

**CITY COUNCIL MEETING
March 8, 2006**

The City of Bradenton City Council met in regular session in the City Hall Council Chamber, 101 Old Main Street, Bradenton, Florida on March 8, 2006 at 8:30 a.m.

Present: Vice Mayor and Councilman Ward I Gene Gallo; Councilman Ward III Patrick Roff; Councilman Ward IV Bemis Smith and Councilman Ward V James T. Golden.

City Officials: Wayne Poston, Mayor; Carl Callahan, City Clerk and Treasurer; John Cumming, Public Works Director; William Lisch, City Attorney; Mark Souders, 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.

Councilwoman Ward II Marianne Barnebey was excused from the meeting.

The meeting was called to order by Mayor Poston.

Ecumenical invocation was led by Rev. Dr. Donald Thompson, Transitions Church & Support Group.

Flag salute was led by Vice Mayor Gallo.

PRESENTATIONS

BRADENTON POLICE DEPARTMENT - SWEARING IN OF NEW OFFICERS

Mayor Poston, acting as the Police Commissioner, gave the oath of office to **Officer Jeffrey Cox, Officer Michael Waker and Officer Andrew Franks.**

HUMAN RESOURCES DEPARTMENT - P.R.I.D.E. AWARDS

Quarterly P.R.D.E. award winners:

Carolyn Moore, Human Resources Director awarded the following recipients who were nominated by their peers or supervisors for excellence in service:

Sharon Beauchamp, Joe Henry, Janet Mitchell, Susan Kahl, Dallas Powell, Walter Williams, Renee Stockwell, Officer Anthony Randall, Cynthia Zaagman, Officer Brian Thiers, (not present), Sergeant Merriman, Jim Martin, Dan Young, and Steve Seibert.

Mrs. Moore also recognized all of the employees who were participating in the Wellness Stop Smoking Class and the Weight Watchers Class.

Mr. Callahan administered the Oath to any individuals who wished to speak during the public hearings.

CITIZEN COMMENTS

Janene Witham, Director of Development of the Manatee Players, **Rick Kerby**, Managing and Artistic Director, and **Arlene Green**, Manatee Players patron, gave a brief update of the intent to move the Manatee Players to Palmetto with negotiations still in progress.

Lengthy discussion: Patrons being the number necessary one element to keep the arts alive in Bradenton. A deadline for beginning construction that the players had to meet this year. Community Redevelopment Agency (CRA) Funds were available in Palmetto, that weren't available in Bradenton. Educating the community that Bradenton and Palmetto were united in sharing the arts.

COUNCIL REPORTS

Vice Mayor and Councilman Gene Gallo, Ward I: Nothing to report.

Councilwoman Marianne Barnebey, Ward II: Excused absence.

Councilman Patrick Roff, Ward III: Encouraged everyone to come and experience the synergy downtown at the Old Main Street Market on Saturday.

Councilman Bemis Smith, Ward IV: Thanked the police department for the strong enforcement shown in his ward.

Councilman James Golden, Ward V: Announced a 9th Street West Corridor Business Owners meeting on March 20, 2006 at 7:15 a.m. to discuss issues and ideas for redevelopment on 9th Street West.

Councilman Golden requested Mayor Poston to make an initial contact with a Manatee County Commissioner and with the Community Redevelopment Agency (CRA) for a corridor study of 15th Street East. Councilman Golden stated that a joint task force could then be formed to collaborate on implementing the result of that study. He asked that the city preside over the implementation as recommended by the task force.

Mayor Poston stated that Florida Department of Transportation (FDOT) had already allocated funds for 15th Street and suggested meeting with John Cumming first before going to the county.

John Cumming stated that there had been some discussion regarding this issue.

ACTION: A meeting would be scheduled to discuss the issue.

Councilman Golden discussed the upcoming legislation regarding eminent domain powers and proposed a resolution as follows:

RESOLUTION 06-27

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA, SUPPORTING THE MAINTENANCE OF THE CURRENT LAWS OF EMINENT DOMAIN OF THE STATE OF FLORIDA.

Discussion: Council agreed not to change the eminent domain procedure as it currently stands in state law.

Councilman Smith stated he was not opposed to eminent domain but would like to have more discussion on this issue.

MOTION TO APPROVE Resolution 06-27 was made by Councilman Golden/Vice Mayor Gallo and carried 3-1 for approval with Councilman Smith in opposition. Councilwoman Barnebey was absent from voting.

Mayor Wayne Poston: Stated he would like to send a letter to both the congressional delegation and senators asking them to leave off-shore drilling alone.

No discussion followed.

MOTION TO SUPPORT the 260-mile limit off-shore drilling on the Florida Gulf Coast was made by Councilman Golden/Vice Mayor Gallo and carried 4-0 for approval. Councilwoman Barnebey was absent from voting.

CONSENT AGENDA

REQUEST for the approval of minutes for February 22, 2006.

No discussion followed.

MOTION TO APPROVE the minutes of February 22, 2006 was made by Councilman Golden/Councilman Smith and carried 4-0 for approval. Councilwoman Barnebey was absent from voting.

