

**CITY COUNCIL MEETING
July 19, 2006**

APPROVED BY
August 16, 2006
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 July 19, 2006 at 8:30 a.m.

Present: Vice Mayor and Councilman Ward I Gene Gallo; Councilwoman Ward II Marianne Barnebey; Councilman Ward III Patrick Roff; Councilman Ward IV Bemis Smith and Councilman Ward V James T. Golden.

City Officials: Wayne Poston, Mayor; Carl Callahan, City Clerk and Treasurer; John Ormando, Assistant Director Public Works; William Lisch, City Attorney; Mark Souders, Fire Chief; Michael Radzilowski, Police Chief; Tim Polk, Department of Planning and Community Development Director; Staci Cross, Information Technology Director, and Carolyn Moore, Human Resources Director.

Press: Bradenton Herald and Manatee Herald Tribune

The meeting was called to order by Mayor Poston.
Ecumenical invocation was led by Ricardo Ramos.
Flag salute was led by Mayor Poston.

PROCLAMATIONS

CHILDREN'S SUMMIT DAY - AUGUST 12, 2006

STOP ON RED WEEK - AUGUST 6 - 12, 2006

PRESENTATIONS

PUBLIC WORKS EMPLOYEE RECOGNITIONS

Employee of the Month for June - **Ollie Anderson**, Recycling

Employee of the Month for July - **Chris Chybowski**, Water Distribution

Team of the Quarter - **Fred Rentz**, Calvert White & Charles Cannon, Solid Waste Commercial

Supervisor of the Quarter - **Robert Chancey**, Garage

HUMAN RESOURCES

1. 2006-07 EMPLOYEE HEALTH INSURANCE PLAN

Carolyn Moore gave a brief summary of the Employee Contributions Health Plan with the changes made to the Premium (Choice) plan with an increase of 15%, Preferred (Standard) plan with an increase of 5% and Primary (Base) plan with no changes as voted by the Insurance Committee.

RECOMMENDATION BY Carolyn Moore to accept the new 2006-07 Employee Health Insurance plan with changes.

Mr. Callahan stated that the city paid \$7200 for every employee to cover the cost for health benefits.

MOTION TO APPROVE the 2006-2007 Employee Health Insurance Plan as recommended by Carolyn Moore was made by Vice Mayor Gallo/Councilman Golden and carried 5-0 for approval.

2. PRIDE AWARDS

Carolyn Moore recognized **Police Detective Jeremy Giddens, Police Officer Christopher Hutchko, Chuck Kessler, Information Technical Programmer, Cheryl Landers, Code Enforcement Officer, Police Officer Joshua Small, Police Officer Kyle Stanford and Jake Zaagman, Police Information Technology Specialist** as this quarters Pride Award winners.

INFORMATION TECHNOLOGY – LASERFICHE SYSTEM DEMONSTRATION

Sandy Markman, Information Technology Business Analyst, gave a brief overview of the LaserFiche Imaging System also known as a Data Capturing System with easy access for important document retrieval and archival.

SARASOTA BAY ESTUARY PROGRAM STATE OF THE BAY REPORT 2006

Mark Alderson, Executive Director gave a summary of the 2006 State of the Bay Report and distributed a pamphlet giving a thorough overview of the mission to improving and protecting the area's greatest and most important natural assets: Sarasota Bay and the adjacent water bays of Palma Sola Bay, Bowless Creek, Phillippi Creek, Roberts Bay, Clower Creek and Blackburn Bay.

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

CITIZEN COMMENTS

No one came forward.

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: Reiterated that the problems surrounding the homeless issue were escalating and requested that the "No Out-of Doors Lodging Ordinance" be brought back to Council as the legal action with Sarasota had again been continued.

Bill Lisch stated he would look into the court action against the Sarasota ordinance.

Mayor Poston commented that a previous newspaper interview of several homeless people had quoted some of them as saying that they had moved to Bradenton after the Sarasota ordinance had been adopted.

Councilman Bemis Smith, Ward IV: Gave a brief overview of the history of how Reflections of Manatee was given by donation, a small portion of Indian Springs Park for educational purposes. He stated a deed had been filed with an incorrect legal description which had mistakenly given all of Indian Springs Park to the group.

He stated that over the past few years, Reflections of Manatee had been uncooperative in helping to correct this error.

