

**CITY COUNCIL MEETING
March 26, 2008**

APPROVED BY
April 9, 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 March 26, 2008 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 Harold E. Byrd, Jr.

City Officials: Carl Callahan, City Clerk and Treasurer; John Cumming, Public Works Director; William Lisch, City Attorney; David Ezell, Deputy Fire Chief; Michael Radzilowski, Police 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 Byrd.
Pledge of Allegiance was led by Miss Robin Bell, Mayor for the Day.

Vice Mayor and Councilman Ward I Gene Gallo was excused from the meeting.

PROCLAMATIONS

RELAY FOR LIFE DAYS – May 16-18, 2008

NATIONAL COMMUNITY DEVELOPMENT WEEK – March 24-30, 2008

PRESENTATIONS

GOVERNOR’S POINTS OF LIGHT AWARD

On behalf of Governor Charlie Crist, Mayor Poston presented the Points of Light Award to **David Brazelton** for environment awareness and his contributions to the Mote Marine Laboratory to educate the public about the importance of preserving Florida’s marine life.

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

CITIZEN COMMENTS

Preston Griffith, 213 12th Street East, voiced his concern about the previous decision made by Council to deny the extension of time request which had been brought forth by Wells Fargo at the March 12th City Council meeting regarding the Riviera Southshore properties. Mr. Griffith believed the decision may have a negative impact on his neighborhood as well as legal ramifications upon the taxpayers. He requested Council to consider revisiting the extension of time request, as the denial accomplished nothing. He suggested approving the extension with stipulations given to Wells Fargo for a time certain to begin maintaining the properties and find a buyer. He stated should either of these issues not be completed, the extension would expire.

Bill Lisch stated he fully expected that Wells Fargo would make another attempt for the Extension.

Discussion: Wells Fargo’s financial matter involved with the Riviera Southshore properties.

COUNCIL REPORTS

Vice Mayor/Councilman Gene Gallo, Ward I: Excused from the meeting.

Councilwoman Marianne Barnebey, Ward II: Stated she attended Gecko Fest 2008 which had been a great success.

Councilwoman Barnebey stated she was looking forward to this year's Florida Heritage Festival coming up this next month.

Councilwoman Barnebey had been given the honor of singing the National Anthem at the Manatee County Special Olympics. She announced that James Simpson, a city employee won at that event then went on to the Southeast Regional Tennis Competition held in Hilton Head, South Carolina and won a Bronze medal in singles and place 4th in tennis doubles.

Councilman Patrick Roff, Ward III: Stated he attended the second meeting of the Tamiami Trail Task Force Committee, which consists of business owners and city officials. He stated the goal was to keep the Tamiami Trail Revitalization Project moving forward in this slow real estate market.

Councilman Roff thanked Carolyn Moore and her department for doing an excellent job on the Wellness Program. He stated that Great West Insurance presented information this morning on the positive results which can be realized by following the Wellness Program. He stated that not only was the cost of health insurance decreasing for city employees, but the Wellness Program was also increasing their productivity.

Councilman Bemis Smith, Ward IV: Nothing to report.

Councilman Harold Byrd, Jr., Ward V: Stated that this past Saturday he had attended an anti-crime walk and prayer vigil for the Washington Park area. He stated that code enforcement officers and police officers had conducted a crime sweep in the Washington area which had made a difference.

Councilman Byrd stated he had attended the first St. Patrick's Day Parade in the Village of the Arts with many attending the parade with festivities which followed. He stated the parade was not only good for the Village, but also for the whole community.

Councilman Byrd stated he had also attended the strategic planning sessions at the fire department and was impressed with the input and ideas that had been brought forth.

Councilman Byrd stated that the Ward V community meeting had been extended to the end of March. He stated 95% of the data collected from the surveys sent out to the community has been logged into the computer which indicated a high majority of citizen concerns listed crime.

Mayor Wayne Poston: Nothing to report.

CONSENT AGENDA

Approval of Minutes of March 12, 2008.
Forfeiture Funds-Invisity Audio Transmission Kits

MOTION TO APPROVE THE CONSENT AGENDA consisting of the March 12, 2008 Council minutes and Forfeiture Funds for Invisity Audio Transmission Kits was made by Councilwoman Barnebey seconded by Councilman Smith and passed 4-0 for approval. Vice Mayor and Councilman Gallo was absent from voting.

BUSINESS/ADVERTISING, PETITIONS, HEARINGS AND COMMUNICATIONS

SECOND READING OF PROPOSED ORDINANCE 2886

PUBLIC HEARING

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, AMENDING CHAPTER 8, SECTION 8-2 OF THE CODE OF ORDINANCES OF THE CITY OF BRADENTON BY REAPPORTIONING AND CHANGING WARD BOUNDARIES; PROVIDING AN EFFECTIVE DATE.

The public hearing was opened; anyone wishing to speak on this issue please come forward.

Clovia Byrd Russell, 1309 14th Street East, stated she understood the need for ward boundary reviews, and asked why only one ward was reviewed instead of the entire city. She asked why there was no public input on this issue before this public hearing and why was this issue being changed right after her brother became councilman to this ward.

Mayor Poston stated that the city reviews the entire city annually and because Councilman Byrd had brought this issue up at the beginning of the year, it had been researched more deeply to see if the wards complied with state law.

