

**CITY COUNCIL MEETING
September 10, 2003**

**APPROVED BY
October 8, 2003
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 September 10, 2003 at 8:30 a.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 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, Planning Services Director and Staci Cross, Information Technology Director

Press: Bradenton Herald and Manatee Herald Tribune

Mayor Poston opened the meeting.
Ecumenical prayer was led by Reverend Paul Scheele, First Congregational Church.
Flag salute was led by Councilman Gallo.

APPROVAL OF MINUTES:

APPROVAL OF MINUTES for August 13, 2003.

No discussion followed.

MOTION TO APPROVE the August 13, 2003 minutes was made by Councilman Gallo/Vice-Mayor Weaver carried 5-0 for approval.

PROCLAMATION:

FIRE PREVENTION WEEK - "FALLEN FIREFIGHTER'S MEMORIAL DAY"

Proclaimed the week of October 5 – 11, 2003.

TRIBUTE TO HEROES

Chief Souders along with a group of Bradenton Firefighters and Bradenton Police Officers accepted the two proclamations and thanked Mayor Poston and Council members for the recognition and for the support in honoring those heroes who were lost on September 11, 2001 but were not forgotten and those who were still with us.

NATIONAL FAMILY DAY

Proclaimed on September 22, 2003. No one was present to accept the proclamation.

PRESENTATION:

RECOGNITION TO THE CLASS OF 2009 ST. STEPHEN'S SCHOOL

Larry Frey presented a Certificate of Recognition to the 6th grade class for their creativity and vision for future City plans. He stated the plans had hung in City Hall last year for viewing and stated that the children had some great ideas.

PUBLIC WORKS RECOGNITION

John Ormando presented **Bob Helms**, Wastewater Treatment Plant the “September Employee of the Month” award.

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

PUBLIC COMMENTS:

No one came forward.

COUNCIL REPORTS:

Councilman Gene Gallo, Ward I:

Presented a check in the amount of \$450,000 to Mayor Poston from the Southwest Florida Water Management District (SWFWMD) for the purchase of Pine Island.

Met with Bill Edwards to negotiate a price to purchase Mr. Edward’s property on 9th Street and 13th Avenue West. He stated that Mr. Edwards turned down an offer for \$100,000 for the lot that was approximately 7,100 square feet with a counter offer for \$250,000.

Contacted AmTrak regarding the use of the Old Main Street Transit Station as their terminal and advised them that approval had to go before the Council. He asked the Council to consider whether they would like to continue having the AmTrak bus terminal located in the downtown area near the Courthouse.

Inquired about recent issues resulting from problems regarding the placement of fences on the wrong side of property lines.

Ruth Seewer, Development Review Manager stated that the City did have the authority to tell a permitted applicant to remove a fence if it was placed incorrectly on a neighbor’s property line. She stated that the applicant was responsible to prove that a fence had been placed correctly on the applicant’s property line should a dispute arise.

Councilwoman Marianne Barnebey, Ward II:

Invited everyone to attend an open house at the Garden Club on 1st Avenue West and 32nd Street next to Lewis Park.

Discussion: Recent rains causing potholes on City streets.

Vice-Mayor Michele Weaver, Ward III

Nothing to report.

Councilman Bemis Smith, Ward IV:

Praised the community police officers who had been on patrol and had apprehended criminals who had just committed a crime.

Councilman James Golden, Ward V:

Met with Scott Tibbett's, owner and developer for the Monk Building who informed Councilman Golden that the Monk Building was not his top priority and that he had satisfied each time line regarding the permits. He stated that Mr. Tibbett's gave a date at the end of 2003 to have the partially enclosed structure completed.

Mayor Poston:

Was excited to announce the dedication on September 9, 2003 for the opening to 3rd Avenue West from 9th Street West to Highway 41/301.

Stated that a POW/MIA flag would be flying over City Hall to honor and to keep Captain Scott Spiker's memory alive. The flag was making its rounds starting in California, Virginia and Mexico and would continue to travel and fly over other various cities throughout the United States.