REQUEST to authorize Bill Lisch to move forward by any means to regain ownership of Indian Springs Park.

Discussion: That it was the city's intent to help Reflections of Manatee by donating a small piece of property adjacent to the park to use as a sugar cane field for educational purposes and that there was never any intent to give one of the city's parks away.

MOTION TO APPROVE the request to authorize Bill Lisch to move forward to regain ownership of Indian Springs Park was made by Councilman Smith/Vice Mayor Gallo and carried 5-0 for approval.

Councilman James Golden, Ward V:

Councilman Golden requested that a resolution be drafted declaring the removal of the necessity provision from the Development Regional Impact (DRI) requirement as it related to affordable housing and that the City of Bradenton would support the legislative change as a matter of legislative policy for affordable housing in the State of Florida. Whereas, any developer that would be developing in the State for Florida, whether by inclusion zoning, by offset or by cash contribution would be subject to the laws and accountable by their jurisdiction.

Mayor Poston stated that the city needed to have a workshop to discuss this issue.

Councilman Golden requested to know the status of the turn lane being created at the Manatee County Historical Park at the intersection of Manatee Avenue and 15th Street East.

John Ormando stated that a meeting had been set to work out the details on the physical land requirements for a public right-a-way to improve this intersection. He stated that Manatee County and the Florida Department of Transportation (FDOT) would be assisting in this endeavor.

Lengthy discussion regarding problems with citrus trucks turning onto 15th Street East to the Tropicana plant.

Councilman Golden requested approval to begin development plans for the enhancement of Martin Luther King (9th Avenue East) and the 15th Street East intersection.

John Ormando interjected that the Metropolitan Planning Organization Technical Advisory Committee would be finalizing approval for three projects to upgrade intersections and pointed out that two were on 15th Street East at 9th Avenue East (MLK) and at 17th Avenue East.

Councilman Golden said he had received a letter from the State Department of Parks which stated that a parcel of land to be used for a retention pond needed for the 10th Avenue East Drainage project could not be used for those purposes. He stated that the department was requesting that a parcel of land be utilized as a park in order to use another parcel for a retention pond.

Sherod Halliburton, Executive Director of the Central Community Redevelopment Agency, stated that there were several options to consider, and future meetings had been set up to discuss this issue.

Lengthy discussion: Acquiring land for a park and a retention pond in prior years Manatee County had received grant funds of \$21,000 to assist in the development of the East Bradenton Recreational Center.

Maggie Moore, Manatee County Grants Coordinator stated that the \$21,000 could not be paid back for grant funds received. She stated that 1.5 acres was an appropriate size for a replacement park but it could be smaller, if necessary.

Councilman Golden made a motion to purchase a parcel of land for a neighborhood park on the east side of Martin Luther King at 6th Street Court East, with additional land behind Rogers Park and additional land for the Norma Lloyd Park. Motion died for a lack of a second.

Councilman Smith stated that perhaps a workshop could be set to discuss alternatives, and that he was not ignoring this important issue.

Councilman Golden stated that he was pleased with the Code Enforcement Department's commitment to assist the Washington Park community.

Mayor Wayne Poston: Nothing to report.

CONSENT AGENDA

APPROVAL OF MINUTES for June 28, 2006.

Councilwoman Barnebey abstained from voting due to her absence from the June 28, 2006 meeting.

MOTION TO APPROVE the June 28, 2006 Council minutes was made by Councilman Smith/Vice Mayor Gallo and carried 4-0 for approval.

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**RESOLUTION 06-52**

A RESOLUTION APPOINTING **DAVID WILCOX** TO THE CITIZENS ADVISORY COMMITTEE OF THE METROPOLITAN PLANNING ORGANIZATION FOR THE CITY OF BRADENTON, FLORIDA AND DEFINING HIS TERM.

No discussion followed.

**MOTION TO APPROVE Resolution 06-52 was made by Councilwoman Barnebey/Councilman Smith and carried 5-0 for approval.**

BUSINESS/ADVERTISING, PETITIONS, HEARINGS AND COMMUNICATIONS

**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, and PDP to PDP for property located at 1203 Manatee Avenue East.

