAY BE PLEDGED TOWARD PAYMENT OF BOND ISSUES AND SIMILAR DEBT INSTRUMENTS; PROVIDING FOR PENALTIES FOR VIOLATION OF THIS ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

The public hearing was opened, anyone speaking in favor to please come forward.

Darin Cushing, Building Official gave a brief PowerPoint presentation of the Impact Fee Program proposed for all development, the current Manatee County Fee Schedule and the fee comparison with other cities.

General Discussion: A study on affordable housing and where these collected fees could be used.

Vice Mayor and Councilman Gallo stated that he did not believe that this ordinance would help the city and that the fees would affect the already increasing cost of affordable housing.

Mr. Lisch and Mr. Callahan stated that the county had the responsibility to maintain the roads but the city would have the right to say where the fees should be used within the city limits.

General discussion: Finding a connection in using impact fees with obvious effects from growth out east in connection with the downtown city roadways.

Councilman Smith voiced his disapproval about having more fees impact affordable housing.

Councilwoman Barnebey stated that this issue had been brought up at the recent affordable housing workshop. She asked Tom Cookingham when she could expect this issue to come back to Council.

Mr. Cookingham stated that within the next month the Planning staff would be preparing a detailed priority list of how affordable housing would be affected.

Councilman Roff stated that much of the other surrounding cities already had impact fees. He stated at the affordable housing workshop, a statement had been made, that reiterated the fact that impact fees were the tools to entice builders to build and include affordable housing. He stated it was also stressed that "If you don't have the fees, then you can't waive the fees."

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

Tom Cookingham gave the staff report to recommend the Road Impact Fee ordinance as the funding level was appropriate, based on the relationship the city had with the county.

Councilman Smith stated that he did not believe that a program that would waive impact fees would stand up in a court system.

Mayor Poston stated that he did not think that impact fees would work. He stated however great the impact that development may cause; it still created jobs and was good for the community, but would definitely impact our roads. He stated that the state and federal governments would be helping municipalities less and leaving them with less options to raise money to assist with the impact on roads. He stated therefore he would support the motion.

MOTION TO APPROVE ORDINANCE 2865 was made by Councilman Roff, seconded by Councilwoman Barnebey and carried 3-2 with Councilman Smith and Vice Mayor and Councilman Gallo in opposition with Mayor Poston breaking the tie vote. (Councilman Golden was excused from the meeting.)

RV.06.0014 WARD 4 NEIGHBORHOOD 7.02A RS

Request of E. Blake Melhuish, Esquire, agent for Manatee Property Investments, LLC, owner, for Right-of-Way Vacation of Hubbel Road and removal of bridge for a project known as Hidden Lagoon Subdivision located at 701 Oak Street. (Zoned PDP)

RESOLUTION NO. 07-30

PUBLIC HEARING

A RESOLUTION PURSUANT TO SECTIONS 200.G and 200.J.6, CITY LAND USE REGULATIONS, VACATION OF PUBLIC RIGHT-OF-WAY" legally described.

The public hearing was opened, anyone wishing to speak in favor please come forward.

Blake Melhuish and Fred Munn gave a brief overview of the request to remove a bridge for aesthetic and safety issues that related to the Hidden Lagoon subdivision.

Greg Owens, 709 Hubble Road stated that by having the bridge removed and the developer dredge the canal, some of the flooding that occurs in the area would be improved.

Discussion: Dredging only the bridge area at this time with possibly dredging the whole lagoon after further discussion with neighbors.

Those in opposition, hearing none; the public hearing was closed.

Tom Cookingham gave the Planning and Community Development staff report with the staff and Planning Commission recommendation for approval with **one stipulation** as follows:

1. That the asphalt be removed from the east side of the bridge to the intersection of Tropical Drive at the applicant's expense.

Chief Souders stated that the fire department was in favor of the bridge removal and that it would not delay any response time to the surrounding area.

