

**CITY COUNCIL MEETING
February 9, 2005**

**APPROVED BY
February 23, 2005
CITY COUNCIL**

The City of Bradenton City Council met in regular session in the City Hall Council Chambers, 101 Old Main Street, Bradenton, Florida on February 9, 2005 at 8: 30 a.m.

Present: Councilman Ward I Gene Gallo, Councilwoman Ward II Marianne Barnebey Councilwoman Ward III Michele Weaver, Vice Mayor and Councilman Ward IV Bemis Smith and Councilman Ward V James T. Golden.

City Officials: Wayne Poston, Mayor, Carl Callahan, City Clerk and Treasurer, John Cumming, Public Works Director, William Lisch, City Attorney, Chuck Edwards, Deputy Fire Chief, Michael Radzilowski, Police Chief, Larry Frey, Development Services 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 Rev. Dr. Don Thompson, Transitions Church & Support Group.
Flag salute was led by Vice-Mayor Smith.

Rev. Dr. Don Thompson, Transitions Church & Support Group, appealed to the Council to consider working with Manatee County to help increase the supply of more affordable housing as a result of the recent federal budget cuts.

APPROVAL OF MINUTES:

APPROVAL OF MINUTES FOR JANUARY 26, 2005.

Councilwoman Weaver excused herself from voting as she was absent from this meeting.

MOTION TO APPROVE the January 26, 2005 minutes was made by Councilman Gallo/Vice-Mayor Smith and carried 4-0 for approval.

PRESENTATION:

BRADENTON PUBLIC WORKS RECOGNITIONS

John Ormando, Assistant Director of Public Works recognized **Terry Parsley**, Storm Drain Department as the January Employee of the Month.

John Cumming congratulated **Seth Kohn**, City Engineer, for his accomplishments in obtaining several college degrees in engineering and for his outstanding performance within the Public Works Department.

BRADENTON POLICE DEPARTMENT AWARDS

Mayor Poston and Chief Radzilowski presented humanitarian service awards to the detail of security for the Presidential Inaugural on January 20, 2005.

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

CITIZEN COMMENTS:

Carol Stronstorff, Vice President of the Society to the Cruelty of Patients gave a brief report on Senate Bill S3 and warnings on the dangers of mercury in flu vaccines.

COUNCIL REPORTS:

Councilman Gene Gallo, Ward I:

REQUEST BY Councilman Gallo to authorize Mayor Poston to send a letter to the Manatee County Commissioners requesting additional lighting on Manatee Avenue from 32nd Street to 75th Street.

No discussion followed.

MOTION TO APPROVE the request by Councilman Gallo was made by Councilman Gallo/ Councilman Golden and carried 5-0 for approval.

Councilwoman Marianne Barnebey, Ward II: Thanked Larry Frey and Matt McLachlan for a previously distributed memorandum regarding growth issues in Manatee County.

Councilwoman Weaver, Ward III: Nothing to report.

Vice Mayor Bemis Smith, Ward IV: Requested Ruth Seewer, Development Review Manager to give a brief update on the fence issue at the Arbor Oaks subdivision.

Ruth Seewer and Larry Frey stated that this issue would be addressed in the Land Use Regulations amendment sometime in March or April, 2005.

Vice-Mayor Smith gave a brief scenario on the importance of historical preservation and requested Larry Frey to comment on this issue.

Larry Frey stated he attended a Florida Historic Preservation Trust Workshop in Fort Pierce which addressed the issue of historical preservation of buildings listed on the City's Florida Master File and what the proper procedures were for demolition, if determined necessary.

Councilman James Golden, Ward V: Requested that the Department of Development Services and City Attorney develop a plan and explore opportunities to seek affordable or obtainable housing.

Larry Frey gave a brief report of the methods currently in place to supply affordable housing.

Councilman Golden requested a land trust ordinance which would allow for construction of affordable housing for people who need affordable housing in compatible existing neighborhoods.

Lengthy discussion: Affordable and obtainable housing projects for those who need affordable housing.

Councilman Golden introduced **J.L. Denmark**, Presiding Elder of the African Methodist Episcopal Church of the West Central Florida Conference, St. Petersburg District.

Mayor Wayne Poston: Thanked City Attorney Bill Lisch for his assistance in working closely with the county attorneys on the amendment of the Accord.

