

**CITY COUNCIL MEETING  
January 23, 2008**

**APPROVED BY  
February 13, 2008  
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 January 23, 2008 at 8:30 a.m.

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

**City Officials:** Carl Callahan, City Clerk and Treasurer; John Cumming, Public Works Director; Michele Hall acting 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.

Staci Cross, Information Technology Director and Bill Lisch, City Attorney were excused from the meeting.

**Press:** The Herald.

The meeting was called to order by Mayor Poston.  
Ecumenical invocation was led by Councilman Byrd.  
Pledge of Allegiance was led by Mayor Poston.

**PRESENTATIONS**

**BRADENTON POLICE DEPARTMENT**

**•Swearing In Of New Officers**

Mayor Poston gave the oath of office to **Officer Kenneth J. Ramirez, Officer Del C. Shiflett, Officer Jason M. Rhind, and Officer Michael M. Carpenter II.**

*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.

**COUNCIL REPORTS**

**Vice Mayor/Councilman Gene Gallo, Ward I:** Stated he had requested information from a certain vendor and was upset by the comment that the vendor made telling him that the vendor would give this information to the Department Head and not directly to him and then he could obtain the information from the Department Head. Councilman Gallo stated he was very upset by this remark and hoped that this comment had not been generated by the Department Head and reminded the Department Heads that they work for the Council.

**Councilwoman Marianne Barnebey, Ward II:** Announced the passing of former Bradenton Police Chief Clyde Gill and sent condolences on behalf of the city to his family.

**Councilman Patrick Roff, Ward III:** Nothing to report.

**Councilman Bemis Smith, Ward IV:** Nothing to report.

**Councilman Harold Byrd, Jr., Ward V:** Nothing to report.

**Mayor Wayne Poston:** Nothing to report.

## CONSENT AGENDA

- a) Approval of Minutes of January 9, 2008. (Withdrawn from Consent Agenda)
- b) Resolution 08-06; First Responder for annexed property located at 2800 27<sup>th</sup> Street East.
- c) Resolution 08-08; Reappointing **Lucienne Gaufillet** to the **Planning Commission**.
- d) Resolution 08-09; Appointing **Lucienne Gaufillet** and **Gene Bay** to the **Architectural Review Board**.
- e) Resolution 08-10; Reappointing **Tom Vorpahl** and **John Hawkins** to the **Personnel Merit Board**.
- f) Resolution 08-11; Appointing **Adam Buskirk** to the **Planning Commission**.
- g) Resolution 08-12; Reappointing members of the **Grievance Board**.
- h) Resolution 08-13; Reappointing **Richard Coury**, **Robert Grant** and **Gerry Fisher** to the **Code Enforcement Board**.
- i) Resolution 08-14; Reappointing **Lucille O. Hymes** to the **Police Pension Board**.
- j) Resolution 08-15; Reappointing **Jerry Koontz**, **Mark Hegedus**, **Ashley Canesse**, **Bob Bartz** and **Jeffrey J. Lewis** to the **Enterprise Zone Board**.
- k) Resolution 08-17; Urging members of the Florida Legislature to support 2008 Issues.
- l) Budget Adjustments-BPD and BFD funds and reallocation of funds.

Mr. Callahan asked to withdraw the January 9, 2008 minutes as they were still in the review process and would be brought forward at the next council meeting.

**MOTION TO APPROVE the Consent Agenda with item (a) withdrawn with (b-1) consisting of Resolution 08-06, Resolution 08-08, Resolution 08-09, Resolution 08-10, Resolution 08-11, Resolution 08-11, Resolution 08-12, Resolution 08-13, Resolution 08-14, Resolution 08-15, Resolution 08-17 and the Budget Adjustments was made by Vice Mayor and Councilman Gallo second by Councilman Smith, passed 5-0 for approval.**

## BUSINESS/ADVERTISING, PETITIONS, HEARINGS AND COMMUNICATIONS

Nothing was reported.

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

Carl Callahan

**REQUEST TO SUPPORT the Agreement of Purchase and Sale among the City of Bradenton, The School Board of Manatee County, and the Housing Authority of the City of Bradenton.**

Mr. Callahan gave a brief overview of the agreement and displayed a site plan for a new elementary magnet school showing land purchases by the Manatee County School Board and a land swap with the Housing Authority for the new school between 13<sup>th</sup> Street and 17<sup>th</sup> Street behind McKechnie Field. He stated that this was the last phase of the Hope VI project. He referred to the site plan and stated the city would sell Lots A & E and the Housing Authority would swap Lot C for Lot F.

Discussion: The land swap and purchases needed to make this school become a reality after many years of discussion.

Councilwoman Barnebey stated there was a conflict of interest as her husband was the land use attorney for the Manatee County School Board so she would abstain from voting on the agreement and on the resolution.

