



**CITY COUNCIL MEETING
February 25, 2004**

The City of Bradenton City Council met in regular session in the City Hall Council Chambers, 101 Old Main Street, Bradenton, Florida on February 25, 2004 at 6:00 p.m.

Present: Councilman Ward I Gene Gallo, Councilwoman Ward II Marianne Barnebey Councilwoman Ward III Michele Weaver, Councilman Ward IV Bemis Smith and Vice-Mayor 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, Mark Souders, Fire Chief, Michael Radzilowski, Police Chief, Larry Frey, Development Services Director and Staci Cross, Information Technology Director

Press: Bradenton Herald and Manatee Herald Tribune

The meeting was called to order by Mayor Poston.
Ecumenical prayer was led by Pastor Bill Pierson, J.O.Y. Fellowship and Ministries.
Flag salute was led by Councilman Smith.

APPROVAL OF MINUTES:

Approval of Minutes for January 28, 2004 and February 11, 2004.

No discussion followed.

MOTION TO APPROVE the minutes for January 28, 2004 and February 11, 2004 was made by Councilman Gallo/Vice Mayor Golden carried 5-0 for approval.

PROCLAMATION:

MANATEE PLAYERS TOM SAWYER DAY PROCLAMATION

Rick Kirby, Artistic Director, **Jody Huber-Hamn**, Managing Director and **Denny Miller**, Members of the Manatee Players with cast members **Mary Burnes**, **Dillon Jones**, and **Heidi Cop**, from the play “The Adventures of Tom Sawyer” accepted the proclamation.

The play was judged “*Best Performance*” at the Florida Theatre Conference with the cast representing the State of Florida at the Southeastern Theatre Conference competition in Chattanooga, Tennessee on March 6, 2004.

SEXUAL ASSAULT AWARENESS DAY PROCLAMATION

The month of April 2004 is proclaimed as “Sexual Assault Awareness Month” and April 2, 2004 as “Sexual Assault Awareness Day”.

PRESENTATION:

BRADENTON FIRE DEPARTMENT COMMENDATIONS

Chief Souders awarded commendations to the following fire fighter's for their outstanding job in extinguishing a house fire and rescue of life on January 26, 2004: **Battalion Chief Charles W. Edwards III, Captain Bradley Bruce, FF/Engineer Tim Geer, FF/EMT Rommel Arostegui, FF/EMT Dana Tindall, FF/Engineer Jeff Bruski, FF Mike Ghidoni, FF Rocco Salvatori, FF/Engineer Doug Huffman, FF Brandon Desch Division Chief/Fire Marshal David Dobrzykowski and Fire Inspector Richard G. Findley.**

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

PUBLIC COMMENTS:

Carol Stronstroff, Patient Advocate stated that her concerns about the Occupational License with Blake Hospital was progressing with some answers. She voiced her concern that the new construction for the hospital was not listed properly with the State of Florida.

COUNCIL REPORTS:

Councilman Gene Gallo, Ward I: Nothing to report.

Councilwoman Marianne Barnebey, Ward II: Invited everyone who would like to participate in the Lewis Park clean-up on March 6, 2004 at 8:30 a.m.

Vice-Mayor Michele Weaver, Ward III: Thanked Mayor Poston to allow her the opportunity to attend the Local Leadership Government Conference.

Councilman Bemis Smith, Ward IV: Encouraged anyone who would like to participate in the Old Manatee Neighborhood cleanup to meet at the Manatee United Methodist Church on March 6, 2004 at 8:30 a.m.

Councilman Smith requested the police department to have a stricter enforcement policy regarding playing loud music in cars.

The other Council members reiterated Councilman Smith concerns for stricter enforcement for playing loud music in cars.

Councilman James Golden, Ward V: Invited those interested in participating in the Ward V clean up to meet at St. Stephens AME Church on March 6, 2004.

Mayor Poston: Announced that there would be a referendum on the March 9th primary ballot for the half-cent sales tax which was critically important for saving major environmentally sensitive lands.

BUSINESS/ADVERTISING, PETITIONS, HEARINGS AND COMMUNICATIONS:

LUR-AA-04-05 WARD 3 NEIGHBORHOOD 6.01 LF

FIRST READING

Request of the City of Bradenton for approval of a Zoning Atlas Amendment to change the designation from Multi Family Residential R-3A to Single Family Residential R-1C or other appropriate zone for the property located between Virginia Drive and 26th Street West, and 9th Avenue West to the north side of 6th Avenue West. (Zoned R-3A)

Proposed Ordinance # 2753

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 MULTI-FAMILY R-3A TO SINGLE FAMILY R-1C FOR THE PROPERTY LOCATED AT 6TH AVENUE WEST TO 9TH AVENUE WEST BETWEEN WARE'S CREEK AND 26TH STREET WEST.

Discussion: Ordinance #2753 would require two public hearings with at least one in the evening as the ordinance addressed more than (10) ten acres, approximately 270 properties for a rezone change.

Councilwoman Weaver gave a brief detail of neighborhood concerns requesting the zoning change and the concerns of the property owners who have already existing multi-family dwellings in the neighborhood who were against this ordinance.