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

a) AX 04-0003 SECOND READING OF ORDINANCE 2773 PUBLIC HEARING
AN ORDINANCE ANNEXING TO THE CITY OF BRADENTON, FLORIDA, CERTAIN LAND CONTIGUOUS THERETO, LOCATED AT 5716 21ST AVENUE WEST AND LEGALLY DESCRIBED AS FOLLOVED:

BEGIN AT THE NORTHWEST CORNER OF LOT 27 OF WYMAN & BAUM SUBDIVISION; GO THENCE EASTERLY ALONG NORTHERLY BOUNDARY OF SAID LOT; 130 FEET TO A POINT, THENCE SOUTHERLY PARALLEL TO THE WEST BOUNDARY LINE OF SAID LOT; 300 FEET TO A POINT; THENCE WESTERLY; 130 FEET TO THE WESTERLY BOUNDARY LINE OF THE SAID LOT; THENCE NORTHERLY ALONG THE WESTERLY BOUNDARY LINE OF THE SAID LOT TO THE POINT OF BEGINNING. AS DESCRIBED IN DEED BOOK 354, PAGE 442 OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA. SUBDIVISION OF THE SE ¼ WYMAN AND BAUM SUBDIVISION. PARCEL IDENTIFICATION NUMBER: 3940000007

Mr. Callahan stated that this Ordinance #2773 replaced the previous approved Ordinance #2767 which was adopted November 17, 2004 which contained an error in the legal description.

Public hearing opened, those in favor, hearing none.

Those in opposition, hearing none, public hearing closed.

Mr. Frey gave a brief report of the less than one acre parcel which eliminated an existing enclave. He stated that this parcel would be subject to impact fee equivalency as defined in the Accord section 4(b).

He stated the Department of Development Services staff recommended approval of the annexation.

MOTION TO APPROVE Ordinance 2773 as recommended by the Department of Development Services staff was made by Vice-Mayor Smith/Councilman Gallo and carried 5-0 for approval.

b) FS-04-01 WARD 4 NEIGHBORHOOD 7.02 RS

Request of Florida Coast Surveying, Agent for Manatee Property Investments, owner for final subdivision approval for plat recording for the replat of Tropical Shores, now known as "Hidden Lagoon Subdivision," a single family development consisting of 17 lots. (Zoned PDP w/R1C Standards)

Mr. Frey gave a brief report on the 4.46 acre parcel consisting of seventeen lots with a density of 3.8 per acre. He stated the Department of Development Services staff recommended approval of the request as all required findings had been met.

MOTION TO APPROVE the request of FS 04-01 as recommended by Department of Development Services staff was made by Vice-Mayor Smith/Councilman Gallo and carried 4-0 for approval. (Councilwoman Weaver was absent from the chambers.)

c) PR-04-0008 WARD 4 NEIGHBORHOOD 20.04 MM PUBLIC HEARING

Request of Robert Schmitt, agent for Braden River Animal Hospital, owner, for preliminary approval of a Commercial Planned Development Project on the property located at 5012 SR 64 East. (Zoned PDP)

Public hearing opened those in favor.

Robert Schmitt, gave a brief report and displayed renderings of the three phases of the project.

Questions were asked and answers given regarding the site design and sidewalks along the front of the property.

Mr. Frey stated that sidewalks were a requirement in a PDP.

Those in opposition, hearing none, public hearing closed.

Mr. Frey gave the Department of Development Services staff report and stated that the Department of Development Services staff and Planning Commission recommended approval of the request with one stipulation as followed:

1. The Phase III building shall possess an architectural style and color scheme compatible with the elevations shown for Phase I and Phase II buildings.

Two additional stipulations were added as followed:

2. The improvements to the property beyond the existing intensity shall be subject to impact fee equivalency as defined in the Accord section 4(b).
3. Sidewalks would be constructed as required by the Department of Development Services.

MOTION TO APPROVE request PR-04-0008 as recommended by Department of Development Services staff with three stipulations was made by Vice-Mayor Smith/ Councilman Golden and carried 5-0 for approval.

d) SU-04-0010 WARD 4 NEIGHBORHOOD 20.04 RS PUBLIC HEARING

Request of Vicki M. Hartman, agent for Outback Steakhouse, Inc., applicant, and Benderson Development, owner of Braden River Plaza, for Special Use approval to operate an Outback Steakhouse on the property located at 4510 SR 64 East. (Zoned PDP)

e) AB-04-0009 WARD 4 NEIGHBORHOOD 20.04 RS PUBLIC HEARING

Request of Vicki M. Hartman, agent for Outback Steakhouse, Inc., applicant, and Benderson Development, owner of Braden River Plaza, for alcoholic beverage approval for a 4-COP/SRX (sale of beer, wine and liquor for consumption on premises) on the property located at 4510 SR 64 East. (Zoned PDP).