**FIRST READING OF PROPOSED ORDINANCE NO. 2842**

*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, AND PDP TO PDP FOR THE PROPERTY LOCATED AT 1203 MANATEE AVENUE EAST AND LEGALLY DESCRIBED.*

**MOTION TO APPROVE the first reading and to set the second reading and public hearing of Ordinance 2842, LU.05.0020 for August 16, 2006 was made by Councilman Smith/Vice Mayor Gallo and carried 4-0 for approval.** (Councilman Smith was absent during the vote.)

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FIRST READING OF ORDINANCE NO. 2843

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.

MOTION TO APPROVE the first reading and to set the second reading and public hearing of Ordinance 2843 for August 16, 2006 was made by Councilman Smith/Vice Mayor Gallo and carried 4-0 for approval. (Councilman Smith was absent during the vote.)

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**LU.06.0028 WARD 3 NEIGHBORHOOD 6.01 MM/RS**

Request of Gregg Guinta, agent for Bradenton Properties, LLC, owner, for Land Use Atlas Amendment from R-1C to Professional for property located at 512 25<sup>th</sup> Street West.

**PROPOSED ORDINANCE NO. 2841 SECOND READING / 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-1C TO PROFESSIONAL FOR THE PROPERTY LOCATED AT 512 25<sup>TH</sup> STREET WEST AND LEGALLY DESCRIBED.*

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

**Scott May** and **Gregg Guinta**, Mortgage Broker Partners, applicants, gave a brief overview of plans to renovate the existing building into office spaces for their mortgage company.

Lengthy discussion with concerns regarding parking on the alleyway to the west. Suggestions were to place a fence or landscaping to stop parking along the alleyway.

The applicants stated that the nature of the business would not generate a high volume of traffic and that plans would be made to include proper landscaping.

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

Tim Polk gave the Department of Planning and Community Development staff report with staff and Planning Commission recommendation for approval based on the consistency with the Comprehensive Plan Future Land Use Designation of Professional.

**MOTION TO APPROVE LU.06.0028, Ordinance 2841 with the recommendation made by the Department of Planning and Community Development and Planning Commission was made by Councilman Roff/Vice Mayor Gallo and carried 5-0 for approval.**

**LU.06.0029 WARD 5 NEIGHBORHOOD 7.02B MM**

Request of Central Community Redevelopment Agency, agent for the City of Bradenton, owner, for Land Use Atlas Amendment from R-2A and R-1D to C-1A for property located at 908 6<sup>th</sup> Street Court East, 614 10<sup>th</sup> Avenue East and 619 11<sup>th</sup> Avenue East.

**PROPOSED ORDINANCE NO. 2838 SECOND READING 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-2A, R-1D TO C-1A FOR THE PROPERTY LOCATED AT 908 6<sup>TH</sup> STREET COURT EAST, 614 10<sup>TH</sup> AVENUE EAST AND 619 11<sup>TH</sup> AVENUE EAST AND LEGALLY DESCRIBED.*

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

**Matt McLachlan**, Department of Planning and Community Development Assistant Director, gave a brief summary of the three properties consisting of 1.6 acres which was currently occupied by a triplex. He stated that the Comprehensive Plan listed the property as downtown mixed use and that it was consistent with the Central Community Redevelopment Agency (CCRA) Master Plan. He stated that the Department of Planning and Community Development staff recommended approval of the request.

**Sherod Halliburton**, CCRA Executive Director displayed an aerial photograph and a site plan of the proposed property. He stated that there were individuals interested in purchasing the property with the possibility for redevelopment into a new office complex.

General discussion regarding a significant relevant piece of property to be use as the gateway for future development in the area.

Mr. Halliburton stated that the majority of the Washington Park residents wanted to see Martin Luther King district converted back to a business corridor for small and developing businesses.

**Raphael Allen**, community activist, asked that on behalf of the residents’ best interest, should this request be approved, to please consider their input carefully regarding any proposed development.

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

Tim Polk stated that the Department of Planning and Community Development staff and Planning Commission recommended approval of the request based on the City’s Comprehensive Plan and the Central Community Redevelopment Agency Master Plan.

**MOTION TO APPROVE LU.06-0029, Ordinance 2838 with the recommendation made by the Department of Planning and Community Development and Planning Commission was made by Councilman Golden/Councilman Smith and carried 5-0 for approval.**

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CP.06.0016 CITY OF BRADENTON PUBLIC HEARING

Request of City of Bradenton for Large Scale Comprehensive Plan Amendment for text changes to the Coastal Management Conservation Element, Recreation and Open Space Element, and Historic Preservation Element.

