

**CITY COUNCIL MEETING
March 26, 2003**

The City of Bradenton City Council met in regular session in the City Hall Council Chambers, 101 Old Main Street, Bradenton, Florida on March 26, 2003 at 6:00 p.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
Michael Radzilowski, Police Chief
Larry Frey, Planning Services Director
Staci Nelms, Information Technology Director

Press: Bradenton Herald
Manatee Herald Tribune

The meeting was called to order by Mayor Poston.

Prayer was led by Reverend Paul Scheele, First Congregational Church.

Flag salute was led by Vice Mayor Weaver.

MINUTES:

Minutes for Approval of February 26, 2003.

No discussion followed.

Motion to approve the February 26, 2003 minutes was made by Councilman Smith, seconded by Vice Mayor Weaver and carried 5-0 for approval.

Mr. Callahan read the following:

FAIR HOUSING MONTH PROCLAMATION

Jeana Winterbottom accepted the proclamation and commented that this was the second year for the Fair Housing program. She explained that the program had been advertised and that the staff was currently educating the community regarding their rights for fair housing.

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

PUBLIC COMMENTS:

Joe Mammia, Southern Parkway referred to an article printed on February 12, 2003 in the Bradenton Herald written by the former Mayor Bill Evers regarding Police Chief Radzilowski and indicated his support for the current Chief.

Public Event Request

Nick Baden, representing the **Manatee/Sarasota Fish and Game Association** requested approval of a public event for Saturday, May 31st to use the south parking spaces on Barcarrota Boulevard in front of City Hall for outdoor cooking in conjunction with renting the City Auditorium.

Discussion: Concerns for traffic on Barcarrota Boulevard during the cook out activity.

ACTION: To leave the decision up to the Police Department to monitor the situation should the need to close the street be deemed.

Motion to approve the request was made by Councilman Gallo, seconded by Councilwoman Barnebey and carried 4-1 for approval with Councilman Golden in opposition.

Jackie Atwood, 1010 Riverside Drive East stated that she had participated with the Keep America Beautiful clean-up in Ward IV. She stated that she observed an abundance of trash at the bus bench between 11th Street East and 12th Street East. She asked if "No Littering" signs printed in English and Spanish be posted and suggested placement of a trash can at this site.

Mayor Poston asked John Cumming if he would look into these two issues.

COUNCIL REPORTS:

Councilman Gene Gallo, Ward I:

Nothing to report.

Councilwoman Marianne Barnebey, Ward II:

Councilwoman Barnebey stated she had represented the Manatee County Library Association recently in Tallahassee. She stated that she had the privilege meeting several of our local senators and representatives at our State Capitol.

Vice-Mayor Michele Weaver, Ward III

Vice Mayor Weaver invited everyone to attend the Public-Mayor Ward III program on April 14, 2003 at 7:00 p.m.

Councilman Bemis Smith, Ward IV:

Councilman Smith thanked the Public Works Department for their assistance with the clean-up in Ward IV.

Councilman Smith stated that he would be working with John Cumming regarding intersection improvements on the corner of 4th Avenue and 15th Street East.

Councilman James Golden, Ward V:

Councilman Golden thanked the Public Works, the Police and the Fire Departments for their support with the clean up in Ward V.

Councilman Golden presented two *Award of Excellence* plaques to Mayor Poston from the Tampa Bay Regional Planning Council for the State Road 64 East Median Landscape Project and for the Bradenton Village Project.

Councilman Golden invited citizens in the community to the Code Enforcement Open House to be held in the Department of Development Services on March 27, 2003.

Councilman Golden stated he would be representing the City of Bradenton at the Manasota League of Cities on "Legislation Affairs Day" in Tallahassee.

Councilman Golden invited everyone to attend the Public Mayor Program for Ward V on April 7, 2003 at 5:30 p.m. at the Central Fire Station.

Councilman Golden stated on April 15, 2003 the Front Porch Revitalization Council in conjunction with Tropicana Products would be sponsoring a community wide reception from 5:00 pm to 7:00 pm at the Tropicana complex.

Councilman Golden stated that Mayor Poston and the City Council would be meeting with the Central Community Redevelopment Agency for a Hope VI workshop which would be held at 5:00 pm on April 16, 2003.

