

**CITY COUNCIL MEETING  
February 11, 2009**

APPROVED BY  
February 25, 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 February 11, 2009 at 8:30 a.m.

**Present:** Mayor Wayne Poston; 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; William Tokajer, Deputy Police Chief; Tim Polk, Department of Planning and Community Development Director; Staci Cross, Information Technology Director, and Carolyn Moore, Human Resources Director.

**Press:** Carl Nudi from the Herald.

The meeting was called to order by Mayor Poston.  
Ecumenical invocation was led by Shirley Baucom, Executive Director CareNet Manasota.

Pledge of Allegiance was led by Mayor Poston.

Councilman Ward I Gene Gallo was excused from the meeting.  
Michael Radzilowski, Police Chief was excused from the meeting.

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

**CITIZEN COMMENTS**

**Pat Cunningham**, 3008 Manatee Avenue West voiced his concern for a water bill listing a 95 gallon container costing \$57.60 a month for his business. He stated this was outrageously high and that his law office consisted of only himself and his secretary.

Discussion: Perhaps the city should research the issue as to whether a business was commercial, professional or residential.

Mr. Callahan stated he would look into the issue.

**COUNCIL REPORTS**

**Councilman Gene Gallo, Ward I:** Excused from the meeting.

**Councilwoman Marianne Barnebey, Ward II:** Reported she attended a fundraiser for the ArtCenter at ING Country Club.

**Councilman Patrick Roff, Ward III:** Reported he had returned from a two-day trip to Tallahassee on behalf of the Manasota League of Cities where he had met with Representative Galvano, Senator Bennett and Representative Reagan who had represented Manatee and Sarasota counties well throughout their tenure. He stated the tone with the main message "Do No Harm" was relayed to them which they understood.

Councilman Roff stated the postal service would be conducting an information workshop on Thursday evening at Sarasota City Hall to discuss the possible consolidation of services between the Manasota and Hillsborough postal facilities. He stated that with more information being presented, there were also more concerns about the quality of postal service that would result should this change be implemented.

Councilman Roff encouraged everyone to go to the city's website [www.cityofbradenton.com](http://www.cityofbradenton.com) and click on the link to contact the postal service to voice their opinion on this controversial issue.

**Vice Mayor and Councilman Bemis Smith, Ward IV:** Reported on a productive meeting with Senator Mike Bennett along with Tim Polk and Darin Cushing regarding impact fees and possible moratoriums to jump start construction and other development activities. He stated Tim Polk would be reporting on this issue in the future.

**Councilman Harold Byrd, Jr., Ward V:** Stated he had attended this past Sunday, February 8<sup>th</sup> the celebration of the St. Paul Missionary Baptist Church's 123<sup>rd</sup> anniversary and dedication on the renovation of the church.

Councilman Byrd announced a community meeting for the Downtown Mobility Study on Thursday, February 12<sup>th</sup> at the CCRA office on Manatee Avenue East to discuss concerns and options on the traffic systems in the central and eastern corridors. The final workshop would be held on February 18<sup>th</sup> at the Bradenton Municipal Auditorium.

Councilman Byrd announced that February was Black History Month. In observation the United Community Center youth would be performing a program entitled "Journey through Time, My Place in History", on Thursday February 19<sup>th</sup> and again on February 21<sup>st</sup>.

Councilman Byrd announced that Syesha Mercado would be performing a special concert on February 19<sup>th</sup> to benefit youth programs within the schools.

**Mayor Wayne Poston:** Stated that the Pittsburgh Pirates had asked to use the One Stop Resource Center parking lot for two night and two day games in February. He stated in the contract with the One Stop Resource Center, stipulation #8 prohibited special event parking.

He asked if the Council had any objections to allow the Pirates to use the parking lot.

Council voiced no objections.

## CONSENT AGENDA

- a) Approval of Minutes of January 28, 2009.
- b) MB.09.0034 WARD 4 NEIGHBORHOOD 7.02  
Request of TI Investments Inc. of Sarasota, owner and Shane Cooper, Banks Engineering, agent, for a PDP one-year extension of time on location 1212 30<sup>th</sup> Street Court East, South Braden Castle Camp.
- c) SWFWMD Amendment H059.
- d) SWFWMD Amendment L200.
- e) Resolution 09-08 Reappointment of Ingrid McClellan to the Tree Board.
- f) Resolution 09-09 Reappointments of the Grievance Board.
- g) Resolution 09-10 Reappointment of Thomas McCollum to the Architectural Review Board.
- h) Resolution 09-11 Reappointment of Gilbert "Doug" Jones to the Housing Authority Board.
- i) Public Event- Crop Walk - February 22, 2009, Rossi Park.
- j) Public Event- Bradenton Beer Festival – February 28, 2009, Old Main Street.
- k) Public Event- Pirate Fest – March 8, 2009, McKechnie Field and 9<sup>th</sup> Street W.
- l) Public Event- Walk for Life 2009 – May 9, 2009, Rossi Park.