Public hearing opened those in favor.

Vicki M. Hartman, Icon Consultant Group requested approval of an out parcel to construct an Outback restaurant to be located at 4510 State Road 64 East.

Those in opposition, hearing none, public hearing closed.

Mr. Frey gave the Department of Development Services staff report with the recommendation for approval with the following four stipulations:

1. Construction of the building would be in accordance with the building elevations submitted and identified as City of Bradenton "Exhibit D".
2. No trees would be placed within the easements.
3. Landscaping would be designed to conform to the landscape theme for the shopping plaza. Additional landscaping material was required to compensate for the additional parking.
4. Fire hydrant and equipment would be installed on the northeast quadrant of the property in accordance with the Fire Department specifications.

Mr. Frey stated the Planning Commission recommended approval with the following four stipulations:

1. Construction of the building would be in accordance with the building elevations submitted and identified as City of Bradenton "Exhibit D".
2. No trees would be placed within the easements.
3. Fire hydrant and equipment would be installed on the northeast quadrant of the property in accordance with Fire Department specifications.
4. No signage would be located within an easement.

Ruth Seewer, Development Review Manager, stated that stipulation #3 of the Department of Development Services staff report could be eliminated as the landscaping plan submitted by the applicant did conform to the theme of the shopping center.

She stated that the Department of Development Services staff supported the four stipulations recommended by the Planning Commission.

MOTION TO APPROVE SU 04-0010 request as recommended by the Department of Development Services staff and Planning Commission with four stipulations was made by Vice-Mayor Smith/Councilman Golden and carried 5-0 for approval.

MOTION TO APPROVE AB-04-0009 request as recommended by the Department of Development Services staff and Planning Commission with four stipulations was made by Vice-Mayor Smith/Councilwoman Weaver and carried 4-1 for approval with Councilman Golden in opposition.

f) MA-04-0007 WARD 1 NEIGHBORHOOD 11.03 RS PUBLIC HEARING

Request of George F. Young, agent for Village at Cortez, Partners, Ltd., owner, for approval to build carport structures within the 35' building setback located at 4850 51st Street West (Zoned PDP)

Public hearing opened those in favor.

James Farr, agent for George F. Young, displayed renderings and gave a brief description of a proposed major amendment for an existing PDP in order to install freestanding carports along the north side of the complex.

Those in opposition, hearing none, public hearing closed.

Mr. Frey gave the Department of Development Services staff report and stated that the Department of Development Services staff and Planning Commission recommended approval with one stipulation as followed.

1. All carport structures included within the project shall meet the approval of city staff with supporting renderings submitted prior to submittal to the City Council for approval.

Ruth Seewer, Development Review Manager, stated that she objected to the rendering which had been previously been submitted and stated that the rendering was not the building proposed for construction.

She asked for a specific stipulation pertaining to which exhibit the Council wished to approve. She stated that "Exhibit I" was the closer exhibit to what the Department of Development Services would approve.

She recommended an additional stipulation #2 regarding that the landscaping be placed as depicted on the plan.

Discussion: Stipulations.

1. To include "Exhibit I" regarding the architectural design.
2. That the landscape as proposed on the revised site plan would be installed.

MOTION TO APPROVE request MA-04-0007 as recommended by the Department of Development Services staff and Planning Commission with two stipulations was made by Councilman Gallo/Councilman Golden and carried 5-0 for approval.

g) AB-04-0011 WARD 1 NEIGHBORHOOD 12.02 RS PUBLIC HEARING

Request of George Nikitopoulos, Agent for Beachway Partners LLC, owner, for a 2-COP (sale of beer and wine for consumption on premises) on the property located at 7220 Manatee Ave West (TBD)

Public hearing opened those in favor.

Irene Nikitopoulos, owner of "The Wing Factory" gave a brief description of the existing restaurant and requested approval for a beer and wine license.

Those in opposition, hearing none, public hearing closed.

Mr. Frey gave the Department of Development Services staff report and stated that the Department of Development Services staff and Planning Commission recommended approval of the request with no stipulations.

MOTION TO APPROVE the request of AB-04-0011 as recommended by the Department of Development Services staff and Planning Commission was made by Councilman Gallo/Councilwoman Weaver and carried 4-1 for approval with Councilman Golden in opposition.

h) SU-04-0011 WARD 5 NEIGHBORHOOD 1.03/1.04 RS PUBLIC HEARING

Request of Jerry Zoller, Agent for Meals on Wheels Plus of Manatee, Inc, owner for Special Use approval to operate a senior activity center to be known as "Crossroads" on the property located at 1816 9th St W. (Zoned C3)

Public hearing opened those in favor.