Mayor Poston:

Mayor Poston stated that the CSX Railroad crossing improvement on Manatee Avenue was completed sooner than expected.

Mayor Poston stated that the Interlocal Agreement for the Joint Planning Committee would be forthcoming at the next Council meeting.

Mayor Poston stated that he had met with the Mayor from the City of South Seda, Dominican Republic to discuss establishing Latin trade as a Sister City.

BUSINESS/ADVERTISING, PETITIONS, HEARINGS AND COMMUNICATIONS:

Mr. Callahan read the following:

**FIRST READING OF AN ORDINANCE
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.

No discussion followed.

Motion to approve the first reading and set the second reading and public hearing for April 9, 2003 was made by Councilman Smith, seconded by Councilman Golden and carried 5-0 for approval.

Mr. Callahan read the following:

**FIRST READING OF AN ORDINANCE
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 AS FOLLOWS :

BEGIN AT THE SE CORNER OF NE 1/4 OF SECTION 29, GO NORTH 200 FEET ALONG EAST LINE OF SECTION 29 FOR A POINT OF BEGINNING, THEN CONTINUE NORTH 178.44 FEET TO A POINT, THENCE GO N.89 DEG. 45'E. A DISTANCE OF 274.12 FEET FOR ROAD PURPOSES.

No discussion followed.

Motion to approve the first reading and set the second reading and public hearing for April 9, 2003 was made by Councilman Smith, seconded by Councilman Golden and carried 5-0 for approval.

NEW BUSINESS BY DEPARTMENT HEADS, CITY ATTORNEY AND COUNCIL:

Mr. Callahan read the following:

The Manatee Chamber of Commerce is requesting a "Main Street" event to promote the Chamber and enhance the "Get Down Downtown" area on Thursday, April 17, 2003.

Mr. Callahan stated that this event was similar to last years event.

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

Mr. Callahan read the following:

AGREEMENT IN PRINCIPAL – JUDICIAL CENTER PARKING

Mr. Callahan stated that this agreement had been approved by the Manatee Board of Commissioners on March 11, 2003. He stated that this agreement was between the City of Bradenton and Manatee County to utilize the Walcade lot location for a parking garage. He stated that the proposal from Manatee County was to provide a parking garage with an additional four hundred parking spaces downtown with two hundred designated for the Judicial Center and Sheriff's office use. He noted that this agreement had nothing to do with the actual building of the parking garage and recommended approval of the agreement.

Questions were asked and answer given regarding the language in the agreement and funding.

(Tape 1, side 2)

Councilman Gallo voiced his concern that should he approve the agreement would it reflect approval of the jail as he was opposed to the jail location in downtown Bradenton.

Bill Lisch stated "NO" that the agreement had nothing to do with the jail location.

Discussion: AC Muffler had been given notice to vacate the building within 180 days.

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

Mr. Callahan read the following:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA, AUTHORIZING TRANSFER OF CERTAIN PROPERTIES KNOW AS THE DEPARTMENT OF MOTOR VEHICLES (DMV) PROPERTY TO THE NEW SINGLETARY SCATTERED SITES, LIMITED PARTNERSHIP (BRADENTON HOUSING AUTHORITY) PROVIDING AN EFFECTIVE DATE.

Mr. Callahan stated that this resolution would authorize the transfer of the DMV property to assist in completing their tax credit application.

He stated that the resolution indicated that the site would be used only for Senior Housing and if the site was not used for Senior Housing then the property would be reverted back to the City of Bradenton. He further stated that another clause stated that the site would be demolished and cleaned up with a time frame of one hundred twenty days for removal. He stated that should the application for the Senior Housing project not be approved then the City of Bradenton would reimburse the cost of demolition and removal of the debris. He recommended approval of the resolution.

Lance Clayton, Bradenton Housing Authority gave a brief explanation of the application process to Department of Housing and Urban Development (HUD).

Discussion: Changing the heading of the resolution eliminating "New Singletary scattered sites, Limited Partnership" to the Bradenton Housing Authority.

Motion to approve the resolution to authorize the DMV property to the Bradenton Housing Authority was made by Councilman Golden, seconded by Councilman Gallo and carried 5-0 for approval.