**MOTION TO APPROVE THE CONSENT AGENDA (A THROUGH L) was made by Vice Mayor and Councilman Smith, seconded by Councilwoman Barnebey and carried 4-0 for approval.**



Tim Polk gave the Planning and Community Development staff report with the Joint Planning Committee (JPC) Review of January 6, 2009 listing concerns regarding Morgan Johnson Road. He stated the staff recommendation was for approval based upon the Findings of Fact and Analysis of the proposed annexation request that:

- City services were to be made available to the subject property.
- No apparent inconsistency exists with the city's Comprehensive Plan.
- No apparent enclave was created.

And with the following two (2) stipulations:

1. Future development of the subject properties were subject to the requirements of the ACCORD, including but not limited to impact fee equivalency as defined in the ACCORD, Section 4.B (5), or the latest, mutually approved definition between Manatee County and the City of Bradenton;
2. Future development of the subject property may require certain land use studies and analysis as part of any preliminary or final development approvals, as determined by the Planning and Community Development Director.

**MOTION TO APPROVE the second reading and public hearing of Ordinance 2899 was made by Vice Mayor and Councilman Smith, seconded by Councilman Byrd and carried 4-0 for approval.**

NEW BUSINESS BY DEPARTMENT HEADS, CITY ATTORNEY AND COUNCIL

**REQUEST MADE** BY Tim Polk for the Manatee ArtCenter to display 2 (6 ft x 5 ft) banners at the ArtCenter from April 1<sup>st</sup> to May 23<sup>rd</sup> to advertise the National Watercolor Society Traveling Exhibit.

Councilwoman Barnebey stated the exhibit was a huge exhibit with only two places scheduled on this side of the Mississippi River where the exhibit will be shown, Bradenton and one in Maryland.

**MOTION TO APPROVE THE request by Manatee ArtCenter was made by Councilwoman Barnebey, seconded by Vice Mayor and Councilman Smith and carried 4-0 for approval.**

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**RESOLUTION 09-12**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA, REQUESTING THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) LEASE TO THE CITY OF BRADENTON AND MANATEE COUNTY, FLORIDA CERTAIN PROPERTY FOR PUBLIC PURPOSES, PROVIDING AN EFFECTIVE DATE.

Discussion: The lease parcel located on the Palma Sola Causeway south side next to the boat ramp.

**MOTION TO APPROVE RESOLUTION 09-12 was made by Councilman Roff, seconded by Vice Mayor and Councilman Smith and carried 4-0 for approval.**

DEPARTMENT HEADS

**Carl Callahan:** Thanked the Council for approving the public events and that all issues would be dealt with effectively to make sure everything was properly taken care of.

**Chief Souders:** Nothing to report.

**Staci Cross:** Reported that Monday, February 9<sup>th</sup> the city had smoothly converted to the new email provider "Elephant Outlook."

Ms. Cross stated the Eden Disaster Recovery Solution System had been set up in January and can be accessed at a moment's notice.

She stated there was a lot of interest in outsourcing systems and she would be making a presentation about it at the Florida Local Government Information Systems Association conference at the end of this month.

**Deputy Chief Tokajer:** Nothing to report.

**Claude Tankersley:** Reminded everyone of the February 18<sup>th</sup> final workshop on the Downtown Mobility Study to be held at the Bradenton Municipal Auditorium.

**Tim Polk:** Nothing to report.

**Bill Lisch:**

**FIRST READING OF PROPOSED ORDINANCE 2901**

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, AMENDING CHAPTER 50, SECTION 50-90 OF THE CODE OF ORDINANCES OF THE CITY OF BRADENTON, TITLED "THE CITY OF BRADENTON TRAFFIC LIGHT SAFETY ACT" BY ENLARGING THE TIME FOR FILING AN APPEAL AFTER NOTICE OF INFRACTION FROM TWENTY-ONE DAYS TO THIRTY DAYS; PROVIDING AN EFFECTIVE DATE.

No discussion followed.

**MOTION TO APPROVE the first reading and set the second reading and public hearing of Ordinance 2901 for February 25, 2009 was made by Councilwoman Barnebey, seconded by Councilman Byrd and carried 3-1 with Vice Mayor and Councilman Smith in opposition.**

**Carolyn Moore:** Nothing to report.

**ADJOURNMENT**

There being no further business, Mayor Poston adjourned the meeting at 9:15 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.