RESOLUTION 06-47

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA, TRANSMITTING TO THE DEPARTMENT OF COMMUNITY AFFAIRS PROPOSED (LARGE SCALE) COMPREHENSIVE PLAN AMENDMENTS TO THE CITY'S COMPREHENSIVE PLAN; MAKING CERTAIN FINDINGS OF FACT; AUTHORIZING TRANSMITTAL OF COMPREHENSIVE PLAN AMENDMENT **APPLICATION CP.06.0016 CITY OF BRADENTON**, FOR TEXT CHANGES TO THE COASTAL MANAGEMENT CONSERVATION ELEMENT, RECREATION AND OPEN

SPACE ELEMENT AND HISTORIC PRESERVATION ELEMENT; PROVIDING FOR APPLICABILITY AND EFFECT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Craig Shadrix, of Glatting Jackson, gave a brief overview of objectives and policies on a large scale text amendment on Coastal Management/Conservation, Recreation and Open Space and Historic Preservation Elements in support of the Florida Community Trust (FCT) grant application.

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

Tim Polk stated that the Department of Planning and Community Development staff recommended approval with the Planning Commission recommendation for approval with one stipulation: To change the Coastal Management/Conservation Element for Goal #5, Objective #1, Policy #2 by removing the words "Coastal High Hazardous" line.

MOTION TO APPROVE CP.06.0016, Resolution 06-47 with the recommendation made by the Department of Planning and Community Development staff and Planning Commission recommendation with one stipulation was made by Councilman Smith/Councilwoman Barnebey and carried 5-0 for approval.

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**RV. 06.0011 WARD 5 NEIGHBORHOOD 1.03/1.04 RS PUBLIC HEARING**

Request of Fred Munn, agent for Rodney Lawrence, owner, for the approval of a right-of-way vacation at 1009 16<sup>th</sup> Avenue West. (Zoned R-3B/VAOD)

**RESOLUTION 06-46**

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

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

**Ruth Sewer**, Development Review Manager, stated that Mr. Fred Munn, the applicant, had asked to withdraw his request. She suspected it was due to the recommendation for denial by the Department of Planning and Community Development staff and Planning Commission. She stated she had asked Mr. Munn to send a formal letter of withdrawal but that he had never done so.

The public hearing was closed.

Tim Polk gave the Department of Planning and Community Development staff report with the recommendation for denial by the Department of Planning and Community Development staff and Planning Commission for the following three (3) reasons:

1. The proposed vacation would not provide the square footage necessary for the applicant to provide an additional unit.
2. Documentation from the gas company had not been submitted.
3. Vacation of the requested right-of-way would result in inaccessible right-of-way between Lots 7 & 14.

**MOTION TO DENY the request of RV.06.0011, Resolution 06-46 with the recommendation for denial by the Department of Planning and Community Development and Planning Commission was made by Councilman Golden/Councilman Smith and carried 5-0 for approval to deny.**

**RESOLUTION 06-51**

**PUBLIC HEARING**

A RESOLUTION AUTHORIZING THE CITY OF BRADENTON TO USE THE UNIFORM AD VALOREM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS FOR THE RIVER YACHT AND RACQUET CLUB.

Mr. Callahan gave a brief overview of the original condominium project on the waterfront. He stated at one time the River Yacht and Racquet Club had encompassed this area. He stated this request was to take advantage of the assessment (similar to the Promenade project) which would give the River Yacht and Racquet Club an ownership interest to allow disposal of properties under a lease.

Mr. Callahan stated that following lengthy discussions between Bill Lisch and Stephen Thompson, it was decided that a rate which would satisfy and work for the City of Bradenton was \$500 per unit. He recommended approval of Resolution 06-51.

Mr. Callahan stated that, possibly in the future, the site of the recreation/clubhouse and the current existing 32 units could be redeveloped with more units. He stated that regardless of the number of units, this resolution would take care of any future issues relating to this property.

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

Stephen Thompson, attorney representing the River Yacht and Racquet Club Association, stated he was in agreement with the negotiations and to keep in mind that any development would have to come before Council for approval.

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

**MOTION TO APPROVE Resolution 06-51 with the recommendation made by Mr. Callahan was made by Vice Mayor Gallo/Councilwoman Barnebey and carried 5-0 for approval.**

Recess 12:00 p.m.  
Council reconvened at 1:30 p.m.