**MOTION TO APPROVE the Agreement of Purchase and Sale among the City of Bradenton, The School Board of Manatee County, and the Housing Authority of the City of Bradenton was made by Councilman Byrd, second by Councilman Roff passed 3-1 for approval with Councilman Smith in opposition. Councilwoman Barnebey abstained from voting.**

**RESOLUTION 08-16**

A RESOLUTION OF THE CITY OF BRADENTON, FLORIDA, SUPPORTING THE EFFORTS OF THE BRADENTON HOUSING AUTHORITY AND ITS DEVELOPMENT PARTNER, TELESIS CORPORATION, TO WIN A COMMUNITY WORKFORCE HOUSING INNOVATION PILOT (CWHIP) PROGRAM AWARD IN THE ANNUAL FUNDING CYCLE OF STATE FUNDS.

Mr. Callahan stated that the resolution was in support of the Housing Authority seeking \$5 million of state funds and lands as previously approved in the purchase agreement.

Councilman Smith stated he voted against the agreement and not against the school and voiced his concern regarding the funding. Councilman Smith stated he would support the resolution as it would provide state funding.

**MOTION TO APPROVE Resolution 08-16 was made by Councilman Byrd, second by Councilman Roff passed 4-0 for approval. Councilwoman Barnebey abstained from voting.**

**REQUEST FOR First Amendment to Agreement among the City of Bradenton, the Manatee Players, Inc. and Bradenton Riverfront Partners II, LLC.**

Mr. Callahan stated that the agreement was a request for an additional line of credit to receive an additional \$500,000 loan per the agreement making the loan amount \$2.8 million with the maturity date of September 30, 2012.

Councilwoman Barnebey abstained from voting as there was a continuing conflict of interest as her husband was the attorney for the Manatee Players.

Mark Barnebey thanked Mayor Poston and the Council for their continuing support of the Manatee Players. He stated that most of the exterior work had been completed, and he welcomed anyone to come and tour the structure.

**MOTION TO APPROVE the First Amendment to Agreement among the City of Bradenton, the Manatee Players, Inc. and Bradenton Riverfront Partners II, LLC for an additional line of credit of \$500,000 was made by Councilman Smith, second by Councilman Roff passed 4-0 for approval. Councilwoman Barnebey abstained from voting.**

John Cumming

**Tampa Bay Nitrogen Management Consortium**

**REQUEST FOR APPROVAL** of the “Declaration of Cooperation of the Tampa Bay Nitrogen Management Consortium” and a pledge to participate in a one-time payment of \$4,800 to fund the development of the Assessment and Allocation Report. He stated the report would develop technically-sound, equitable allocations of nitrogen waste loads to Tampa Bay.

Councilman Smith stated that this was a big issue with the Manasota League of Cities.

**MOTION TO APPROVE the request of the “Declaration of Cooperation of the Tampa Bay Nitrogen Management Consortium” with the one-time payment of \$4,800 was made by Councilwoman Barnebey, second by Vice Mayor and Councilman Gallo passed 5-0 for approval.**

**DEPARTMENT HEADS**

**Carl Callahan:** Stated that this evening was the Manatee Chamber Business “After Hours at McKechnie Field” celebration for the unveiling of the new 40<sup>th</sup> Anniversary Pittsburgh Pirates logo. He stated the grand opening for Pirates City was scheduled for February 21<sup>st</sup> with many other celebrations planned throughout the coming months.

**Chief Souders:** Nothing to report.

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

**Chief Radzilowski:** Reported that he and members of his staff had attended a tour of the Senior Center on 9<sup>th</sup> Street. He stated the tour was to get the staff familiar with the center and what the facility offered to the public and to partner with the center. He stated the center offered breakfast and lunch to the public in the café and encouraged everyone to see firsthand what other services the center offered to the community.

**John Cumming:** Reported that the reservoir was almost spilling over the dam due to the recent rains.

He reported that notice had been given to residents and businesses in the area of 14<sup>th</sup> and 15<sup>th</sup> Streets between Manatee Avenue and Barcarrota Boulevard about upcoming conversion of both streets from one-way to two-way traffic. He stated that 14<sup>th</sup> Street would become two-way on Sunday, January 27<sup>th</sup> and 15<sup>th</sup> Street would become two-way on Monday, January 28<sup>th</sup>. He stated portable signs had been placed on Manatee Avenue noticing motorists of the change.

**Tim Polk:** Gave a brief report of the Evaluation Appraisal Report (EAR) status and reminded everyone that the report was on the city's website.

**Michele Hall:** Nothing to report.

**Carolyn Moore:** Nothing to report.

#### ADJOURNMENT

There being no further business, Mayor Poston adjourned the meeting at 9:30 a.m.

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