

**CITY COUNCIL MEETING
October 24, 2007**

**APPROVED BY
November 14, 2007
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 October 24, 2007 at 6:00 p.m.

Present: Mayor Wayne Poston; Councilwoman Ward II Marianne Barnebey; Councilman Ward III Patrick Roff; Councilman Ward IV Bemis Smith and Councilman Ward V James T. Golden.

City Officials: Carl Callahan, City Clerk and Treasurer; John Cumming, Public Works Director; William Lisch, City Attorney; Mark Souders, Fire Chief; Tim Polk, Department of Planning and Community Development Director; Staci Cross, Information Technology Director, and Carolyn Moore, Human Resources Director.

Press: The Herald and the Herald-Tribune.

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

Vice Mayor and Councilman Gallo, and Michael Radzilowski, Police Chief were excused from the meeting.

PROCLAMATIONS

NATIONAL HOME HEALTH CARE MONTH PROCLAMATION – NOVEMBER, 2007

FARM CITY WEEK PROCLAMATION – NOVEMBER 8-17, 2007

PRESENTATIONS

CITY OF BRADENTON ARMY VETERANS AWARD

Assisted by **Shirley Edwards**, Administrative Aide to the Chief of Police, **Chief Warrant Officer Robert Kyser** presented Veteran's Certificate Awards to **SP5 Tom Woods, PFC Jennifer Lesko, PFC Keith Davis, SP4 Carl Taylor, SP4 Victor Perez, and SP4 William Tokajer** for their service in the army. **Shirley Edwards** was also presented with an award as she had served as an **SP4**.

BRADENTON POLICE DEPARTMENT

- **Swearing In of New Officers**

Mayor Poston gave the oath of office to **Officer Shannon A. Seymour** and **Officer Lee M. Lavallee**.

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: Excused from the meeting.

Councilwoman Marianne Barnebey, Ward II: Stated that she had received an email from a citizen asking why 26th Street West from 9th Avenue West to 17th Avenue West was still two lanes.

Councilwoman Barnebey stated that 26th Street West was a county roadway and stated that there was not a lot of right-of-way along each side of the street to allow for widening. In addition, money to fund a project of that nature was scarce.

John Cumming stated he had received an email from the county setting up a preliminary meeting to discuss the problems on 26th Street West and to determine how those problems might be best solved. He agreed that there was not much right-of-way for any widening and that any improvements would involve a lengthy process with the county.

Councilwoman Barnebey invited families to come out on Halloween night, Wednesday, October 31, 2007 to enjoy for a great time at the 5th Annual Manatee County Crime Stoppers Halloween SafeKids Night at the Bradenton Municipal Auditorium.

Councilman Patrick Roff, Ward III: Encouraged everyone to tour a spectacular Halloween Haunted House on Halloween night created by the Troxels, at 1218 18th Street West.

Councilman Roff displayed a brochure of signs from all over the world that were on display in Fernweh Park, Hof, Germany. He then presented a new City of Bradenton sign which was to take its place in the park. He stated he had been approached by Wares Creek residents and local real estate brokers, Axle and Bea Weiss, originally from Germany who had requested that the city supply a sign to encourage Germans to consider Bradenton as a travel destination. He stated that the cost to the city had been approximately \$25. Mr. and Mrs. Weiss would take the sign to Germany to be placed in Fernweh Park at no expense to the city.

Councilman Bemis Smith, Ward IV: Nothing to report.

Councilman James Golden, Ward V: As Fire Commissioner, reported the fire department had received 95 fire calls and 279 medical calls during the month of September.

Councilman Golden reminded everyone that October was Fire Prevention Month, and the fire department would be participating in the Fire and Safety Expo at the Sarasota-Bradenton Convention Center on October 27, 2007.

Mayor Wayne Poston: Nothing to report.

CONSENT AGENDA

Approval of Minutes of October 10, 2007
Family Hauling Franchise Agreement
Resolution 07-51 / Florida City Government Week - October 21-27, 2007

MOTION TO APPROVE the Consent Agenda with the Minutes of October 10, 2007, a Family Hauling Franchise Agreement and Resolution 07-51 was made by Councilwoman Barnebey, seconded by Councilman Smith and carried 4-0 for approval. (Vice Mayor and Councilman Gallo was excused from the meeting.)

