

May 11, 1959

The Board of County Commissioners of Manatee County, Florida, met in regular session in the Court House in Bradenton, Florida, Monday, May 11th, 1959 at 9:30 a.m.

Present were Commissioners John G. Jones, H. C. Slaughter, Irwin Klemmer, Elmer Bustle and Tom W. Jennings, Deputy Clerk Bruce M. Cox and County Attorney George Harrison.

The meeting was called to order by Chairman Slaughter.

PROPOSED LEGISLATION FOR INCREASE IN TAG OFFICE FEES APPROVED

Gilbert E. Johnson, Tax Collector, requested that the Board consider for approval two bills (companion bills) providing for increase in fees to be charged by the Auto Tag Agency from twenty-five cents to fifty cents. He explained that the present fee of twenty-five cents was not sufficient to pay the expenses of the office and the deficit had to be made up from ad valorem taxes; that the increase would mean that the county would realize more in excee fees from his office. Upon motion by Mr. Jones, seconded by Mr. Klemmer, the Board went on record as favoring passage of these two bills as outlined and authorized that the legislative delegates be so notified.

Senate Bill No. 618
House Bill No. 975

PUBLIC HEARING ON PETITION TO CLOSE PORTION OF ROAD IN BIDWELL HEIGHTS.

The Board proceeded to hold a Public Hearing on the Petition of the Trustees of the Central Christian Church for the closing of a portion of a road in Bidwell Heights, submitted by Robert Rickey, attorney.

PETITION TO VACATE ROAD

TO: The Honorable Members of the County Commission of the County of Manatee, State of Florida:

COME NOW the Petitioners, the Trustees of the Central Christian Church, a Florida non-profit corporation by their undersigned attorney, and would respectfully show the members of the Commission as follows:

1. That the Petitioners are the owners in fee simple of the following described real property, lying and situate and being within the County of Manatee, City of Bradenton, State of Florida, described as follows, to-wit:

Lots 11 through 20 and Lots 31 through 40 Block "A" of BIDWELL HEIGHTS, as per Plat thereof recorded in Plat Book 4, Page 132, of the Public Records of Manatee County, Florida

2. Said described property does lie within the corporate limits of the City of Bradenton, State of Florida.

3. All State and County taxes levied or assessed against and upon the said land have been paid.

4. The closing, vacating and abandoning of the platted street known as 22nd Avenue (Haselton Avenue) between 26th Street (Sarasota Avenue) and 27th Street (Willow Street) being 50 feet in width, being between Lots 35 and 15 and Lots 36 and 16, Block "A", Bidwell Heights, as per Plat Book 4, Page 132, Public Records of Manatee County, will not affect the ownership of persons owning other parts of said Subdivision as said street has not been opened and is not contemplated to be opened by the City of Bradenton, and has not been used by the City of Bradenton, nor is contemplated to be used by the City of Bradenton for sewer or water line facilities, or other public utilities, and that such vacating, abandoning or closing of such street as set forth will not affect the City, County or State road system or any roads heretofore dedicated by virtue of said plat and that the abandonment, vacating or closing of said street will allow the Trustees of the Church to attain the greatest enjoyment from the use of said lots it now owns by not having to observe the line of the street in its building program and reduce the hazards and dangers to children attending Sunday School and that the City of Bradenton has consented and passed a resolution abandoning, vacating and closing said street, a copy of said resolution being attached hereto and being made a part of this petition.

5. Said plat has been on record since the 11th day of January, 1926, and said platted street has never been opened, approved or made available for public use in any way whatsoever.

6. Said closing, abandoning and vacating of said platted street will not deprive any persons or parties of means of access to his property and that such platted right of way is not necessary for use by the travelling public.

WHEREFORE, Petitioners pray that the Honorable Members of the Board of County Commissioners, County of Manatee, State of Florida, adopt a resolution vacating said platted street lying between Lots 35 and 15 and Lots 36 and 16, Block A, Bidwell Heights, which is designated on said plat as 22nd Avenue (Haselton Avenue) lying between 26th Street (Sarasota Avenue) and 27th Street (Willow Street), all contained in Bidwell Heights Subdivision as per Plat Book 4, Page 132, Public Records of Manatee County, Florida, and return the land covered by said platted street to the abutting land owner, the Petitioners herein, for the purpose of taxation and your Petitioners will ever pray.