MOTION TO APPROVE RV.06.0014, Resolution 07-30 with the recommendation made by the Planning and Community Development staff and Planning Commission with one stipulation was made by Councilman Smith, seconded by Councilman Roff and carried 4-0 for approval. (Councilman Golden was excused from the meeting.)

CP.07.0019 WARD 3 NEIGHBORHOOD 6.01 TC

Request of Kim Mills, realtor, agent for Stamatis and Sharon Zeris, et al, owners, for approval of a Comprehensive Plan Amendment Application (Large Scale) to change the Future Land Use designation from Residential-10 to UCBD (Urban Central Business District) for property located at 1503 to 1625 9th Avenue West. (Zoned R-3A)

RESOLUTION NO. 07-27

PUBLIC HEARING

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA, TRANSMITTING TO THE DEPARTMENT OF COMMUNITY AFFAIRS PROPOSED COMPREHENSIVE PLAN AMENDMENTS TO THE CITY'S COMPREHENSIVE PLAN; MAKING CERTAIN FINDINGS OF FACT; AUTHORIZING TRANSMITTAL OF COMPREHENSIVE PLAN AMENDMENT **APPLICATION CP.07.0019, Stamatis and Sharon Zeris, et al**, AMENDING THE FUTURE LAND USE ELEMENT (FUTURE LAND USE MAP); PROVIDING FOR APPLICABILITY AND EFFECT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Lucienne Gauffillet, Professional Planner with Arborscape Studio, Inc. gave a brief overview of the request and stated that there was a mixed-use of properties which was non-conforming uses and caused problems for homeowners, Code Enforcement and Law Enforcement.

She stated that, the approval of this request, would begin a revitalization of Ballard Park, thus turning around a blighted area.

She stated this approval would bring seven properties into compliance with other properties after the rezoning process was completed.

Ruth Seewer, Development Review Manager gave an overview of the problems faced by the mixed-use properties in this area.

Discussion: Any development would need a traffic study. Improvements needed for roadways on 9th Avenue, 14th and 15th Street.

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

Tom Cookingham gave the Planning and Community Development staff report with the staff and Planning Commission recommendation for approval based on the Findings of Fact and Analysis of the proposed Comprehensive Plan Future Land Use Map (FLUM) amendment and proposed Land Use (LU) Atlas amendment as follows:

1. The proposed FLUM amendment would be consistent with the appropriate Goals, Objectives and Policies of the City of Bradenton comprehensive plan.
2. The proposed FLUM would establish a land use category that was both consistent with the neighborhood and with adjacent county land use categories.
3. The proposed FLUM and LU Atlas amendments were or could be served by existing City facilities and services and would not reduce the level of service to an unacceptable level.
4. The proposed LU Atlas amendment and subsequent development would be consistent with the existing county zone district and the permitted uses; and
5. The proposed Land Use Atlas amendment was consistent with existing and surrounding City and County zone districts.

Councilman Roff and Councilwoman Barnebey stated they were in favor of the request as there had been numerous burglaries and drug problems in this area.

MOTION TO APPROVE CP.07.0019, Resolution 07-27 with the recommendations made by the Planning and Community Development staff and Planning Commission was made by Councilman Roff, seconded by Councilwoman Barnebey and carried 4-0 for approval. (Councilman Golden was excused from the meeting.)

CP.07.0020 WARD 4 NEIGHBORHOOD 20.04 TC

Request of Barbara Levin, Esquire, agent for Morgan Johnson Associates, LLC, and Bradenton Baptist Church, Inc., owners, for approval of a Comprehensive Plan Amendment Application (Large Scale) to change the Future Land Use designation from County Residential-6 to City Commercial for property located at 5412, 5520, 5526 and 5530 SR 64 East.