She stated that some provisions were needed in the ordinance to alleviate concerns regarding existing multi-family units in the neighborhood.

Lengthy discussion: Special federal process to handle provision changes in the ordinance. To have a workshop before the first public hearing with proper notice for input from the community.

ACTION: Request for Larry Frey to set a workshop tentatively Tuesday, March 2, 2004 at 6:00 p.m. with notice to the public.

NEW BUSINESS BY DEPARTMENT HEADS, CITY ATTORNEY AND COUNCIL:

Carl Callahan

OCCUPATIONAL PERMIT – DOLPHIN CAB & LIMO SERVICE

Mr. Callahan stated that the City Clerk's Department had the right to withdraw or revoke any licenses if certain City criteria's were not met or violation of the law occurred after the City issued the license.

Discussion: Assurance that the Taxi's appearance and performance was in good condition.

Mr. Callahan stated that he would be reviewing the City's ordinance with the Bradenton Police Department and Bill Lisch regarding enforcement of vehicle's for hire by annual inspection before approval of the license renewal.

MOTION TO APPROVE the request was made by Councilwoman Barnebey/Councilwoman Weaver carried 5-0 for approval.

Inaudible conversation from the audience asking to speak to the Council. Since the request had already been approved this person submitted information (he thought) was pertinent to this issue.

Mr. Callahan stated he would review the information and make a determination.

Chief Souders

CONTROLLED BURN – 521 12TH AVENUE WEST

Requested on behalf of Mark Parsons for a controlled burn at 521 12th Avenue West for \$2,500.00.

No discussion followed.

MOTION TO APPROVE the request was made by Vice Mayor Golden/Councilwoman Weaver carried 5-0 for approval.

DEPARTMENT HEADS:

Carl Callahan: Thanked everyone who expressed their condolences on the passing of this brother.

Chief Souders: Invited the Council to visit anytime during the next two days the “Annual Strategic Planning and Leadership Meeting” at Station One. He commented that a lot of new ideas for the department were created from these meeting.

Staci Cross: Reported that Eden was ahead of schedule with the HR/Payroll Department system to be implemented live on March 23rd. Zoning permits were entered for the first time today electronically. Occupational Licenses would be live on the system July 22nd with the Utility Billing live on September 1st.

Chief Radzilowski: Stated that there had been intense training in the department for firearms with training soon on prescription drugs. He stated that last year the department was video taped by the FBI when training on “Police Officers Survival on the Streets”. He stated this video would be used as a training tool all over the United States.

There was a lengthy discussion regarding stolen bicycles as well as other stolen property within the City and what was the best way to dispose of these items.

John Cumming: Commented that the City’s reservoir was over flowing which was uncommon for this time of year.

McKechnie Field was ready for this year “Pittsburg Pirates” spring baseball season.

Councilwoman Weaver thanked the Sanitation Department for their quick response to a problem she had in her neighborhood with the sewer lines.

Larry Frey: Stated that the City past the five year Community Rating audit and was given a Class 7 rating. He stated that this would allow a 15% discount to citizens for flood insurance.

He stated that he would be attending a Federal Emergency Management Agency-FEMA conference in Maryland (all expensed paid).

Bill Lisch:

Nothing to report.

Vice Mayor Golden requested that the City continue to monitor the Tropicana property long range plan for redevelopment.

Mayor Poston stated he was already monitoring this issue.

Vice Mayor Golden asked Mr. Cumming about the flooding problem on the eastside.

Mr. Cumming stated that Seth Kohn would be speaking at the next CCRA meeting regarding this issue. He stated that the Engineers were looking into this problem with creating a model that would have to be reviewed and studied.

Vice Mayor Golden asked Mr. Callahan if he had made contact with the 13th Avenue Community Center.

Mr. Callahan stated that he had spoken to Patrick Carnegie, Director of the Center and asked Mr. Carnegie if he had spoken to Manatee County Commissioner Gwen Brown regarding the issue of moving 13th Avenue Center to the 24th Street Park. He stated that Mr. Carnegie had spoken briefly but not in detail of what Commissioner Brown discussed at the February 11, 2004 Council meeting.

Lengthy discussion: Commissioner Brown initiating discussion with the Center regarding possibly moving the Center to the 24th Street Park.

Vice Mayor Golden asked what was the City's commitment regarding the 13th Avenue Community Center with what the Center was trying to accomplish.

Mr. Callahan stated that there was no definitive commitment with the Center that the commitment asked by Commissioner Brown of \$75,000 would not mean anything if the City was not willing to give the Center the property. That there was an option for a Fee Simple piece of property to build a facility. He stated that the Center had not given him any indication that this was what they wanted.

Vice Mayor Golden stated that everyone knows that the Center could not build a facility for \$175,000 and asked if the City would be of assistant in this regard.

Mayor Poston stated that the City would be as helpful as possible in helping 13th Avenue Community Center meet their needs if we only knew what their needs were.

ADJOURNMENT:

There being no further business, Mayor Poston adjourned the meeting at 8:00 p.m.

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