Jerry Zoller, as agent, and **Ellen Campbell**, Executive Director of Meals on Wheels, gave a description of the special use request to operate a senior activity center to be known as "Crossroads".

Mr. Zoller stated that Meals on Wheels had applied for a grant to use the facility as a hurricane evacuation shelter but that the grant had not yet been approved.

Councilwoman Weaver stated that she served on the board for Meals on Wheels and that she had no financial gain from this request.

Discussion: Anyone could use the senior activity center as there was no age limit requirement.

Councilman Golden requested that brick sidewalks and crosswalks be installed.

Bill Theroux, Downtown Development Authority Director, (in audience) stated that he would seriously consider the request and would bring forth the request to the Downtown Development Authority Board for next year's budget.

Those in opposition, hearing none, public hearing closed.

Larry Frey gave the Department of Development Services staff report with the Department of Development Services staff recommendation for approval with five stipulations and the Planning Commission recommendation for approval with the same five stipulations with one addition as indicated by the underline in stipulation #3 as followed:

1. Provide solid fencing along the north side of the property where it abuts the residential use.
2. Access drives could not exceed 24 feet in width.
3. Remove the chain link fence at the rear of the building that ran east to west and provide a 14 foot clearance to allow the sanitation trucks access to the dumpster.
4. Project all lighting away from the residential areas.
5. Comply with Public Works, Fire Department and Police -DRC comments.

MOTION TO APPROVE request SU-04-0011 for a senior activity center as recommended by the Department of Development Services staff and Planning Commission with the five stipulations and with the one addition in stipulation #3 was made by Councilman Golden/Councilwoman Weaver and carried 5-0 for approval.

i) SR-05-0001

PUBLIC HEARING

Request by City of Bradenton that the name of 14th Street West, between Manatee Avenue West and south to the city limit, be changed to its more historical name of Tamiami Trail.

RESOLUTION NO. 05 - 03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA, CHANGING THE NAME OF THAT STREET CURRENTLY KNOWN AS 14th STREET WEST, BETWEEN MANATEE AVENUE WEST AND SOUTH TO THE CITY LIMIT, TO TAMIAMI TRAIL, AND PROVIDING AN EFFECTIVE DATE.

Public hearing opened those in favor.

Larry Frey gave a brief report on the street renaming and stated that approximately 85 property owners had been notified and that the renaming of Fourteenth Street to Tamiami Trail did not require any address change.

Mr. Frey stated that the Department of Development Services staff recommended approval of the request to extend the name change from Manatee Avenue to 8th Avenue West.

Discussion: Name changing designation with the post office agreement stating they would deliver to both addresses.

Those in opposition, hearing none, public hearing closed.

Discussion: The actual Fourteenth Street corridor.

MOTION TO APPROVE the request SR-05-0001 as recommended by the Department of Development Services with Resolution 05 - 03 to change 14th Street to Tamiami Trail was made by Councilwoman Weaver/Councilman Golden and carried 5-0 for approval.

NEW BUSINESS BY DEPARTMENT HEADS, CITY ATTORNEY AND COUNCIL:

- a) **RESOLUTION NO. 05 - 04**
A RESOLUTION REAPPOINTING **MILDRED SMITH** TO THE HOUSING AUTHORITY BOARD FOR THE CITY OF BRADENTON, FLORIDA AND DEFINING HER TERM.
- b) **RESOLUTION NO. 05 - 05**
A RESOLUTION APPOINTING **LUCIENNE GAUFILLET, BRADY COHENOUR AND JOSEPH THOMPSON** TO THE PLANNING COMMISSION FOR THE CITY OF BRADENTON, FLORIDA AND DEFINING THEIR TERM.
- c) **RESOLUTION NO. 05 - 06**
A RESOLUTION REAPPOINTING **DR. DIANE MICHAELS** TO THE ENTERPRISE ZONE BOARD FOR THE CITY OF BRADENTON, FLORIDA AND DEFINING HER TERM.
- d) **RESOLUTION NO. 05 - 07**
A RESOLUTION REAPPOINTING **PATRICK ROFF AND ARLENE FLISIK** TO THE TREE BOARD FOR THE CITY OF BRADENTON, FLORIDA AND DEFINING THEIR TERM.