RESOLUTION NO. 07-28

PUBLIC HEARING

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA, TRANSMITTING TO THE DEPARTMENT OF COMMUNITY AFFAIRS PROPOSED COMPREHENSIVE PLAN AMENDMENTS TO THE CITY'S COMPREHENSIVE PLAN; MAKING CERTAIN FINDINGS OF FACT; AUTHORIZING TRANSMITTAL OF COMPREHENSIVE PLAN AMENDMENT **APPLICATION CP.07.0020, Morgan Johnson Associates, et al**, AMENDING THE FUTURE LAND USE ELEMENT (FUTURE LAND USE MAP); PROVIDING FOR APPLICABILITY AND EFFECT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Barbara Levin gave a brief overview of a proposed 77,000 square foot commercial facility and displayed a rendering of the site plan. She discussed the third stipulation made at the time of the annexation regarding the relocation of the pump station site. She asked that stipulation three be amended to indicate that the applicant would provide a "lift station site" rather than a lift station.

Discussion: Deleting "water booster pump station" and amend the stipulation to state "site" or add to the stipulation "site swap."

Vice Mayor and Councilman Gallo asked that prior to development approval, an agreement would be completed by all parties as to the development plans regarding the group of homes behind the church.

Barbara Levin stated that the developer would be renewing contacts with the homes behind the church.

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 with the staff recommendation for approval based on the Findings of Fact and Analysis of the proposed Comprehensive Plan FLUM Amendment, and proposed Atlas Amendment with the three stipulations previously approved at the annexation request was as follows:

1. Future development of the subject property was subject to the requirements of the ACCORD, including but not limited to impact fee equivalency as defined in the ACCORD, Section 4.B(5), or the latest, mutually approved definition between Manatee County and the City of Bradenton.
2. Future development of the subject property may require certain land use studies and analysis as part of any preliminary or final development approvals, as determined by the Planning and Community Development Director.
3. The applicant would work with the City of Bradenton Public Works Department to provide a lift station [water booster pump station] along the Morgan Johnson [Road] frontage, in order to relocate the lift station [water booster facility] off of SR 64 East.

After discussion, it was determined that the stipulations previously read pertained to the annexation, and that staff agreed to the following 4th stipulation:

4. Subject to the Comprehensive Plan Amendment, staff would work with the applicant to identify a mutually agreeable site to transfer to the city along frontage of Morgan Johnson Road to take the place of the property on SR 64 East.

Mr. Callahan asked that the "For Sale" sign be removed from the city's property on S.R. 64.

MOTION TO APPROVE CP.07.0020, Resolution 07-28 with the recommendation by the Planning and Community Development staff with 4 stipulations was made by Councilman Smith, seconded by Councilman Roff and carried 4-0 for approval. (Councilman Golden was excused from the meeting.)

PR.07.0033 WARD 4 NEIGHBORHOOD 7.02A RS

PUBLIC HEARING

Request of M. Andrew Allison, P.E., agent for 1935 Partners, LLC, Russell Tilton, owners, for preliminary approval of a Planned Development Project for a professional park for property located at 1935 Manatee Avenue East. (Zoned C-2)

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

Andy Allison agent displayed a site plan and gave a brief overview of the proposed professional park.

Discussion: A low maintenance fence would be PVC, masonry or cement block.

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 with the staff recommendation for approval with seven stipulations and the Planning Commission recommendation based on the Findings of Fact and Analysis of the proposed Atlas Amendment, and pursuant to the General Standards and Regulations requirements of Section 404.A., of the Land Use and Development Regulations PR.07.0033 with seven stipulation and one additional stipulation as follows:

1. All criteria addressed in the memorandum from Public Works dated April 27, 2007, would be addressed on the site improvement construction plans.
2. All trees scheduled for preservation would be adequately barricaded.
3. A low maintenance fence would be installed along the north and east property lines where abutting residential structures are located.
4. If any species listed in Rule 39-27.003 through 39.27-005 of the Florida Administrative Code are observed frequenting the site for nesting or breeding purposes, appropriate mitigation and/or protection measures would be taken, with immediate notification provided to the PCD.
5. The architectural design and features of the proposed buildings shall be approved by the Planning and Community Development Director prior to construction.
6. The Final PDP must address all Stipulations and other Staff/DRC recommendations/concerns included in this report as determined by the Planning and Community Development Director.
7. Any deviation from the approved requirements, as determined by the Planning and Community Development Director, may require a PDP amendment.
8. One sign would be permitted with a maximum 100 sq. ft. per side.