BUSINESS/ADVERTISING, PETITIONS, HEARINGS AND COMMUNICATIONS

FIRST READING OF PROPOSED ORDINANCE NO. 2883

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, PURSUANT TO THE DIXIE CUP CLARY CONTROL ACT, FLORIDA STATUTE 509.233 PERMITTING DOGS TO BE IN CERTAIN PUBLIC FOOD SERVICE ESTABLISHMENTS WHICH HAVE RECEIVED A PERMIT TO DO SO; PROVIDING AN EFFECTIVE DATE.

MOTION TO APPROVE the first reading and set the second reading and public hearing of proposed Ordinance 2883 for November 14, 2007 was made by Councilwoman Barnebey, seconded by Councilman Roff and carried 4-0 for approval. (Vice Mayor and Councilman Gallo was excused from the meeting.)

SECOND READING OF PROPOSED ORDINANCE NO. 2880

PUBLIC HEARING

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, RELATING TO VENDING ON PUBLIC ROADS AND ACTIVITIES OF ICE CREAM TRUCKS ON ROADWAYS; PROVIDING AN EFFECTIVE DATE.

The public hearing was open; those in favor please come forward.

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

Mr. Lisch stated there was a change in section 2 to reflect the effective date for April 1, 2008 not January 1, 2008.

Councilwoman Barnebey thanked Manatee County Commissioner Ron Getman for his hard work in making this ordinance a reality in the County. She stated the city would piggyback on the county's adopted ordinance.

MOTION TO APPROVE proposed ordinance 2880 was made by Councilwoman Barnebey seconded by Councilman Golden and carried 4-0 for approval. (Vice Mayor and Councilman Gallo was excused from the meeting.)

NEW BUSINESS BY DEPARTMENT HEADS, CITY ATTORNEY AND COUNCIL

Carl Callahan

REQUEST BY the First Baptist Church downtown Bradenton to hold a Fall Festival on Halloween night, October 31, 2007 with street closures at certain times during the day and evening.

Mr. Callahan recommended approval of the request.

MOTION TO APPROVE the request by the First Baptist Church upon the recommendation made by Carl Callahan was made by Councilman Golden, seconded by Councilman Smith and carried 4-0 for approval. (Vice Mayor and Councilman Gallo was excused from the meeting.)

Tim Polk

RESOLUTION 07-52

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA, APPROVING THE 2007-2008 PAYMENT STANDARDS FOR SECTION 8 HOUSING CHOICE VOUCHER PROGRAM AND AUTHORIZING THE MAYOR TO EXECUTE THE PAYMENT STANDARDS; PROVIDING AN EFFECTIVE DATE.

MOTION TO APPROVE Resolution 07-52 was made by Councilwoman Barnebey, seconded by Councilman Roff and carried 4-0 for approval. (Vice Mayor and Councilman Gallo was excused from the meeting.)

RESOLUTION 07-53

PUBLIC HEARING

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA ADOPTING THE CITY OF BRADENTON'S COMMUNITY DEVELOPMENT 2007-2008 ANNUAL ACTION PLAN.

The public hearing was opened; those in favor please come forward.

Becky Canesse, CEO of Just for Girls, Manatee County Girls, Club Inc., gave a brief overview of the services provided by Just for Girls and the benefits which had resulted from the partnership with the city, under the leadership of Mayor Poston and the city council. She stated because of their support the east Bradenton facility had been expanded, and many children and their families had experienced greater opportunities and improvements in their lives.

She distributed a pamphlet of the Just for Girls 2006 Annual Report.

Those in opposition, hearing none the public hearing was closed.

Tim Polk displayed the 2007-2008 CDBG proposed projects with the recommendation made by staff for funding with a 15% Public Service Cap of \$74,681.25, and a 20% Administrative Cap of \$99,491 with available funds of \$497,455 as follows:

Agency Name	General Project Description	Funding Request	Recommended Funding	Consolidated Plan Goals Addressed
CDBG Program Administration	Administrative Cost	\$ 99,489	\$ 99,489	N/A
Summer Youth Program	Employment training	30,000	30,000	Asst. with needs of City Services
COB Housing Rehab Program	Single-family Housing Rehab	90,000	118,902	Owner occupied housing rehab
Community Coalition on Homelessness	Open Door Day Resource Program	5,000	-0-	Homeless Assistance
Just for Girls	Educational Services at risk children	100,000	100,000	None
Manatee Glens	Homeless Outreach	36,141	-0-	Individual self-sufficiency
(1) Community Coalition on Homelessness	Transitional Development Program	25,058	(split change *) was -0- / amended to 20,000	Affordable Housing
Just for Girls	East Bradenton Transportation	50,000	-0-	Individual self-sufficiency
(2) Manatee Opportunity Council, Inc.	Rent/Mortgage Assistance	40,000	(split change *) was 40,000 amended to 20,000	Affordable Housing
City of Bradenton	COB Repaving Project	209,064	109,064	Livable Communities
Meals on Wheels Plus	Transportation Bus	73,000	-0-	None
COB Code Enforcement	CE (CDBG Target Area)	133,000	-0-	None
CCRA	Central Economic Development Center	100,000	-0-	Individual self-sufficient
Total		771,263	497,455	

Councilman Roff stated that the (1) Community Coalition on Homelessness (Transitional Development Program) and the (2) Manatee Opportunity Council, Inc. (Rent/Mortgage Assistance) addressed the same issues of affordable housing.

Councilman Roff recommended a * 50/50 split to amend the \$40,000 from the Manatee Opportunity Council, Inc., to \$20,000 with \$20,000 going to the Community Coalition on Homelessness which was the same as approved by Council last year.

General discussion: Filing applications, the funding determination process and that the recommendation by staff, which was not set in stone.

Councilwoman Barnebey stated since working with the homeless agencies she understood the difficulties the homeless community had with transportation. She stated she would support Councilman Roff recommendation as approved in the past to keep the CDBG funds between the two agencies.

MOTION TO AMEND the recommendation made by the Planning and Community Development staff was made by Councilman Roff, seconded by Councilwoman Barnebey and carried 4-0 for approval. (Vice Mayor and Councilman Gallo was excused from the meeting.)

MOTION TO APPROVE Resolution 07-53 with the recommendation of a 50/50 split of the \$40,000 with \$20,000 going to the Manatee Opportunity Council, Inc. and \$20,000 going to the Community Coalition on Homelessness was made by Councilwoman Barnebey, seconded by Councilman Golden and carried 4-0 for approval. (Vice Mayor and Councilman Gallo was excused from the meeting.)

John Cumming

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT (SWFWMD) Minimum Flows and Levels determination for the Braden River

Mr. Cumming gave a brief report on the current water levels for the Braden River and reported that the reservoir was in good shape with a good flow over the dam due to all the rains we recently had experienced. He stated that in the next couple of years SWFWMD would conduct research on the uses of the river and dam.

Mr. Cumming stated that the city needed to be a part of the SWFWMD plans and that he would recommend that the city not place any restrictions or make any special exceptions at this time.

DEPARTMENT HEADS

Carl Callahan: Reminded everyone that the Council Chamber would be closed for any city meetings starting tomorrow October 25, 2007 until November 3, 2007 for early voting. He stated that the locks would be changed to secure the chamber and only the Supervisor of Elections would have a key.

Mr. Callahan addressed the credit card documentation issue and referred to a (Credit Card Payment Voucher) form which had been created to complete necessary information of an expense item. Anyone wishing to review expense information would have readily accessible documentation.

He stated that he had concern that recent news coverage had created a perception that there were no financial policies or procedures in place. He stated there were several ordinances specifying travel policies and that when an individual signed for an expense they were confirming that it was an actual expense for the city and for a valid business purpose.

He stated that the Department Heads would know what each previous expense was for and that the new Credit Card Payment Voucher form would clarify future expenses.

Chief Souders: Nothing to report.

Staci Cross: Was happy to announce that the City of Bradenton Information Technology Department was a finalist in the Tampa Bay Technology Forum's Industry Achievement Award contest. She stated that the category for which the city was being considered was the *Quantum Leap Award* which was not just based on the level of technology achieved but also the huge advancements in technology which had been experienced and how it had improved communication, teamwork and the business process.

She thanked Mayor Poston and the Council for all their support with the technology changes made in the city for the last four years.

Mayor Poston stated that this was a big deal for a municipality to be a part of this final award process and that there had been a lot of tough competition to overcome.

Chief Radzilowski: Excused from the meeting.

Carolyn Moore: Nothing to report.

John Cumming: Nothing to report.

Tim Polk: Nothing to report.

Bill Lisch: Nothing to report.

ADJOURNMENT

There being no further business, Mayor Poston adjourned the meeting at 7:15 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.