BUSINESS/ADVERTISING, PETITIONS, HEARINGS AND COMMUNICATIONS:

**SECOND READING OF PROPOSED ORDINANCE # 2720 PUBLIC HEARING
**AN ORDINANCE OF THE CITY OF BRADENTON, MANATEE COUNTY, FLORIDA,
PROHIBITING THE MOORING OR ANCHORING OF WATER VESSELS WITHIN THE
PUBLIC WATERWAYS OF THE CITY OF BRADENTON IN EXCESS OF SEVENTY-
TWO (72) HOURS; PROVIDING FOR DEFINITIONS; PROVIDING FOR EXCEPTIONS;
PROVIDING FOR EMERGENCY SITUATION; PROVIDING FOR PENALITES;
PROVIDING AN EFFECTIVE DATE.****

Public hearing was opened. Those in favor.

Tom Vorphal, 1933 Riverview Boulevard (*Tape 1, side 2*) voiced his support for the ordinance due to several problems in the past with unmoored vessels near his home.

Bill Lisch asked Mr. Vorphal if, in his opinion, were unmoored vessels a threat to docks, shoreline and other boats. Mr. Vorhaul answered yes.

Noreen Roberts, 1925 Riverview Boulevard voiced her support for the ordinance and described the shoreline along Sarasota Bay near Marina Jack's and the problems encountered with unmoored boats that came ashore during storms. She stated it was a cost to the City of Sarasota to clean up and dispose of unclaimed vessels.

Those in opposition. Hearing none. Public hearing closed.

Discussion: Additional language and changes to the ordinance.

MOTION TO APPROVE ordinance # 2720 was made by Councilwoman Barnebey/Councilman Gallo carried 5-0 for approval.

**E-SE-03-06 WARD 3 NEIGHBORHOOD 6.01 RS PUBLIC HEARING
**Request of Phil Davis, President of Our Daily Bread of Bradenton, Inc. for
Expansion of a Special Exception to expand the facility located at 1426 14th
Street West. (Zoned C-1)****

Public hearing was opened. Those in favor.

John Manson, representing the applicant gave a brief description of the existing facility. He requested an expansion which consisted of constructing a new building on the northern most parking lot and when completed the old buildings would be removed.

Request for those who were in favor to please stand in the audience. A majority of the audience stood in favor.

Lengthy Discussion: Concerns with feeding the homeless and their after hour activities in the neighborhood along 14th Street West.

Discussion: Revitalization on 14th Street.

Vice-Mayor Weaver voiced her concern for the impact on the 14th Street businesses and surrounding residences caused by feeding the homeless in that area.

Those in opposition. Hearing none. Public hearing closed.

Larry Frey stated that all codes and regulations had been met and that the applicant would work with staff. He stated the Development Services staff recommended approval with **five stipulations**:

1. The plan identified as Exhibit "H" would be the approved plan.
2. When constructed, the building would conform with the building renderings submitted July 15, 2003.
3. Additional trees may be required along the south and west property lines.
4. Lighting installed on the site would be reflected on to the subject property, as far as possible from the residences to the west.
5. The applicant would provide a permit or waiver from Southwest Florida Water Management District-SWFWMD prior to issuance of a building permit.

Larry Frey stated that the Planning Commission recommended approval with the same five stipulations with an **additional stipulation** as follows:

6. The applicant would meet with Public Works staff to determine dumpster location and odor control methods.

MOTION TO APPROVE the request with six stipulations was made by Councilman Golden/Councilman Smith carried 4-1 for approval with Vice-Mayor Weaver in opposition.