MOTION TO APPROVE PR.07.0033 with the recommendation made by the Planning and Community Development staff and Planning Commission with eight stipulations was made by Councilman Smith, seconded by Councilman Roff and carried 4-0 for approval. (Councilman Golden was excused from the meeting.)

RV.07.0015 WARD 5 NEIGHBORHOOD 7.03 RS

Request of Benson Engineering, Inc., agent for Manatee Village Historical Park, owner, for Right-of-Way Vacation for property located at 1404 Manatee Avenue East (Zoned C-1A)

RESOLUTION NO. 07-29

PUBLIC HEARING

A RESOLUTION PURSUANT TO SECTIONS 200.G and 200.J.6, CITY LAND USE REGULATIONS, "VACATION OF PUBLIC RIGHT-OF-WAY" legally described.

The public hearing was opened.

MOTION TO CONTINUE RV.07.0015 to June 27, 2007 to allow proper notification requirements was made by Councilwoman Barnebey, seconded by Vice Mayor and Councilman Gallo and carried 4-0 for approval. (Councilman Golden was excused from the meeting.)

SU.07.0035 WARD 5 NEIGHBORHOOD 1.03/1.04 RS

PUBLIC HEARING

Request of Klaus Doranth, agent, for Power Properties, Inc., owner, for outdoor storage of pavers and stone behind a fence for property located at 2118 9th Street West (Zoned C-3).

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

Klaus Doranth, agent displayed photographs of the property and gave a brief overview of the outdoor storage site and beautification upgrade for the front of the property with motorized gates, necessary fencing around the dumpster and major clean-up at the rear of the property with proper fencing.

Questions were asked and answers given regarding the site uses, concerns and beautification upgrades.

Discussion: Concerns approving the special exception for multiple uses and concerns for future uses.

Mr. Lisch stated that any authorized use with stipulations for a certain type of business would run with the land and not for the individual.

Discussion: Concerns for dust, noise from large trucks, fencing issues, and the auto-bay areas, long-term goal for the applicant was to purchase the property.

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

Tom Cookingham gave the Planning and Community Development staff report with staff and Planning Commission recommendation for denial based on the following four stipulations:

1. The request for outdoor storage was inconsistent with the comprehensive plan, specifically Neighborhood 1.03/1.04 recommendations.
2. The request for outdoor storage was incompatible with the neighborhood.
3. The outdoor storage, as it exists, may be detrimental to the environmental quality of the neighborhood.
4. The outdoor storage was not consistent with the aesthetics desired for a gateway collector.

Vice Mayor and Councilman Gallo stated he would make a motion for approval as the 9th Street corridor was full of commercial property and trusted the applicant with his desire to clean-up the property and to make it look (in the applicants words) like Disney World.

Councilwoman Barnebey stated she would second the motion with the following three stipulations for the outside storage area as follows:

1. Only landscape materials that would not exceed a height of 6 feet.
2. PVC fence on 9th Street West.
3. Front gates must be radio controlled.

Councilman Smith voiced his concern with two special exceptions on the same site and now adding a third special exception. He voiced his concerns that the city was trying to clean up and improve the area. He felt this request was not compatible with the surrounding area and would be more suitable in a more industrialized area, therefore he could not support the motion.

MOTION TO APPROVE SU.07.0035 with three stipulations was made by Vice-Mayor and Councilman Gallo, seconded by Councilwoman Barnebey and carried 3-1 for approval with Councilman Smith in opposition. (Councilman Golden was excused from the meeting.)

NEW BUSINESS BY DEPARTMENT HEADS, CITY ATTORNEY AND COUNCIL

REQUEST BY Manatee Glens to hold a 5k "Walk for Life" on Saturday, September 15, 2007.

No discussion followed.