THE CENTRAL CHRISTIAN CHURCH OF BRADENTON, FLORIDA,
A NON-PROFIT CORPORATION

By Robert A. Rickey /s/
Robert A. Rickey
Attorney for Petitioners
1224 Manatee Ave. West
Bradenton, Florida

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Attached to original Petition: Resolution by City of Bradenton, closing street
Certificate of Ownership by Hardy Abstract Company
Proof of Publication of "Notice of Intention to
Vacate, Abandon and Close a Portion of a Road in
the County of Manatee

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BIDWELL HEIGHTS - RESOLUTION CLOSING STREET ADOPTED

Mr. Hess reported that there were no objections to the granting of the
Petition and same had been approved by the Planning and Zoning Commission.

Upon motion by Mr. Klemmer, seconded by Mr. Bustle, the petition was ap-
proved and resolution closing the road designated was unanimously adopted. (Recorded page
35)

PLAT OF TERRA CEIA ESTATES, UNIT 2 - APPROVED

Upon motion by Mr. Jones, seconded by Mr. Jennings, Plat of Terra Ceia
Estates, Unit 2, was approved.

ZONING - REPORT BY DIRECTOR

Mr. Charles Hess, Director, submitted the report of the Planning and Zoning
Commission to the Board.

Site Approval for Water Utility Plant	<u>ARROW HOME BUILDERS, INC.</u>	Application to erect a water Utility Plant in CORTEZ ESTATES.
	Approved by the Planning and Zoning Commission, subject to the area used being 160 ft. by 135 ft., and so recommended to the Board. (For site only)	

Motion was made by Mr. Jones that the recommendation of the Planning and
Zoning Commission be accepted and the application be approved for site only, but subject
to the approval of the County Engineer as to the water lines and to the approval of Dr.
Fred Allen of the Manatee County Health Department. Motion was seconded by Mr. Klemmer
and carried.

Church Site Approved	<u>BETHEL BAPTIST CHURCH</u>	Petition to erect a Church on the W $\frac{1}{2}$ of NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sect. 2, Twp. 35S., R 17E, less R/W on north; located on South side of 30th Ave. approx. 1500 ft. west of 14th Street.
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Approved by the Planning and Zoning Commission and so recommended
to the Board.

Upon motion by Mr. Bustle, seconded by Mr. Klemmer, the petition was granted
as recommended by the Planning and Zoning Commission.

APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE APPROVED (SERIES 2-A PS) FREDDIE JOHNSON, SR

Motion was made by Mr. Jones that Application for Beverage License of
(Subject to regulations of the State Beverage Department)
Freddie Johnson, Sr. be approved./ Motion was seconded by Mr. Jennings. Voting "Aye" were
Commissioners Jones, Jennings and Klemmer. Commissioner Bustle voted "No". Motion carried.

Freddie Johnson, Sr. d/b/a Johnson's Grocery 2504 2nd Avenue East Palmetto, Florida	2 APS (Beer and Wine, package)
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APPLICATION FOR SERIES 2 COP BEVERAGE LICENSE APPROVED
CORTEZ LANES, INC.

Motion was made by Mr. Klemmer that Application of Donald L. Berg, President,
of Cortez Lanes, Inc., for Beverage License 2 COP for the restaurant in the new bowling
establishment be approved./ Motion was seconded by Mr. Jones. Voting "Aye" were Commission-
ers Klemmer, Jones and Jennings. Commissioner Bustle voted "No." Motion carried.

CORTEZ LANES, INC. 4444 - 9th Street W. Bradenton, Florida	2 COP (Beer and Wine, consumed on prem.)
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Communications were read from

- 1) Sidney R. Wilkinson, Architect
Submitting final set of plans and specifications for Alterations and Additions to Manatee County Court House and Jail.

ALTERATIONS AND ADDITIONS TO COURTHOUSE AND JAIL
FINAL PLANS AND SPECIFICATIONS TO BE CHECKED

Chairman Slaughter requested the Committee on Buildings, Mr. Bustle and Mr. Jennings, to go over the plans very carefully with the heads of all departments (offices) in the court house and obtain a letter of approval from each one and report back to the Board as soon as possible. Mr. Jennings advised that he and Mr. Bustle had conferred with the office and department heads prior to this meeting, but would make another survey to determine if other adjustments were necessary to meet their approval.

- 2) State Road Department (Traffic & Planning)
Advising that traffic survey at the intersection of SR 45 (US41) and the Little Pittsburgh Road (56th Avenue W.) will be performed at earliest practicable date re traffic light.
- 3) Manatee Business and Professional Women's Club
Invitation to attend an organization meeting for a "Manatee County Health Council", May 14, 1959 at 8:00 p.m., Council Chambers of City of Bradenton.