PDP-A-03-02 WARD 4 NEIGHBORHOOD 20.03 JB PUBLIC HEARING
Request of Stephen Thompson, agent for Camlin Home Corporation, Valentin Vasilieff, M. Pete McNabb Inc., Pamela K. Howard, Bamboo Development Inc., Kenneth D. Keating, George Stolt, Daniel Bafia, Juan Carlos Curci, David McCabe, Magellan Partners LLC, Jack D. Courson, Willis Ray Hermann, Tracy Hallenbeck, Rick Stowe, Andre Pyne, Papa Bear LLC, Kristine Marciales, and Nordic of Florida, property owners, to amend a preliminary Planned Development Project located at the Harborwalk and Altman Peninsulas of Riverdale and Riverdale Revised. (Zoned PDP)

Public hearing was opened. Those in favor.

Steven Thompson, representative for the applicants gave a brief description of the project and requested approval for a master dock plan that would provide for quality and uniformity of docks for the entire subdivision.

Those in opposition.

Dan Bafia, 4207 Hawk Island Drive voiced his concern for the docks length hindering his mangroves and limiting placement of his own dock.

(Tape 2, side 1)

Steven Thompson assured Mr. Bafia that the plans would not hinder him from building a longer observation dock should he be able to get all the necessary approvals.

Public hearing closed.

Larry Frey stated that the Development Staff and the Planning Commission recommended approval with **five stipulations**:

1. ~~The proposed typical docks identified on Sheet 6 of the submitted master dock plan located at the westernmost terminus of the existing canal and attached as part of lots 39-42~~ **not** be approved; and the proposed finger piers identified on Sheet 6 of the submitted master dock plan located along the Manatee River and attached as part of lots 43-67 be approved according to the description provided in the May 5, 2003 response from the applicant regarding OBSERVATION PIERS. The westernmost terminus of the existing canal and attached as lots 39-42 had been specifically identified and addressed in the plan with supporting documentation and could be approved. As stated in the staff evaluation the difference had been noted between “piers” and “docks”. These State definitions allowed for the application of a pier and a dock per lot for this PDP amendment.
2. The applicant provide a statement and action plan of natural vegetation (specifically mangroves) and shoreline protection (anti-erosion) as part of this approval to be approved by the Department of Development Services within 30 day of the approval date.
3. The applicant provide a statement and action plan of Manatee protection as part of this approval to be approved by the Department of Development Services and the Florida Fish and Wildlife conservation Commission (FFWCC) prior to the first dock submitted for development permitting.
4. The applicant submit Florida Department of Environmental Protection and Army Corps of Engineers approval for each dock as such approval may be considered under the proposed master dock plan.
5. Each dock would be constructed according to the requirements of the Land Use and Development Regulations except as indicated herein, and require a development permit and applicable fees. Any deviation from this approval or construction proposal, as determined by the Administrative Official, shall require an amendment to the PDP.

MOTION TO APPROVE the request with five stipulations for a master dock plan was made by Councilman Smith/Vice-Mayor Weaver carried 5-0 for approval.

**VAC-R-03-03 WARD 4 NEIGHBORHOOD 20.02 JB PUBLIC HEARING
Request of Stephen Thompson, agent for Nordic of Florida Development, Inc.,
owner, for right of way vacation for the property located within the Riverdale
Subdivision (Zoned PDP) and legally described.**

Public hearing was opened. Those in favor.

Steven Thompson, representative for the applicants gave a brief history of the property and requested a right-of-way vacation to place a large mitigation area in the eastern portion of the Riverdale development. He stated that the right-of-way had been previously platted in 1950 showing no roads.

Those in opposition. Hearing none. Public hearing closed.

Larry Frey stated that the Development Services Staff and Planning Commission recommended approval of the request with the following **two stipulations**:

1. It was noted that the approval was contingent upon granting of easements.
2. It was noted that approval stipulates ingress and egress to the City.

MOTION TO APPROVE the request with the two stipulations was made by Councilman Smith/Vice-Mayor Weaver carried 5-0 for approval.

ABL-03-05 WARD 5 NEIGHBORHOOD 1.03/1.04 RS PUBLIC HEARING

Request of Arlene Sweeting, owner of Fogartyville Café to expand the alcoholic beverage approval of a 2COP License (sale of beer and wine for consumption on premises) to accommodate outdoor seating on the property located at 800 17th Avenue West. (Zoned C-3)

Public hearing was opened. Those in favor.