MOTION TO APPROVE the request from Manatee Glens was made by Councilwoman Barnebey, seconded by Vice Mayor and Councilman Gallo and carried 4-0 for approval. (Councilman Golden was excused from the meeting.)

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Mr. Callahan read the following notice:

"Notice is hereby given that the City of Bradenton expects to receive the sum of \$497,445 under the Community Development Block Grant Program from the Department of Housing and Community Development for fiscal year 2007-08 and an estimated \$10,000 in program income.

These federal funds will be available to agencies and organizations that directly or indirectly benefit low and moderate income persons and areas as defined by HUD. Applications for the request of funds will be available from June 8, 2007 at 8:00 am through June 28 at 5:00 pm.

Applications may be picked up at the following locations:

- Housing and Community Development Division Office  
912 7<sup>th</sup> Ave. E.  
Bradenton, FL 34208
- Bradenton City Hall  
101 12<sup>th</sup> St. West  
Bradenton, FL 34205

Applications may be picked up at both locations between 8:00 AM and 5:00 PM, Monday through Friday. Applications must be returned to Housing and Community Development program office, 912 7th Ave. E. Bradenton, FL 34208 by June 27<sup>th</sup>, 2007 in order to be considered for funding. No late applications will be accepted.

The City of Bradenton will be holding a public meeting for potential sub recipients to address any concerns and/or answer any questions that arise regarding the application process or the CDBG program on June 14, 2007 from 3:00 pm - 5:00 pm at City Hall Council Chambers, Bradenton City Hall, 101 12<sup>th</sup> Street West, Bradenton, Florida. All potential sub recipients are encouraged to attend.

This meeting will also be used for purposes of obtaining citizen views as to housing and community development needs, identify impediments to fair housing and receive proposals from the public for application development and for development of proposed activities. Funds will be used to provide decent housing, establish, and maintain a suitable living environment and to expand economic development opportunities. At least eighty percent of funds will be used to benefit persons of low and moderate income.

If you require any additional information, please contact Lesa Ramos, in the City of Bradenton Housing & Community Development Division at (941) 932-9600 ext 209. Published: June 8, 2007"

Timothy Polk, Director  
Department of Planning & Community Development

Wayne Poston, Mayor  
City of Bradenton

Mr. Callahan stated there was a last minute addition to the agenda and read the following:

**FIRST READING OF A PROPOSED ORDINANCE**

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, AMENDING THE CODE OF ORDINANCES FOR THE CITY OF BRADENTON, FLORIDA, BY ADOPTING A NEW SECTION 50-36(14) PROHIBITING PARKING OF MOTOR VEHICLES IN MORE THAN ONE DESIGNATED SPACE; PROVIDING AN EFFECTIVE DATE.

Mr. Callahan stated that following several cases which had been thrown out of court, this ordinance would seal any confusion regarding parking inside the white parking spaces.

**MOTION TO APPROVE the first reading of a proposed ordinance prohibiting parking of motor vehicles in more than one designated space and set the second reading and public hearing for June 27, 2007 was made by Vice Mayor and Councilman Gallo, seconded by Councilwoman Barnebey and carried 3-1 for approval with Councilman Smith in opposition. (Councilman Golden was excused from the meeting.)**

## DEPARTMENT HEADS

**Chief Souders:** Announced that at the Firefighter Olympics, the Bradenton Fire Department's baseball team came in second place at the state level. He stated the "Trap and Skeet Shooters" division won 15 medals, 10 being gold medals. He stated next week the department would be competing in the police and fire games in Sarasota for two days.

**Staci Cross:** Absent from the chamber.

**Major Tokajer:** Stated that Chief Radzilowski was traveling on vacation and was now in Spain.

**John Cumming:** Reported that right-of-way permits would be issued to Verizon for 43<sup>rd</sup> Street West which after completion, would finalize the city installation throughout the city.

Mr. Cumming stated the selection process had begun for the Joint Bradenton/Palmetto Mobility Study with the anticipation of hiring a consultant early in July, 2007.