Dr. Allen, Director of Manatee County Health Department stated he thought this would be a wonderful thing for Manatee as the purpose of the meeting was to try to tie into one coordinated group approximately 20 groups in the county who were all interested in developing a long-range health program.

- 4) J. Hartley Blackburn, Superintendent, Board of Public Instruction
Requesting formal action by the Board conveying a ten-acre parcel of land in the Palma Sola Loop area to the B.P.I. for school purposes.

BOARD OF PUBLIC INSTRUCTION
PROPERTY IN PALMA SOLA CONVEYED FOR SCHOOL PURPOSES

Motion was made by Mr. Klemmer that the county deed the property described as the SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 19, Township 34S., Range 17E (Palma Sola Loop) to the Board of Public Instruction for school purposes, with reversion clause to the effect that if the parcel is not used within a five-year period for said purposes it would revert to the county. Motion was seconded by Mr. Bustle and carried unanimously. The County Attorney was instructed to prepare the deed for execution.

MATT V. PILCHER - DEPUTY SHERIFF'S BOND APPROVED

Upon motion by Mr. Klemmer, seconded by Mr. Jennings, the Deputy Sheriff's bond of Matt V. Pilcher was approved.

APPLICATIONS TO ENTER STATE TUBERCULOSIS HOSPITAL APPROVED
GILBERTA DIAZ & HECTOR RIVERA

Upon motion by Mr. Jennings, seconded by Mr. Bustle, applications to enter the State Tuberculosis Hospital were approved as follows: Gilberta Diaz and Hector Rivera.
WATER COOLER TO BE PURCHASED FOR JURY ROOM

Upon motion by Mr. Jennings, seconded by Mr. Jones, the Clerk of Circuit Court was authorized to purchase a water cooler for the jury room.

BILLS APPROVED FOR PAYMENT

Upon motion by Mr. Klemmer, seconded by Mr. Bustle, the following bills were approved for payment:

Public Beach Commission	337.97 (total)
Robert Rickey	13.60
Dolph Map Company	785.00
John B. Benson, Jr.	3.50
Marjorie Myers	5.21
Philip Gamble	3.00
E. Oscar Smith	105.50
Manatee Vet. Memorial Hospital	3041.97
Keller's Outboard Service	13.50
Southwest Tuberculosis Hospital	445.00
Diamond Battery Company	10.65

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FAIRLEAD ASSEMBLY (FOR UNIT DRAGLINE)
M. D. MOODY AND SONS AUTHORIZED PAID FOR EMERGENCY PURCHASE

Motion was made by Mr. Bustle that M. D. Moody and Sons be paid \$595.00, plus \$18.33 freight, for a fairlead assembly for the Unit Dragline. It was explained that this was a purchase made necessary by an emergency where the assembly had to be obtained with the least possible delay from the nearest source. Motion was seconded by Mr. Klemmer and carried unanimously.

WARRANT LIST AND REQUISITIONS APPROVED

Upon motion by Mr. Klemmer, seconded by Mr. Bustle, Warrant List of May 11th, 1959 and Requisitions were approved and Warrant Lists of May 15 and 18, 1959 were authorized.

General Revenue Fund	No. 1487 - 1549, incl.
Road & Bridge Fund	822 - 857, incl.
Miscellaneous Funds	117 - 129, incl.

PUBLIC HEARING - ZONING - H. H. HOWELL PETITION
(CONTINUED FROM MAY 4, 1959)

REFERRED BACK TO P & Z COMMISSION

The Public Hearing, continued from May 4th, 1959 was held on

H. H. Howell Petition to re-zone from A-Agricultural to T-Trailer Park, certain properties on Manatee River east and west of Ft. Hamer.

Mr. Jennings presented (1) Copy of the Minutes of the Upper Manatee River Civic Association, meeting of April 1, 1959, and (2) Petition to the County Commissioners - both documents objecting to the granting of a petition for T-Trailer Park in the Upper Manatee River area.

Mr. Hess advised that there were no objections at the final hearing of the Planning and Zoning Commission, which was held after the property owners had been formally notified.

John L. Flores, residing approximately 6/10 mile from the proposed re-zoning, stated that the reason none of the property owners appeared at the second meeting was that no notice of the date for continuation had been given. He cited some of the reasons for objecting to the re-zoning, which were outlined in the petition presented to the Board.

