

**CITY COUNCIL MEETING  
June 24, 2009**

APPROVED BY  
July 15, 2009  
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 June 24, 2009 at 6:00 p.m.

**Present:** Mayor Wayne Poston; Councilman Ward I Gene Gallo; Councilwoman Ward II Marianne Barnebey; Councilman Ward III Patrick Roff; Vice Mayor and Councilman Ward IV Bemis Smith and Councilman Ward V Harold E. Byrd, Jr.

**City Officials:** Carl Callahan, City Clerk and Treasurer; Claude Tankersley, Public Works Director; William Lisch, City Attorney; Mark Souders, Fire Chief; Michael Radzilowski, Police Chief; Tim Polk, Department of Planning and Community Development Director, and Carolyn Moore, Human Resources Director.

**Press:** The Herald and The Bradenton Times.

The meeting was called to order by Mayor Poston.  
Ecumenical invocation was led by Pastor Joey Mimbs, Bethel Baptist Church.  
Pledge of Allegiance was led by Mayor Poston.  
Staci Cross, Information Technology Director was excused from the meeting.

PROCLAMATIONS

CHILDREN'S SUMMIT DAY "THE POWER OF IMAGINATION" – AUGUST 8, 2009

PRESENTATIONS

LEGISLATIVE UPDATE

**Representative Bill Galvano** gave an update on legislative issues passing a \$65 billion budget with a federal government stimulus package of \$5.7 million.

SARASOTA BAY ESTUARY "STATE OF THE BAY"

**Mark Alderson**, Sarasota Bay Estuary Program Executive Director gave a brief PowerPoint presentation of updates on the Sarasota Bay Estuary Program which included habitat restoration projects and the gulf coast heritage trail.

*Mr. Callahan administered the oath to any individuals who wished to speak on any non-agenda items and during the public hearings.*

CITIZEN COMMENTS

No one came forward.

CONSENT AGENDA

- a) Minutes of June 10, 2009.
- b) ~~Resolution 09-44 SHIP reconstruction contract Diane Schwendtner. **Withdrawn.**~~
- c) ~~Resolution 09-45 SHIP reconstruction contract Ralph Hamilton. **Withdrawn.**~~
- d) Resolution 09-46-Reappointment of **Rigo Rivera** to Housing Authority Board.
- e) Resolution 09-47-Requesting the Sell and Transfer to the City of Bradenton of 925 23<sup>rd</sup> Street East from the State of Florida for the Norma Lloyd Park Project.
- f) Resolution 09-48-Revision of boundaries of the United Community Center properties.
- g) Public Event Request-Snooty's Birthday Bash, Saturday July 18, 2009.

- h) Public Event Request-Wedding Ceremony at Rossi Park, Saturday, July 11, 2009.
- i) 2009 Bulletproof Vest Grant Application.
- j) Pittsburgh Pirates Leasehold Mortgage and Security Agreements.

**REQUEST BY Carl Callahan to approve the Consent Agenda items a, and d through h. (items b and c were withdrawn for further staff review.)**

No discussion followed.

**MOTION TO APPROVE THE CONSENT AGENDA ITEMS (a, and d through h) with items b and c withdrawn for further staff review was made by Councilman Gallo, seconded by Vice Mayor and Councilman Smith and passed 5-0 for approval.**

#### BUSINESS/ADVERTISING, PETITIONS, HEARINGS AND COMMUNICATIONS

##### **FIRST READING OF PROPOSED ORDINANCE 2906**

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, AMENDING SECTION 18-240 AND SECTION 18-241 OF THE CODE OF ORDINANCES OF THE CITY OF BRADENTON BY ADOPTING THE 2009 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE AND REVISING SECTION 112.4 OF SAID CODE TO READ \$75.00 AND \$250.00; PROVIDING AN EFFECTIVE DATE.

**MOTION TO APPROVE THE FIRST READING and set the second reading and public hearing of Proposed Ordinance 2906 for July 15, 2009 was made by Councilwoman Barnebey, seconded by Councilman Gallo and passed 5-0 for approval.**

#### NEW BUSINESS BY DEPARTMENT HEADS, CITY ATTORNEY AND COUNCIL

##### TIM POLK

##### **2009 Justice Assistance Grant Application**

##### **PUBLIC HEARING**

**Jeana Winterbottom**, Grants Administer, stated this request was for the annual allocation the city received for the Justice Assistance Grant. A public hearing was required for any public comment after which the application period would be closed and public comments would remain open for 30 days.

The public hearing was opened; those in favor please come forward. No one came forward.

Those in opposition, please come forward; no one came forward the public hearing was closed.

**MOTION TO APPROVE THE 2009 Justice Assistance Grant Application was made by Councilman Gallo, seconded by Councilman Roff and passed 5-0 for approval.**

##### CARL CALLAHAN

##### **Public event request by First Baptist Church for multiple street closures on July 4<sup>th</sup>.**

Mr. Callahan stated the applicant was in agreement to modify the request to keep 14<sup>th</sup> Street open as there was a lot of activity going on in the downtown area due to the fireworks display on the waterfront.