Mr. Cumming stated that the pipe bursting process was working well.

Mr. Cumming stated he had two requests and referred to a copy of a "draft letter" to the Sarasota/Manatee Metropolitan Planning Organization (MPO) addressed to Michael P. Howe, Executive Director as follows:

"Please accept this letter as the City of Bradenton's support for the 2007-2008 Control Management System Project for upgraded signalization of three intersections along Manatee Avenue and the 2007-2008 Transportation Enhancement Project along the Tamiami Trail corridor. On June 13, 2007 the City Council in regular session unanimously voted in support of these projects and in support of the grant application submission for \$800,000 to the Control Management System and \$300,000 to the Transportation Enhancement Project."

Mr. Cumming stated that the city had a partnership with the county on a shared cost for two traffic signals on Manatee Avenue West at 43<sup>rd</sup> Street and 75<sup>th</sup> Street. He stated that funds were available with congestion management through the MPO for \$800,000 to fund lights at the Village Green Parkway, 59<sup>th</sup> Street and 39<sup>th</sup> Street to replace the mast arms. He stated part of the resurfacing on Manatee Avenue would take care of 51<sup>st</sup> Street and 67<sup>th</sup> Street. He stated that this would require advancing the \$800,000, which Mr. Callahan would have to address.

Mr. Callahan stated that he would research as to what was the best way to provide the \$800,000 up front and commented that these roadways were emergency evacuation routes which would be considered for use by impact fees.

Mr. Cumming stated that the Transportation Enhancement Project along Tamiami Trail would be funded from next year's Downtown Development Authority's budget. He referred to the "draft letter" previously read and requested Council's approval to forward the letter to the MPO.

**MOTION TO SUPPORT the "draft letter" for the 2007-2008 Control Management System Project and the 2007-2008 Transportation Enhancement Project was made by Councilwoman Barnebey, seconded by Councilman Roff and carried 4-0 for approval. (Councilman Golden was excused from the meeting.)**

**Tom Cookingham:** Reported that Tim Polk was in Jackson, Mississippi.

**Bill Lisch:** Nothing to report.

**Carolyn Moore:** Excused absence.

**Carl Callahan:** Reported on the Property Tax Relief and Reform Plan Overview.

He stated that the City of Bradenton was placed in the 9% tax cut in revenues bracket. He stated this would require a reduction of last year's revenue of approximately \$1,400,000.

Mr. Callahan gave a brief overview of several calculated formulas which could mean a loss of revenue of approximately \$2.5 million.

He referred to key features in the house bill, giving the Department of Revenue latitude to change due dates for budgets and for the TRIM reports.

Mr. Callahan referred to the comparison per capita tax bracket of the City of Bradenton with other cities and stated it was a mistake to lump cities together.

He voiced his concern that no one knows what impact the cuts were going to have upon municipalities. He stated that this year could be manageable, but would cut into the middle of our budget. He stated there would be very little left to cut, not knowing what the true impact would be on services to the community.

In summary, the concerns were not just what monies would be taken away, but also what contractual obligations the city has going forward into the future years.

Councilwoman Barnebey referred to cutbacks for other entities, such as the library services, county parks and the dedicated funding for environmental lands.

Mayor Poston referred to a statewide poll which had asked if people preferred tax relief versus keeping services, and the majority had voted for keeping services.

Councilman Smith stated there was a misconception that if city's cut out waste, they would still be able to provide services. He stated we will do what needed to be done, but the voters would have to look at their own situations to determine what their needs would be in city services.

Mr. Callahan stated that public safety services were going to have to look at their operating expenses very closely.

Mayor Poston stated that in a meeting with Governor Crist and eight other mayors, the real fear was for public safety and how the tax reform would impact such services. Mayor Poston stated that the Council and he can't emphasize more the importance of making sure that the City of Bradenton had the best fire and police departments, as currently reflected in both department's accreditations and recent low crime statistics.

## **ADJOURNMENT**

There being no further business, Mayor Poston adjourned the meeting at 12:00 p.m.

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