Upon the attorney for the Planning and Zoning Commission, Robert Rickey, stating that it was his opinion it was not legally advertised by the Planning and Zoning Commission, motion was made by Mr. Bustle that the matter be referred back to that Commission for re-advertising and re-hearing. Motion was seconded by Mr. Jennings, and upon vote, carried unanimously.

INSURANCE ASSOCIATION REFUSED PERMISSION TO ERECT SAFETY SIGN ON COURTHOUSE YARD

The Board declined to grant permission to the Manatee County Insurance Association to erect a large permanent sign on the court house square. (Requested by Bud Green in connection with publicizing safety measures re traffic accidents, etc.)

RELEASE OF PERFORMANCE BONDS ON STREET IMPROVEMENTS IN BAYSHORE GARDENS DEFERRED

Dewey A. Dye, Jr., submitted resolutions for the Board's consideration to accept streets in Bayshore Gardens and release performance bonds thereon. Action was deferred until the County Engineer could inspect the roads and render approval at the next meeting of the Board.

PUBLIC HEARING ON ELECTRICAL CODE

Public Hearing was held on adoption of an Electrical Code, advertised to be considered on this date. No one appeared in objection to the proposed Code as presented in tentative form and approved by the Board in session

Jim Ward, representing the Electrical Contractors, stated that the Tentative Code met with

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the approval of the Electrical Contractors of Manatee and Sarasota Counties, that it had been submitted on recommendation of the Manatee County Building Department.

Paul Cannon, Director of the Building Department, advised the Board that it should be adopted to bring the Code up to date and urged its approval.

ELECTRICAL CODE ADOPTED

Upon motion by Mr. Klemmer, seconded by Mr. Bustle, the Electrical Code for Manatee County, Florida, was unanimously adopted:

"That the following rules and regulations be and the same are hereby adopted for the installation and maintenance of electrical wiring, apparatus, fixtures or equipment for light, heat or power outside the corporate limits of each municipality of Manatee County, Florida, for the better protection of life and property and in the interest of public safety."

Said Code was executed by all members of the Board and copy furnished the County Building Department to be incorporated in the rules and regulations governing such installations.

See page 32 for motion adopting the following

BIDWELL HEIGHTS

R E S O L U T I O N

WHEREAS, the CENTRAL CHRISTIAN CHURCH, the owners of the hereinafter described property, have filed this petition praying that the Board of County Commissioners of the County of Manatee, State of Florida, vacate, close, and abandon that certain platted street as is more specifically hereinafter set forth and to renounce and disclaim any and all rights of the County of Manatee and the public to the hereinafter platted street and have attached to said petition certificate showing that all state and county taxes including those for the year 1958 have been paid; and

WHEREAS, it appears that the petitioners constitute all the fee simple owners of the property described as:

Lots 11 through 20 and Lots 31 through 40 Block "A" of BIDWELL HEIGHTS, as per Plat thereof recorded in Plat Book 4, Page 132, of the Public Records of Manatee County, Florida,

and;

WHEREAS, the hereinafter described platted street lies within the County of Manatee, City of Bradenton, State of Florida; and

WHEREAS, it appears that the granting of said petition will not adversely affect the rights of ownership of any individual or the public, or deprive any persons or parties of means of access to their property; and that a certified copy of the resolution has been passed by the City of Bradenton, State of Florida, and has been presented;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners, County of Manatee, State of Florida, that the platted street known as 22nd Avenue (Haselton Avenue), extending from 26th Street (Sarasota Avenue) to 27th Street (Willow Street) which is a distance of one block, said platted street running easterly and westerly, and being a strip of land 50 feet wide located between Lots 35 and 15, and 36 and 16, Block A, Bidwell Heights, as per plat thereof recorded in Plat Book 4, Page 132, Public Records of Manatee County, Florida. Said street, 22nd Avenue, as herebefore designated by and the same is hereby vacated and all offers of dedication of said platted street above described are hereby refused and declined and that the Board of County Commissioners of the County of Manatee, State of Florida, does hereby renounce and disclaim any rights of the County and of the public in and to the land hereinabove specifically described and the title to said land shall revert to the adjacent lot owner.

This Resolution adopted by the Board of County Commissioners of Manatee County, Florida this 11th day of May, 1959.

ATTEST:

Bruce M. Cox /s/
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
COUNTY OF MANATEE

By H. C. Slaughter /s/
Chairman

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There being no further business, the Board adjourned to meet Monday, May 18th, 1959 at 9:30 a.m.

ATTEST:

M. T. McInnis, Clerk

Bruce M. Cox
Deputy Clerk

APPROVED

H. C. Slaughter
Chairman