Further discussion: The annual review process, state compliance, lack of public input in the review process, population growth in some wards and not in others.

Mr. Callahan displayed different ward maps and explained the changes were determined by using natural boundaries as well as projected future population growth and/or lack of growth in some areas.

Susie Copeland asked where the estimated census data came from and voiced her concern that there were disparities in each ward. She stated a lot of future development projects may not be developed and the wards should be determined by equal population count.

Raphael Allen, Community Activist, and **Eloise Bacon**, Ward V resident, requested to review the proposed boundary maps and asked how the plan would affect Martin Luther King (MLK) Boulevard.

Discussion: That the changes made tonight would not affect MLK or change the existing the CRA and the CCRA districts.

Mr. Allen stated that the two CRA's on MLK needed to be addressed to clear up any confusion that now existed.

Patricia Thomas, Village of the Arts resident voiced her concern for why the Village destination had to be moved from Ward V to Ward III.

Discussion: How the decisions were made to make the different changes in each ward.

The public hearing was closed.

Tim Polk stated that the Planning and Community Development Department recommended approval of proposed Ordinance 2886 based on population growth projections, the decisions as discussed in today's meeting on how the ward changes had been determined affecting neighborhoods, with the use of corridors and natural boundaries. He stated there was a lot of give and take in each ward.

Councilman Roff voiced his concern that at first he was unhappy with the numbers given him with the proposed ward changes as he has worked hard to have a good relationship with Ward III residents. He stated after he met with city staff who explained about the growth potential in Wards I, IV & V and lack of growth in Wards II & III, he was now in agreement with the changes.

Councilman Byrd stated the map shown was not the map shown in the last Council workshop and that more input should have been obtained from the council and the public on such an important matter.

Councilman Byrd stated due to the lack of public input, at this time he would not support the changes.

Councilwoman Barnebey stated that following a conversation with Tim Polk about future developments, it was more clear that there would be some significant population changes, but Ward II was not going to have a lot of population increase.

Councilwoman Barnebey stated that we the city officials were all were elected citywide and commented that change was difficult. She stated she would rather do the changes now instead of just before an election, as an official running for a particular ward could suddenly be living in another ward under the redistricting.

MOTION TO APPROVE Ordinance 2886 with the recommendation made by Planning and Community Development was made by Councilman Smith seconded by Councilman Roff and carried 3-1 for approval with Councilman Byrd in opposition. Vice Mayor and Councilman Gallo was absent from voting.

NEW BUSINESS BY DEPARTMENT HEADS, CITY ATTORNEY AND COUNCIL

Carl Callahan

PUBLIC EVENT REQUEST for a Rossi Park Music Festival on April 19, 2008 at the Parks Amphitheater.

Mr. Callahan stated that after discussion with some of the staff there were concerns for stakes and holes being dug for fencing as it could be a potential problem with electricity and the park sprinkler system.

Drew Farris, event organizer, displayed maps showing his proposal for parking surround the Rossi Park area and the placement of fencing.

Discussion: Organizer using stakes and to coordinate with the staff for proper location of stakes. The problem for liability and the sod damage that would have to be repaired. Tents stakes not going into the ground.

Discussion: Using alternative fence material with no stakes.

MOTION TO APPROVE the request for a Rossi Park Music Festival with the understanding that the organizer would work closely with the city clerk, public works and for safety issues with the fire departments was made by Councilwoman Barnebey, seconded by Councilman Smith and carried 4-0 for approval. Vice Mayor and Councilman Gallo was absent from voting.

John Cumming

REQUEST TO ACCEPT the Draft Consent Order & Draft Permit from the State of Florida Department of Environmental Protection to proceed with the noticing process to seek public comments on ASR Wells.

Mr. Cumming stated the order and permit has been reviewed by the city attorney, public works staff and all those involved with the recommendation to approve.

MOTION TO THE REQUEST to accept the Draft Consent Order & Draft Permit from the State of Florida Department of Environmental Protection to proceed with the noticing process to seek public comments on ASR Wells was made by Councilwoman Barnebey, seconded by Councilman Roff and carried 4-0 for approval. Vice Mayor and Councilman Gallo was absent from voting.

DEPARTMENT HEADS

Carl Callahan: Gave a brief overview of the budget issue and the impact of Amendment One with new revenues collected by fees and taxes would be less which would effect the budget by a projection of impact was approximately two (2) million dollars. He stated that impact projection for new revenue made by new construction with the market as it currently stands was still unknown.

Mayor Poston stated he would be in Tallahassee next week as a State Consumer Advisory to look at the bills as they go through the legislature with recommendation made to the governor.

Deputy Chief Ezell: Gave a brief overview of the new ladder truck with anticipated time for delivery within 10 days. He stated that this new 8500 pound truck was the most efficient fire truck on the road using 7 mpg of fuel versus the old ladder truck using 1 to 2 mpg.

Staci Cross: Nothing to report.

Chief Radzilowski: Nothing to report.

John Cumming: Nothing to report.

Tim Polk: Nothing to report.

Bill Lisch: Nothing to report.

Carolyn Moore: Nothing to report.

ADJOURNMENT

There being no further business, Mayor Poston adjourned the meeting at 7:45 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.