Discussion: Keeping the two lanes open on 14<sup>th</sup> Street and 3<sup>rd</sup> Avenue and concerns about closing the Green Bridge to traffic for 1 and 1 ½ hours during the fireworks display.

**MOTION TO APPROVE THE REQUEST BY FIRST BAPTIST CHURCH with the modification was made by Councilman Gallo, seconded by Councilman Roff and passed 5-0 for approval.**

## COUNCIL REPORTS

**Councilman Gene Gallo, Ward I:** Nothing to report.

**Councilwoman Marianne Barnebey, Ward II:** Introduced Bailey Foster, Hillary Hathaway, Jamie Davis and Meagan Body, student representatives who would be attending the Girls' State Program in Tallahassee to learn how government works.

**Councilman Patrick Roff, Ward III:** Announced that the demolition of the Our Daily Bread building on 14<sup>th</sup> Street was scheduled for tomorrow morning, June 25<sup>th</sup>. He stated this was a big step toward the revitalization of 14<sup>th</sup> Street.

**Vice Mayor and Councilman Bemis Smith, Ward IV:** Welcomed new building official, Brad Weigle, who heralds from the Naples area. Vice Mayor and Councilman Smith stated he looked forward to working with Brad and hoped that we could maintain "The Friendly City" approach when working with our citizens.

**Councilman Harold Byrd, Jr., Ward V:** Thanked the police department for their participation in the District I community meeting to fight crime held last night at the Palmetto Youth Center.

**Mayor Wayne Poston:** Wished everyone a safe 4<sup>th</sup> of July.

## DEPARTMENT HEADS

**Bill Lisch:** Stated in September, 2005 the Department of Motor Vehicles (DMV) had deeded property over to the Housing Authority for the construction of senior housing. The agreement contained a reverter clause if construction was not begun within a five (5) year period. He stated the Housing Authority was now in the process to begin construction, but the bank had raised some issues with the agreement.

**REQUEST made by Mr. Lisch on behalf of the bank to add a reverter clause to state that if the Housing Authority did not meet the five (5) year deadline, the Housing Authority would be allowed to continue construction on a day-to-day basis for a period of two (2) years.**

No discussion followed.

**MOTION TO APPROVE the request to add a reverter clause to the agreement for the senior housing property was made by Councilman Byrd, seconded by Vice Mayor and Councilman Smith and passed 5-0 for approval.**

**Tim Polk:** Welcomed Brad Weigle as the city's new building official and stated that Brad comes with fresh ideas and eagerness to meet with contractors and builders to assist in solving problems they may have.

**Claude Tankersley:** Stated that SWFWMD had extended water restrictions. He stated the city's reservoir, when full, was designed to accommodate seven months of water use without rain. He stated the water level was lower than normal with four month's supply, but he anticipated that with the rainy season approaching, the reservoir would be in good shape.

**Chief Radzilowski:** Read a memorandum dated June 18, 2009 referencing an award notification for the police department from the 2009 Recovery Act Justice Assistance Grant for a sum of \$177,272. He stated these funds would help pay for 50% of salaries and benefits for school resource officers, OSHA safety vests, Hazmat jumpsuits, voice recorders and program administration.

**REQUEST TO ACCEPT the 2009 Recovery Act Justice Assistance Grant award and authorize Mayor Poston to execute the award.**

No discussion followed.

**MOTION TO ACCEPT THE 2009 Recovery Act Justice Assistance Grant award was made by Councilman Roff, seconded by Councilman Byrd and passed 5-0 for approval.**

**Carl Callahan:** Thanked Sheila Lindergren and Sharon Beauchamp for all their hard work in putting together the Comprehensive Annual Financial Report (CAFR) for the Fiscal Year Ending September 30, 2008.

Mr. Callahan announced that the lease for the Girls Scout house on 17<sup>th</sup> Avenue West would expire on June 30, 2009.

**REQUEST BY Carl Callahan to extend the Girls Scout house lease for an additional five (5) years with a caveat that they were aware of the Wares Creek easement.**

No discussion followed.

**MOTION TO APPROVE the request to extend the Girls Scout house lease for an additional five (5) years with a caveat that they were aware of the Wares Creek easement next to the house was made by Councilwoman Barnebey, seconded by Councilman Roff and passed 5-0 for approval.**

Mr. Callahan requested the following:

**RESOLUTION 09-49**

**A RESOLUTION OF THE CITY OF BRADENTON, FLORIDA, RELATING TO THE STATE REVOLVING FUND LOAN PROGRAM; MAKING FINDINGS; AUTHORIZING THE LOAN APPLICATION; AUTHORIZING THE LOAN AGREEMENT; ESTABLISHING PLEDGED REVENUES; DESIGNATING AUTHORIZED REPRESENTATIVE; PROVIDING ASSURANCE; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.**

No discussion followed.

**MOTION TO APPROVE RESOLUTION 09-49 was made by Councilman Gallo, seconded by Vice Mayor and Councilman Smith and passed 5-0 for approval.**

**Chief Souders:** Nothing to report.

**Staci Cross:** Excused from the meeting.

**Carolyn Moore:** Nothing to report.

**ADJOURNMENT**

There being no further business, Mayor Poston adjourned the meeting at 7:00 p.m.

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