NEW BUSINESS BY DEPARTMENT HEADS, CITY ATTORNEY AND COUNCIL

**Occupational License – Rick’s Shuttle Service**

Mr. Callahan stated that the applicant, Mr. Richard W. Newfield, Sr., had applied for a taxi service license to utilize a 2001 Mercury Grand Marquis GS. He stated that the applicants packet was in order and recommended approval of the request.

No discussion followed.

**MOTION TO APPROVE the request by Rick’s Shuttle Service was made by Councilman Smith/Vice Mayor Gallo and carried 4-0 for approval.** (Councilman Golden was absent during the vote.)

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RESOLUTION NO. 06-45

PUBLIC HEARING

A RESOLUTION OF THE CITY OF BRADENTON, FLORIDA, INCREASING ITS WATER AND SEWER SERVICE IMPACT FEES; PROVIDING AN EFFECTIVE DATE.

Mr. Callahan referred to an evaluation study dated August, 2005 on impact fees which had been prepared by Jones, Edmunds and Sons (JEA). He stated that Jones, Edmunds and Sons had done a comparison on impact fees through various methods which had taken into consideration the needs of normal growth versus the needs of significant additional growth.

Mr. Callahan stated that requirements to notice these changes had been done by placing notices on 12 cycles of water billing statements and a notice had also been advertised in the newspaper and that no objections had been received from citizens. He recommended approval based on the project costs cited in the Jones, Edmunds and Sons study.

Councilman Smith voiced his opposition to the increase of the various types of impact fees as it would restrict developers from building affordable housing and result in raised housing prices. He stated that this would make it more expensive and difficult to live in our community.

Mr. Callahan stated that the builders who previously built houses had already paid a fee. He said that the continuously rising costs of providing services, made this increase necessary for the city to keep up with the demands of growth cause by new development.

Discussion was to make this resolution effective August 1, 2006.

MOTION TO APPROVE Resolution 06-45 with the recommendation made by Mr. Callahan effective August 1, 2006 was made by Councilwoman Barnebey/Vice Mayor Gallo and carried 4-1 for approval with Councilman Smith in opposition.

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**REQUEST BY** Tom Orehowsky to hold the Manatee High Canes Classic Cross Country 5k/1 mile race to benefit the Manatee High School Cross Country Program on Monday, September 4, 2006, with a street closure on 33<sup>rd</sup> Avenue Drive West from 51<sup>st</sup> Street West to G.T. Bray Baseball Complex from 7:45 a.m. to 8:15 a.m.

No discussion followed.

**MOTION TO APPROVE the request for the Manatee High Cross Country 5k/1 mile race was made by Councilwoman Barnebey/Councilman Roff and carried 5-0 for approval.**

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REQUEST BY Nancy McCarty of Manatee Glens to hold a "Walk for Life" 5k walk to benefit Suicide Awareness and Prevention on Saturday, September 16, 2006. The walk will start in Palmetto at Sutton Park go southbound on the outside lane over the Green Bridge, around Bradenton City Hall, and return for the finish at Sutton Park.

No discussion followed.

MOTION TO APPROVE the request to hold the Walk for Life 5k walk was made by Councilman Golden/Councilman Smith and carried 5-0 for approval.

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**REQUEST BY** Andy Minor of the Bradenton Downtown Progress to hold three separate events: (1) Pep Rally for the Buccaneers on Saturday, September 9, 2006. (2) A Block Party during Palmetto Bike Week, on Friday, October 6, 2006 and (3) Downtown Hoops II to be held on Saturday, October 21, 2006.

Andy Minor submitted a revised site plan for the Downtown Hoops II event requesting to move the setup from Barcarrota Boulevard to the parking lot behind City Hall where they would utilize half of the lot until the Farmer's Market was finished. Following the closure of the market, they would then set up on Old Main Street as they had during the previous event, Downtown Hoops I.

Vice Mayor Gallo voiced his concern that if the auditorium had an event scheduled for that day, the revised plan would not work.

Mr. Callahan stated he would check with the auditorium.

General discussion for one stipulation that all the requirements would be met.

**MOTION TO APPROVE (#3) Downtown Hoops II with one stipulation was made by Councilman Golden/Councilman Smith and carried 5-0 for approval.**

Councilman Golden stated that due to his religious commitment regarding alcohol, he would not support this motion.