Arlene Sweeting requested to place an outdoor smoking seating area.

Those in opposition. Hearing none. Public hearing closed.

Larry Frey stated that the Development Services Staff and the Planning Commission recommended approval with **one stipulation** as followed:

1. There would be no permanent awning or roof over the outdoor seating area.

MOTION TO APPROVE the request with one stipulation was made by Councilman Smith/Councilwoman Barnebey carried 4-1 for approval with Councilman Golden in opposition.

PDP-A-03-12 WARD 5 NEIGHBORHOOD 1.03/1.04 RS PUBLIC HEARING

Request of William DeSue, Sr., agent for New Singletary Limited Partnership, owner for an amendment to the Planned Development Project to be located at 401 13th Avenue West. (Zoned R-3A)

Public hearing was opened. Those in favor.

Ron Allen, NDC Construction representing New Singletary Limited Partnership gave a brief description of the project and requested approval for a change in elevation and for the new design of the building for the Senior Housing project.

Councilman Gallo stated that the new design was unappealing to the surrounding new development and that he would not support a motion to approve.

Ron Allen explained that both the original and new designs would work but that the new design had met all requirements of the developer, Department of Housing and Urban Development (HUD) and for the tax credits.

Lengthy discussion: Site plan, elevation and design of the building.

Councilwoman Barnebey stated that she did not like the design of the building, as the design did not enhance the development site and that she would not support a motion to approve.

(Tape 2, side 2)

Councilman Golden stated that the new design continued the theme of the development and stated that he was satisfied with the new design.

Councilman Smith stated he preferred the previous design but would support a motion to approve.

Those in opposition. Hearing none. Public hearing closed.

Larry Frey stated that the Development Services Staff and the Planning Commission recommended approval with **two stipulations** as followed:

1. The developer would work with the Public Works Department regarding the location of the sanitation disposal.
2. The location of the Community Center would be determined at a later date and brought back before the City Council for approval.

MOTION TO APPROVE the request with two stipulations was made by Councilman Golden/Vice-Mayor Weaver carried 3-2 with Councilman Gallo and Councilwoman Barnebey in opposition.

P-PDP-03-13 WARD 4 NEIGHBORHOOD 7.02A RS PUBLIC HEARING

Request of John F. Cavoli, P.E., agent for Two Rivers Partners, LTD for a Preliminary Planned Development Project to be located at 515 27th Street East. (Zoned PDP)

Public hearing was opened. Those in favor.

John F. Cavoli requested approval of Phase II for a 13,200-foot office warehouse.

Those in opposition. Hearing none. Public hearing closed.

Larry Frey stated that the Development Services Staff and the Planning Commission recommended approval with **four stipulations** as followed:

1. The applicant would meet with Manatee County to determine right-of-way needs.
2. Twin storm pipes would be extended to 27th Street East.
3. Upgrade the pavement and drainage along the ingress/egress road.
4. Provide a fire hydrant in accordance with Fire Department requirements.

MOTION TO APPROVE the request with four stipulations was made by Councilman Smith/Vice-Mayor Weaver carried 5-0 for approval.

PDP-A-03-14 WARD 1 NEIGHBORHOOD 11.03 RS PUBLIC HEARING

Request of James Farr, AICP, George F. Young, Inc., agent for Aster Investments of Florida, Inc., owner for an amendment to the Planned Development Project to be located at 4850 51st Street West. (Zoned PDP)

Public hearing was opened. Those in favor.

James Farr gave a brief description with renderings showing the building design changes to a *nautical theme* design. He stated the site plan showed revisions for one lake and layout of the buildings and roads.

Those in opposition.

Tammy Schinler, representing Seth Greenburg, President of the “Columns at Cortez” development stated that Mr. Greenburg in a letter to the Council gave his opposition to the project. The letter stated that he objected to allowing the “Villages at Cortez” to use a road, which the “Columns at Cortez” constructed and landscaped proceeding along the west-end of their property leading to Cortez Road.