BUSINESS/ADVERTISING, PETITIONS, HEARINGS AND COMMUNICATIONS

FIRST READING OF PROPOSED ORDINANCE 2821

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA AMENDING CHAPTER 18, ARTICLE IX, PROVIDING FOR THE ADOPTION OF THE 2006 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE, AS PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, INC.; PROVIDING FOR CODE ENFORCEMENT BY CODE OFFICIALS AND OFFICERS; PROVIDING FOR REVISIONS OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE PROVIDING FOR AN ADOPTION OF AN ADDENDUM TO THE INTERNATIONAL PROPERTY MAINTENANCE CODE KNOWN AS THE MINIMUM MAINTENANCE STANDARDS AND GUIDELINES; IN MAKING SUCH MINIMUM MAINTENANCE STANDARDS AND GUIDELINES APPLICABLE THROUGHOUT THE CITY; PROVIDING FOR ENFORCEMENT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

MOTION TO APPROVE the first reading of proposed Ordinance 2821 and set the second reading and public hearing for March 22, 2006 was made by Councilman Smith/Councilman Golden and carried 4-0 for approval. Councilwoman Barnebey was absent from voting.

FIRST READING OF PROPOSED ORDINANCE 2822

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA AMENDING CHAPTER 2, SECTION 2-358 OF THE CODE OF ORDINANCES FOR THE CITY OF BRADENTON, FLORIDA WHICH ORDINANCE SECTION PROVIDES FOR SUPPLEMENTAL ENFORCEMENT PROCEDURE OF CITY CODES AND ORDINANCES BY AMENDING SECTION B OF THE SCHEDULE OF VIOLATIONS AND PENALTIES TO REFLECT NEW CODE OF ORDINANCE REFERENCES AND CLASSIFICATIONS; PROVIDING AN EFFECTIVE DATE.

MOTION TO APPROVE the first reading of proposed Ordinance 2822 and set the second reading and public hearing for March 22, 2006 was made by Councilman Smith/Councilman Golden and carried 4-0 for approval. Councilwoman Barnebey was absent from voting.

NEW BUSINESS BY DEPARTMENT HEADS, CITY ATTORNEY AND COUNCIL

REQUEST BY Bradenton Downtown Progress to hold a “Downtown Hoops” event on Old Main Street from City Hall to Fisherman Joe’s on Friday, May 19th from 5:00 p.m. to 9:00 p.m. and Saturday, May 20th from 8:00 a.m. to 9:00 p.m.

Mr. Callahan asked that no vendors be placed on the grassy areas and voiced his concerns about cars turning onto Old Main Street from Barcarrota Boulevard.

Andy Minor, President of the Bradenton Downtown Progress, and **Joseph Pickett**, Florida Gulf Coast Sports Commission stated that no vendors would be placed on the grassy area and that a sign and partial barricade would be placed at the intersection of Old Main Street and Barcarrota Boulevard to discourage cars from going down Main Street. He stated that the Manatee Players driveway would be open for patrons. They stated that volunteers would also be posted at various locations.

Chief Souders asked that the stage placement be coordinated with the fire department.

Councilman Smith stated that the last day of the Main Street Market was May 13th.

MOTION TO APPROVE the Downtown Hoops request was made by Vice Mayor Gallo/Councilman Smith and carried 4-0 for approval.

DEPARTMENT HEADS

Carl Callahan: Stated that he received a Press Release from the Pittsburg Pirates announcing that “Pirates Fest 2006” would be held on March 18, 2006 from 10:00 a.m. to 12:30 p.m.

General discussion: Closing off 9th Street for the event prior to the game.

Chief Souders: Nothing to report.

Staci Cross: Reported that there would be technical changes made on every employee’s desktop. She stated employees, excluding those who do not have a computer, could now check their Human Resources information.

Ms. Cross stated that upgrades had been done on the Public Works network with the fueling software also updated at the garage. She stated that the OSSI public safety upgrade would be implemented in September.

Ms. Cross stated that the Firehouse system upgrades would soon be implemented in the Fire Department.

She stated that Water Distribution was in the process of being added to the Utility Billing system.

Chief Radzilowski: Nothing to report.

John Cumming: Announced that he and John Ormando would be attending a FEMA Hurricane Response course in Maryland.

Mr. Cumming announced that the "Movie and a Martini" event in the Village of the Arts was a great success.

Tim Polk: Stated that Council had previously approved a PDP for the Promenade at Riverwalk development with a stipulation for approval of the final design.

Robert Hatfield, Hatfield Development, **Jan Smith**, Jan Smith and Associates, gave a brief overview of the architectural design with renderings of the site plan and requested approval of the design.

Lengthy discussion: Building design, parking, and access to the building.

Tim Polk stated that the Department of Planning and Community Development staff recommended approval of the design with landscaping which would maintain continuity within the development and the park.

MOTION TO APPROVE the final architectural design of Riversong, Phase II of the Promenade at Riverwalk development was made by Councilman Smith/Vice Mayor Gallo and carried 4-0 for approval.

Bill Lisch: Reported that the Mira Isles developers would be moving forward to seek findings of the Special Magistrate. He stated that the developers asked one more time if Council would reconsider their motion to deny the request. He stated that in case law, compatibility could not be considered in this matter.

Mr. Lisch stated that a motion would have to be made by the prevailing side with either Councilman Smith or Councilman Roff making the motion.

General discussion: That the Council was absent by one member. No key points for reconsideration to change the Council view on their decision. That the major issue was the height of the project, not the density.

No action was taken.

Carolyn Moore: Nothing to report.

ADJOURNMENT

There being no further business, Mayor Poston adjourned the meeting at 10:33 a.m.

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