**MOTION TO APPROVE (#1) Pep Rally for the Buccaneers with one stipulation was made by Councilman Smith/Councilwoman Barnebey and carried 4-1 for approval with Councilman Golden in opposition.**

Regarding event #2, Vice Mayor Gallo stated he was not opposed to bikers, but due to the loud noise that so many motorcycles could create in the downtown streets of the city, he would not support the motion.

Councilman Golden stated that due to his religious commitment regarding alcohol, he would not support this motion.

**MOTION TO APPROVE (#2) a Block Party during Palmetto Bike Week with one stipulation was made by Councilman Smith/Councilwoman Barnebey and carried 3-2 for approval with Vice Mayor Gallo and Councilman Golden in opposition.**

**Tim Polk**

**PUBLIC HEARING**

Proposed Statement of Housing and Community Development Objectives and Projected Use of Funds and One-Year Action Plan and Projected Use of Funds for Fiscal Year 2006-07.

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

Mr. Polk distributed the Community Development Block Grant Application Summary Matrix and referred to the various agencies, their funding requests, original and revised recommended funding and their designated priority status.

Lengthy discussion regarding the agencies, their priority status, the funding recommended for each agency and carryover funding.

Lengthy discussion that the One Stop Resource Center for the homeless was the highest funded project listed.

Vice Mayor Gallo and Councilman Smith voiced their opposition to the proposed funding as presented as they felt very strongly that higher priority should be focused on the youth and the elderly.

Councilman Golden and Councilwoman Barnebey stated that homelessness was at a critical point and had to be dealt with soon.

Councilman Roff stated he was not happy with the allocation made to Just for Girls. He stated he agreed with Vice Mayor Gallo regarding the youth and elderly but that the homeless issue needed to be addressed this year.

Councilman Roff stated that the "No Out-of-Doors Lodging" ordinance needed to be addressed as soon as possible.

**Raphael Allen**, community activist, stated he supported the funding as presented but that the main priority should be the youth and elderly. He also thought there was too much funding earmarked for Code Enforcement.

Mr. Allen stated that the Council should listen more to what the community wanted prioritized for funding.

The public hearing was closed.

REQUEST BY MOTION to reduce the funding by 50% from the One Stop Resource Center and move the funds to Just for Girls and Meals on Wheels was made by Vice Mayor Gallo and died for a lack of a second.

**RESOLUTION NO. 06 -50**

A RESOLUTION ADOPTING THE CITY OF BRADENTON, FLORIDA CONSOLIDATED PLAN/ONE YEAR ACTION PLAN AND PROJECTED USE OF FUNDS FOR 2006-2007 PROVIDING AN EFFECTIVE DATE.

**MOTION TO APPROVE Resolution 06-50 was made by Councilman Golden/Councilman Roff and carried 3-1 for approval with Vice Mayor Gallo in opposition. (Councilman Smith was absent during the vote.)**

**RESOLUTION NO. 06- 49**

A RESOLUTION CONTINUING 2006 ENVIRONMENTAL ASSESSMENT FOR COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM; FINDING OF VALIDITY OF F.O.N.S.I. PROVIDING AN EFFECTIVE DATE.

**MOTION TO APPROVE Resolution 06-49 was made by Councilman Golden/Councilman Roff and carried 4-0 for approval. (Councilman Smith was absent during the vote.)**

**RESOLUTION NO. 06 - 48**

A RESOLUTION AUTHORIZING FILING AND EXECUTION OF THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FUND APPLICATION BY THE MAYOR FOR FISCAL YEAR 2006-2007; PROVIDING AN EFFECTIVE DATE.