Lengthy discussion: The subject road and site plan of the proposed development.

(Tape 3, side 2)

Ruth Seewer, Development Review Manager gave a brief explanation regarding the road and stated that the road was an “access non-exclusive easement” agreement Mr. Greenburg made with the City.

Joe Flanery, 5138 50th Avenue West voiced his objections with having another development coming in making the area congested.

Rosa Raina, 5106 50th Avenue West voiced her concern with a retention pond that backed up to her back yard stating the pond was not being maintained.

Discussion: Mr. Farr's client was the responsible party to maintain the retention pond.

Ira Lockes, Sandspur development stated that Mr. Greenburg had stated that he was in agreement with the road access.

Public hearing closed.

Larry Frey stated that the Planning Commission and the Development Services Staff recommended approval of the request with **nine stipulations**:

1. The landscape architect would work with the City of Bradenton to ensure that the plan met all requirements and would revise the plan as necessary for the City Council meeting.
2. No disturbance shall occur with the 35-foot vegetative wetland buffer, and would meet the other requirements as per the Southwest Florida Water Management District and City of Bradenton codes.
3. The final utility drawings would be approved by Public Works prior to submittal of the final PDP Plan.
4. The developer provide the required traffic improvements in accordance with the traffic study and Manatee County Transportation Department.
5. A signage plan would be submitted at least 10 days prior to City Council review. (Which had been met.)
6. The passive recreation area would be re-designed to allow better access and other associated amenities in accordance with the Department of Development Services.
7. That the developer provide the required traffic improvements in accordance with the traffic study and Manatee County Transportation Department.
8. The applicant would work with the Public Works Department regarding the necessary turn radius for the Fire Department.
9. Developer would provide drainage for the subdivision to the north, which currently runs through the subject property.

MOTION TO APPROVE the request with nine stipulations was made by Councilman Gallo/Vice-Mayor Weaver carried 5-0 for approval.

NEW BUSINESS BY DEPARTMENT HEADS, CITY ATTORNEY AND COUNCIL:

Councilman Gallo exited the Chambers.

CODE OF ETHICS POLICY

Mayor Poston requested the Council to adopt the Code of Ethics Policy and thanked Chief Souders for his diligent input in creating the following:

We will maintain the highest standards of personal integrity be honest and straightforward in dealing with others and avoid any perception of conflict of interest.

Place the public safety and welfare and the safety of employees above all other concerns.

Be supportive of training and education that promotes safety at home and in the workplace.

Insure that the services offered are provided fairly and equitably to all without regard to (any) other considerations.

Working with constructive concert with other governments to do what is in the best overall interest of the people we serve.

Be mindful of the needs of peers and subordinates and assist them freely in developing their skills, abilities and talents to the fullest extent.

Offering encouragement to those trying to better themselves in the City of Bradenton and work to make colleagues successful and fulfilled in their work.

Foster creativity and opened to innovations that may better enable the performance of our duties and responsibilities.

Councilman Golden asked why in paragraph four the wording did not list race, age, religion, creed, sexual preference or orientation or (other considerations).

Chief Souders explained that by listing each word it would then limit or emphasize specific words.

Councilman Golden suggested **adding** “any other considerations” to paragraph four.

MOTION TO APPROVE with the added wording was made by Councilman Golden/Vice-Mayor Weaver carried 4-0. *Councilman Gallo absent from voting.*

Request of Pace Center for Girls to use McKechnie Field for their annual Paceball event on Saturday, October 18, 2003.

No discussion followed.

MOTION TO APPROVE the request was made by Vice-Mayor Weaver/Councilwoman Barnebey carried 4-0 for approval. *Councilman Gallo absent from voting.*

Request of Taste of Manatee to hold their annual event for Meals on Wheels Saturday evening, November 1st and Sunday, November 2nd on Old Main Street and Barcarrota Boulevard.

No discussion followed.