Councilman Golden announced that Joseph Thompson was the first African American to serve on the Planning Commission.

MOTION TO APPROVE five resolutions 05-04, 05-05, 05-06, and 05-07 was made by Councilman Gallo/Councilman Golden and carried 5-0 for approval.

e) VEHICLE FOR HIRE - CHRISTIAN CARRIER TRANSPORTATION

Mr. Callahan stated that Thomas J. Williams, owner and applicant had met all requirements. He recommended approval of the request.

Councilman Golden stated that Tomas J. Williams was his cousin and that he had no financial gain from this request.

MOTION TO APPROVE the Vehicle for Hire request by Christian Carrier Transportation was made by Councilwoman Barnebey/Councilwoman Weaver and carried 5-0 for approval.

f) REQUEST BY Linda Walker to hold a public event known as Yulefest on Friday, December 2, 2005, from 5:30 p.m. to 10:00 p.m. on Barcarrota Boulevard between Old Main Street and 10th Street

Mr. Callahan stated that the Yulefest event would add to the Winter Wonderland public event which took place on the same weekend.

Councilwoman Barnebey stated that she was delighted to see the two public events work together as they did in the past.

MOTION TO APPROVE the request by Linda Walker for the Yulefest public event was made by Councilwoman Weaver/Vice-Mayor Smith and carried 5-0 for approval.

John Cumming

a) TWO FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) HIGHWAY LANDSCAPING INSTALLATION AND MAINTENANCE AGREEMENTS FOR PALMA SOLA CAUSEWAY

John Ormando, Public Works Assistant Director and member of the Keep America Beautiful Committee, gave a brief overview of the two agreements, (1.) FM# 415530 for \$70,754 and (2.) FM # 415535 providing a portion of funds allocated for the County. He requested approval with two resolutions to authorize Mayor Poston to sign the agreements.

Bill Lisch read the resolution for each agreement as followed:

RESOLUTION 05-09 (FM# 415530) AND RESOLUTION 05-10 (FM# 415535)

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF BRADENTON, FLORIDA, APPROVING THE CITY ENTERING INTO A HIGHWAY LANDSCAPING AND MAINTENANCE AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) FOR THAT RIGHT OF WAY KNOWN AS PALMA SOLA CAUSEWAY; PROVIDING AN EFFECTIVE DATE.

No discussion followed.

MOTION TO APPROVE two FDOT Highway Landscaping Installation and Maintenance Agreements for Palma Sola Causeway FM#415530 and FM# 415535 with two resolutions 05-09 and 05-10 authorizing Mayor Poston to sign the agreements was made by Councilman Gallo/Councilman Golden and carried 5-0 for approval.

John Ormando gave a brief report and distributed a rendering of a proposed boat ramp. The new boat ramp for Palma Sola would be relocated on the south side of Manatee

Avenue and east side of the "Palms at Palma Sola," a new development where Bongo's Restaurant had been located.

He stated that this location had been considered due to the restrictions of other areas on the causeway needed for a turning radius and that there was ample room for a parking lot and room to move the boats in and out at the proposed location. He stated this boat ramp would be restricted to allow only 22' or 23' boats.

He indicated that this issue would come before the public at a future meeting.

Mr. Ormando requested any comments from Council regarding this issue.

No comment was made by Council.

DEPARTMENT HEADS:

Carl Callahan: Gave a brief report of the following resolution which the Florida League of Cities had drafted to support their position on growth management.

RESOLUTION 05-08

A RESOLUTION OF THE CITY OF BRADENTON, URGING MEMBERS OF THE FLORIDA LEGISLATURE TO SUPPORT THE FOLLOWING GROWTH MANAGEMENT ISSUES DURING THE 2005 LEGISLATIVE SESSION.

No discussion followed.

MOTION TO APPROVE Resolution 05-08 was made by Councilman Gallo/Councilwoman Weaver and carried 5-0 for approval.

Mayor Poston stated that Sarasota County had some concerns regarding the constitutionality of cameras at stop signs and traffic lights.

Mayor Poston stated that the Manasota League had adopted a statement by the legislature supporting the use of cameras to photograph cars going through red lights and/or stop signs.

REQUEST BY Mayor Poston to draft an ordinance to support this issue if the Council so desired.

No discussion followed.

MOTION TO APPROVE the request to draft an ordinance supporting cameras at traffic lights and/or stop signs was made by Councilman Gallo/Councilwoman Barnebey and carried 3-2 for approval with Vice-Mayor Smith and Councilman Golden in opposition.