John Cumming

**Florida Department of Transportation/ JPA Agreement
Pedestrian Signals at 67th Street West**

Mr. Cumming requested approval of the Florida Department of Transportation JPA Agreement for pedestrian signals at 67th Street West and Manatee Avenue. He stated that Florida Department of Transportation would provide \$20,000 for equipment and the City of Bradenton would provide the labor to install the signals. He recommended approval of the agreement.

No discussion followed.

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

CSX Pedestrian Crossing and Road Closure

Mr. Cumming stated that CSX railroad had offered to sell the City a parcel which would access 11th Avenue West along the west side of the railroad tracks to 5th Street West with the sales price of \$7,500.00. He recommended approval of the purchase.

No discussion followed.

Motion to approve the recommendation to purchase property from CSX Railroad was made by Vice Mayor Weaver, seconded by Councilman Golden and carried 5-0 for approval.

Larry Frey

BUDGET ADJUSTMENTS

Jeana Winterbottom gave a brief overview of budget adjustments to allocated funds for the 5-year consolidated plan for the following programs:

**Community Development Block Grant
State Housing Initiative Partnership Program
Fair Housing Program
Housing Assistance**

Discussion: Various budget adjustments.

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

DEPARTMENT HEADS:

Mayor Poston commented that the three local Wal-Mart's had verbally committed to \$3,000 for the Homelessness Leadership Council funding.

Carl Callahan

Mr. Callahan introduced David Beauchamp as the new General Manager in the City Clerk's Department. He stated that David would be assisting him with the Customer Service Department. He stated Dave would continue running the annual Senior Amateur Golf Tournament at the River Run Golf Course.

Mark Souders

Chief Souders reported that he had attended the School Resource Officer Training class at the Manatee Civic Center. He stated that the class focused on ready preparedness for emergency incident in the Manatee County schools.

Staci Nelms

Ms. Nelms announced that the Eden System would be on line within two weeks and training for the system was currently taking place.

Chief Radzilowski

Chief Radzilowski announced that Major J.J. Lewis graduated from the FBI National Academy in Washington D.C.

Chief Radzilowski stated that the Police Department had been undergoing the Commission of Law Enforcement Accreditation and stated that he was encouraged by how speedy the process was, as the evaluation had been completed in two days. He stated that he was confident that the department would be certified due to the high marks and the positive recommendations that were given by the commission.

John Cumming

Mr. Cumming stated that the 3rd Avenue project and waterfront project was moving along smoothly.

He stated that the Capetown Drainage Project was 90% completed and that the equipment was being placed at the east storm drain site to begin work soon.

Mayor Poston stated that the Public Works Department was creating a packet on the Wares Creek project for Congresswoman Katherine Harris to review and to assist with any recommendations she may have.

Larry Frey

Mr. Frey thanked the Department of Development Services staff for helping to obtain major changes in order to achieve a higher quality of standards in the department.

He stated that by April 1, 2003 most of all the Code Enforcement Officers would be housed in City Hall as well as the Building Inspectors.

He stated that he was now in charge of the Enterprise Zone and would be working toward creating a program to encourage redevelopment in the City's target area. He stated he would then turn the board over to the Grants and Assistance Department.

He commented that he would be taking charge of the Memorial Tree Program and the Federal Emergency Management Agency (FEMA) grants program.

Councilman Golden stated that he was pursuing a grant to help place a piece of playground equipment at the Martin Luther King Boulevard, Jr. Park and asked for any assistance to help pursue this project.

Mr. Callahan stated he would review the Parks and Recreation budget and any other source that could be considered with assisting this project.

Bill Lisch

Mr. Lisch read the following:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA, APPROVING JOINT PROJECT AGREEMENT (JPA) BETWEEN THE CITY OF BRADENTON AND THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) FOR INSTALLATION OF PEDESTRIAN SIGNALS AT 67TH STREET WEST AND STATE ROAD 64; PROVIDING AN EFFECTIVE DATE.

No discussion followed.

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

ADJOURNMENT

There being no further business, Mayor Poston adjourned the meeting at 7:45 p.m.

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