MOTION TO APPROVE the request was made by Vice-Mayor Weaver/Councilman Smith carried 3-1 with Councilman Golden in opposition. *Councilman Gallo was absent from voting.*

SHIP – STATE HOUSING INITIATIVE PARTNERSHIP REPORT PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the City of Bradenton Community Development Block Grant Program has prepared its Annual State Housing Initiative Partnership (SHIP) Report for the periods covering State fiscal years 2000-01, 2001-02, 2002-03. A public hearing will be held on Wednesday, September 10, 2003, at 8:30 a.m. in the Council Chambers at Bradenton City Hall, 101 Old Main Street, Bradenton, Fl, to consider oral and written comments on the SHIP Report.

The SHIP report will be available at:

- Community Development Office 912 7th Avenue East, 2nd floor.
- City Clerk’s office, 101 Old Main Street.

- Manatee County Library, 1301 Barcarrota Blvd., Bradenton, Fl.

For public inspection during regular business hours commencing August 12, 2003, and will be available until September 10, 2003. The report will be mailed to State Housing Finance Corporation, Tallahassee, Florida, on September 15, 2003.

Public hearing was opened. Those in favor. Hearing none.

Those in opposition. Hearing none. Public hearing closed.

MOTION TO APPROVE and transmit the report to the state as required was made by Councilman Golden/Vice-Mayor Weaver carried 4-0 for approval. Councilman Gallo was absent from voting.

SECTION 8 HOUSING PROGRAM AGENCY PLAN

PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the City of Bradenton, Division of Grants & Assistance – Section 8 Housing Agency Program has developed its Third Annual PHA (Public Housing Agency) Plan for fiscal year beginning October 1, 2003. The proposed Agency Plan will be available for public review at the following during regular business hours.

- City of Bradenton – Section 8 Housing Office located at 912 7th Avenue East, Bradenton, Florida 34208
- Bradenton City Hall – City Clerk’s located at 101 12th Street West, Bradenton, Florida 34205
- Manatee County Library located at 1301 Barcarrota Boulevard, Bradenton, Fl 34205

A Final Public Hearing to consider oral and written comments on the Agency Plan will be held by the Mayor and City Council acting as the Section 8 Housing agency Board on Wednesday, September 10, 2003 at 8:30 a.m. in the City Council Chambers at City Hall located at 1010 Old Main Street, Bradenton, Fl 34205. In addition, the City Council will adopt appropriate resolutions associated with the plan and will authorize filing with the Department of Housing & Urban Development by September 12, 2003. Any public comments will become a part of the plan and mailed to Department of Housing and Urban Development (HUD).

Public hearing was opened. Those in favor. Hearing none.

Those in opposition. Hearing none. Public hearing closed.

MOTION TO APPROVE and adopt the PHA plan and forward the report to the Department of Housing and Urban Development (HUD) was made by Councilman Golden/Vice-Mayor Weaver carried 4-0 for approval. Councilman Gallo was absent from voting.

CDBG - COMMUNITY DEVELOPMENT BLOCK GRANT BUDGET ADJUSTMENTS

Mr. Callahan gave a brief explanation of line item adjustments and recommended approval of the adjustments.

No discussion followed.

MOTION TO APPROVE the budget adjustments recommendation was made by Councilman Golden/Vice-Mayor Weaver carried 4-0 for approval. Councilman Gallo was absent from voting.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA AUTHORIZING SALARIED EMPLOYEES TO RECEIVE PAYMENT FOR OVER-TIME DURING A DISASTER WHEN A DECLARATION IS ESTABLISHED OR AS AUTHORIZED BY THE MAYOR FOR PAYMENT OF SUCH OVERTIME.

Mr. Callahan stated that this resolution would replace Resolution 97-49 and would replace certain language in the resolution.

No discussion followed.

MOTION TO APPROVE the resolution was made by Councilman Golden/Vice-Mayor Weaver carried 4-0 for approval. Councilman Gallo was absent from voting.