Mr. Callahan reported that the City had an opportunity to refinance 1995 A – Utility Bonds totaling 7.5 million dollars.

He stated he was currently studying the needs of the City, the Downtown Development Authority and the Central Community Redevelopment Agency to determine whether the refinance would be beneficial with the cost savings of \$60,000 a year over a six-year period.

He stated that this issue may come before the Council for their consideration.

Mr. Callahan reported that Dave Beauchamp and he had been reviewing the River Run Golf Course greens for restoration. He stated that the golf course opened eighteen years ago and that there were now some concerns regarding the conditions of the greens and drainage issues.

He stated that he would be bringing forth a request to restore the greens, and that the funds would be provided from the earnings made during the last eighteen years of the golf course operation.

Deputy Chief Edwards: Reported that Chief Souders was attending a Fire and Rescue Conference in Jacksonville.

Staci Cross: Excused from the meeting.

Carolyn Moore: Reported that on February 15th and 16th the Human Resources Department would be hosting a Health and Wellness Seminar in the City Auditorium foyer. She stated there would be cooking and fitness tips with a healthy lunch served to the attendees.

Chief Radzilowski: **REQUESTED to re-assign the vacant Deputy Police Chief's position to increase the authorized strength of Sergeant positions from 13 to 15 which would promote two current officers to Sergeant and would increase the police department authorized strength of 120 to 121 which would give the department one additional officer position.**

He stated that there would be no increase in salary to promote the two people.

MOTION TO APPROVE the request of Chief Radzilowski was made by Councilwoman Barnebey/Councilman Gallo and carried 5-0 for approval.

Discussion: An ongoing effort to recruit minorities in the police department.

Chief Radzilowski stated that the Metropolitan Police Department in Washington D.C. had offered a free twenty-eight foot Boston Whaler boat which needed some repairs. He stated that there was a current study identifying the City's needs for such a large boat.

Discussion: That the boat was too large for City needs and that such a large boat presented ongoing maintenance concerns.

John Cumming: Distributed a Project Status Report for February, 2005 from Jones, Edmunds and Associates (JEA) describing the various projects underway throughout the City. He stated he would submit this summary each month to keep the Council up-to-date on the projects.

John Cumming reported that he was waiting to hear about the right-of-way on 48th Street Court East to be dedicated by the County to the City. He stated that the City should be in control of this right-of-way and the street improvements.

John Cumming reported that Verizon planned to begin at the end of 2005 to drill in certain locations throughout the City to install fiber optic cables. He stated he had some concerns about protecting the City's underground utility lines when Verizon begins to drill.

He stated that Mayor Poston and he had met with the Verizon staff to establish requirements asking that Verizon request various permits and provide information of record drawings prior to digging.

He stated that Verizon would pay the City to hire consultants to locate the current utility lines.

Discussion: Verizon fiber optic service would be used for telephone, high-speed internet and updated cable service.

Lengthy discussion: Franchise agreements and the Telecommunications Tax Law.

Mr. Callahan commented that with the franchise agreements the City was only an agent and could only take complaints from the citizens. He stated that Manatee County was in charge and made decisions regarding the cable franchise.

John Cumming reported that the Florida Department of Transportation (FDOT) had concerns about placing bricks on Highway 301 at 9th Avenue and 13th Avenue crosswalks. He stated the two problems were: (1.) the length of time that Highway 301 would be closed and (2.) the cost of laying the bricks.

He stated that an alternative to the bricks would be a material called "Street Imprints" that looked like bricks and was $\frac{3}{4}$ of an inch thick. He stated they were currently studying the installation of Street Imprints. He stated that Street Imprints would take less time to install and less time for closer of Highway 301.

Larry Frey: Reported that the Interlocal Planning Team consisting of Manatee County and all of the County's municipalities, met to discuss and identify growth management.

He gave a brief overview of the meeting and stated that positive elements had resulted from that meeting and recommended the community design and compatibility study which addressed intensity and density issues.

Larry Frey stated that Matt McLachlan, Assistant Director of Department of Development Services and he would be attending the Florida Legislative Workshop regarding growth management.

Larry Frey stated that the Florida Chapter of the American Planning Association would be touring the Village of the Arts and Bradenton Village in September, 2005.

Larry Frey distributed a copy of a PowerPoint presentation entitled "Land Use 101" stating that this was to be the first basic session for discussion at the next Planning Commission Workshop.

Bill Lisch: Nothing to report.

ADJOURNMENT:

There being no further business, Mayor Poston adjourned the meeting at 11:40 a.m.

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