**MOTION TO APPROVE Resolution 06-48 was made by Councilman Golden/Councilman Roff and carried 3-1 for approval with Vice Mayor Gallo in opposition. (Councilman Smith was absent during the vote.)**

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Mr. Callahan read the following:

“PUBLIC NOTICE was hereby given that the City of Bradenton’s Housing & Community Development Housing Choice Voucher Program has developed its Annual PHA (Public Housing Agency) Plan for fiscal year beginning October 1, 2006. The proposed Agency Plan would be available for public review at the following location during regular business hours:

- The Planning & Community Development Office
101 12th Street West, Bradenton, Florida 34205
- Bradenton City Hall City Clerk’s location at
101 12th Street West, Bradenton, Florida 34205
- Manatee County Library located at
1301 Barcarrota Boulevard, Bradenton, Florida 34205

A final Public Hearing to consider oral and written comments on the Agency Plan would be held by the Mayor and City Council, acting as the Section 8 Housing Agency Board on Wednesday October 11, 2006 at 8:30 a.m. in the City Council Chambers at City Hall located at 101 Old Main Street, Bradenton, Florida 34205. In addition, the City Council would adopt appropriate resolutions associated with the plan and would authorize filing with the Department of Housing & Urban Development by October 18, 2006. Any public comments would become part of the plan and mailed to HUD. For any questions or comments, please contact Willie Calhoun, or Lesa Ramos at 941-932-9400.

Wayne Poston, Mayor

Timothy Polk, Director of Housing & Community Development
City of Bradenton, Florida”

DEPARTMENT HEADS

Carl Callahan:

RECOMMENDATION TO BEGIN the testing of the ASR-1 test well site with a budget adjustment for the engineering fee of \$38,000 from the FY 2007 budget to the FY 2006 year budget to allow Jones, Edmunds and Sons (JEA) to move forward with the project.

Claude Tankersley, with Jones, Edmunds, and Associates (JEA), requested approval to authorize JEA to begin the Task 2 – Design and Permitting Assistance for the Storage Zone Monitoring Well (SZMW-E).

MOTION TO APPROVE the budget adjustment from FY 2007 to FY 2006 of \$38,000 to begin the project for the ASR-1 test well site was made by Vice Mayor Gallo/Councilwoman Barnebey and carried 3-0 for approval Councilman Smith and Councilman Golden were absent during the vote.

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**REQUEST WITH THE RECOMMENDATION** from John Cumming and Carl Callahan to move forward with the Ware’s Creek bridges design with the SRF loan and to authorize JEA to begin the project.

Claude Tankersley stated that SWFWMD would assist with the funding for the Wares Creek bridges at 9<sup>th</sup> Avenue, 12<sup>th</sup>, 14<sup>th</sup> and 17<sup>th</sup>.

**MOTION TO APPROVE the request with the recommendations made by John Cumming and Carl Callahan to begin the Ware’s Creek Bridges design was made by Councilman Roff/Councilwoman Barnebey and carried 4-0 for approval. (Councilman Smith was absent during the vote.)**

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REQUEST WITH MOTION TO EXECUTE a deed to Manatee County for the 2.5 acres of property adjacent to Jigs Landing on Evers Reservoir to include a reverter clause was made by Councilwoman Barnebey/Councilman Roff and carried 4-0 for approval. (Councilman Smith was absent during the vote.)

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**REQUEST FOR AN EMERGENCY UPGRADE FOR the computers at the Lift Station at an approximate cost of \$50,000.**

John Ormando stated that the Supervisor Communication and Data Acquisition (S.C.A.D.A.) systems monitored the communication of approximately 50 lift stations and needed to be upgraded as soon as possible.

**MOTION TO APPROVE the request to upgrade the S.C.A.D.A. systems was made by Councilwoman Barnebey/Councilman Roff and carried 4-0 for approval. (Councilman Smith was absent during the vote.)**

**Deputy Chief Edwards:** Nothing to report.

**Staci Cross:** Announced that the city's website had been down for a short time as the renewal for notification was not given to the proper person, but it was up and running now.

Ms. Cross stated that the computer at the podium in the chamber would be replaced with a new computer by the next Council meeting.

Ms. Cross announced that there would be some major EDEN changes done on Monday, July 24, 2006.

**Chief Radzilowski:** Announced proudly that the police department had received an outstanding report from the Department of Florida Law Enforcement due to a reduction in crime of 12% in spite of the city's rapid growth.

**John Ormando:** Nothing to report.

**Tim Polk:** Nothing to report.

**Bill Lisch:** Nothing to report.

**Carolyn Moore:** Announced that the Employee Health Fair would be held on August 2<sup>nd</sup> in the auditorium and insurance open enrollment would begin on Monday, August 7<sup>th</sup> through August 18<sup>th</sup> in the auditorium.

## ADJOURNMENT

There being no further business, Mayor Poston adjourned the meeting at 3:45 p.m.

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