A RESOLUTION APPOINTING LAURA WENSINK, CHERIAL ALBRITTON, JANET HERNANDEZ, JOANNE VANESKA, ROBERT MARTIN AND O.M. GRIFFITH TO THE GRANTS AND ASSISTANCE COMMUNITY RELATIONS BOARD FOR THE CITY OF BRADENTON, FLORIDA AND DEFINING THEIR TERM.

Mr. Callahan stated that this resolution would establish the first six members with eleven members overall to complete the board.

Mr. Frey stated that this new board combined several boards together into one.

Discussion: Staggering the terms stating these members would have a two-year term with the remaining members having a one-year term.

MOTION TO APPROVE resolution was made by Councilman Golden/Vice-Mayor Weaver carried 4-0 for approval. Councilman Gallo was absent from voting.

Chief Radzilowski

2003-2004 LOCAL LAW ENFORCEMENT BLOCK GRANT

Jeana Winterbottom requested approval for the Local Law Enforcement Block Grant with matched grant funds in the amount of \$6,262.00. She stated that the City would receive approximately \$57,000 which would be used for equipment purchases in the Police Department.

Questions were asked and answers given regarding the grants and its usage.

MOTION TO APPROVE the request was made by Vice-Mayor Weaver/Councilman Golden carried 4-0 for approval. Councilman Gallo was absent from voting.

FORFEITURE FUNDS

Chief Radzilowski requested approval to purchase surveillance equipment totaling \$899.70 for the Safe Streets Unit.

No discussion followed.

MOTION TO APPROVE the request was made by Councilwoman Barnebey/Vice-Mayor Weaver carried 4-0 for approval. Councilman Gallo was absent from voting.

DEPARTMENT HEADS:

Carl Callahan

Requested approval to authorize him to use funds to pay off an existing pumper truck and to obtain the best financing agreement to purchase two new pumper trucks and to authorize Mayor Poston to execute the documents.

(Tape 3, side 2)

MOTION TO APPROVE the request was made by Councilman Smith/Councilwoman Barnebey carried 4-0 for approval. Councilman Gallo was absent from voting.

Chief Souders

Invited everyone to attend a full day dedication "Tribute to Heroes". Beginning in the morning with the *Emergency Services Memorial* dedication at Rossi Park and a fly over by an Air Force DC 10 Refueling Tanker. At noon a luncheon in the auditorium with guest speaker Lieutenant Kevin Shea (Retired) FDNY Rescue One. A Tribute March down Manatee Avenue and ending with an event on Old Main Street.

Distributed an updated flood list to Vice-Mayor Weaver in Ward III and Councilman Golden in Ward V for their review.

Chief Radzilowski

Nothing to report.

John Cumming

As a result of a stormwater study a decision was made to proceed with two stormwater improvement projects located at 15th Street East and 10th Avenue and 9th Street West to 1st Street West around 25th -26th Avenue.

Claude Tankersly, Jones, Edmund & Associates gave a brief overview of the stormwater projects that would be funded by the revenue generated from the stormwater utility fees.

Request for approval to move forward with the preliminary work to begin implementing the permitting process (a lengthy and time-consuming process) and the engineering phase of the project.

No discussion followed.

MOTION TO APPROVE to proceed as requested was made by Councilman Golden/Councilwoman Barnebey carried 4-0 for approval. Councilman Gallo was absent from voting.

Larry Frey

Announced that there would be an area at the Grants and Assistance office for our local Congressman Jim Davis, 11th District or his Representative Jaye Ann Terry to meet the public on the second Wednesday of each month from 11:00 a.m. to 2:00 p.m.

Reminded everyone of the Housing Summit to be held in the auditorium on September 15, 2003 from 8:30 a.m. to 12:30 p.m.

Bill Lisch

Thanked Councilman Gallo for his time and efforts for being the key player in negotiations with Southwest Florida Water Management District (SWFWMD) regarding the purchase of Pine Island.

RECESSED TILL 5:01 p.m. for a special budget session.

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