

**CITY COUNCIL MEETING
May 28, 2008**

APPROVED BY
June 11, 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 May 28, 2008 at 6:00 p.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; 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.

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.

PROCLAMATIONS

HERNANDO DE SOTO HISTORICAL SOCIETY INC. DAY – MAY 28, 2008

PRESENTATIONS

Mayor Poston introduced the new 2008 Hernando De Soto Royal Family

Hernando De Soto–Joe Miller
Captain of the Crewe of De Soto–Mark Burke
De Soto Queen–Ashley Sabourin
De Soto Princess–Whitney Whidden
Padre–Paul Sharff

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: Nothing to report.

Councilwoman Marianne Barnebey, Ward II: Stated that she enjoyed working with her colleagues who had participated in the Literacy Council Spelling Bee. She thanked Human Resources Director, Carolyn Moore for her hard work in organizing this fun event. She also thanked Beth Duke for writing the songs which had been featured as part of the Spelling Bee.

Councilwoman Barnebey reminded everyone that school would soon be out for the summer and to be extra careful when driving.

Councilman Patrick Roff, Ward III: Reported on the Wares Creek Project and gave the timeline of what was needed to be accomplished prior to commencement on the project. He stated that if all went well the project could actively be started the beginning of 2009.

Councilman Bemis Smith, Ward IV: Nothing to report.

Councilman Harold Byrd, Jr., Ward V: Stated he presented a proclamation to St. Stephen's AME Church acknowledging the celebration of the church's 125th anniversary.

Mayor Wayne Poston: Announced that Saturday night, May 31st was the "City of Bradenton Night with the Tampa Bay Rays" who were now again in first place.

CONSENT AGENDA

- a) Approval of minutes of May 14, 2008.
- b) Public Event- Hang & Blazek Wedding, Rossi Park-Amphitheater March 28, 2009.
- c) Resolution 08-45 Hurricane Awareness Month
- d) Resolution 08-46 Appointing Mary Anne Bowie to the Tree & Land Preservation Board.
- e) Agreement- KABOOM foundation for donated playground equipment to Norma Lloyd Park.
- f) MB.08.0023 WARD 4 NEIGHBORHOOD 7.03 RS
Request of R. Scott Tibbetts, owner, for a one year extension of time for a project known as "Tarpon Pointe" for property located at 234 6th Street East (Zoned PDP)
- g) MB.08.0024 WARD 4 NEIGHBORHOOD 1.01 RS
Request of William W. Merrill, III, Esq., agent for Enterprise Associates of Sarasota, LLC, for a one year extension of time for a project known as "Metro Marquee" for property located at 301 7th Street West (Zoned PDP).
- h) Resolution 08-47 Transfer and conveyance of certain lands to the Bradenton Housing Authority.
- i) Resolution 08-48 Transfer and conveyance of certain lands to the Manatee County School Board.

No discussion followed.

MOTION TO APPROVE THE CONSENT AGENDA with items a. through i. was made by Vice Mayor and Councilman Gallo seconded by Councilman Smith and carried 5-0 for approval.

BUSINESS/ADVERTISING, PETITIONS, HEARINGS AND COMMUNICATIONS

CP.08.0026 AMENDMENTS TO CITY OF BRADENTON COMPREHENSIVE PLAN TC

City of Bradenton Text Amendments to the City of Bradenton Comprehensive Plan relating to the Intergovernmental Coordination Element, Capital Improvements Element, and proposed new Public School Facilities Element (Large Scale Activity).

RESOLUTION NO. 08-33

PUBLIC HEARING

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA, TRANSMITTING TO THE DEPARTMENT OF COMMUNITY AFFAIRS PROPOSED (LARGE SCALE) COMPREHENSIVE PLAN AMENDMENTS TO THE CITY'S COMPREHENSIVE PLAN; MAKING CERTAIN FINDINGS OF FACT; AUTHORIZING TRANSMITTAL OF COMPREHENSIVE PLAN AMENDMENT **APPLICATION CP.08.0026, CITY OF BRADENTON**, AMENDING THE INTERGOVERNMENTAL COORDINATION ELEMENT, CAPITAL IMPROVEMENTS ELEMENT, AND PROPOSED NEW PUBLIC SCHOOL FACILITIES ELEMENT; PROVIDING FOR APPLICABILITY AND EFFECT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

The public hearing was opened to anyone wishing to speak in favor.

Tom Cookingham, Planning and Community Development Assistant Director gave a brief overview of the minor text changes to the City's Comprehensive Plan. He stated there was a revised "Attachment A" which corrected minor scrivener's errors which amended the Intergovernmental Coordination Element, the Capital Improvements Element and the proposed new Public School Facilities Element.

Anyone wishing to speak in opposition please come forward, no one came forward the public hearing was closed.

Tim Polk stated the Planning and Community Development staff recommendation was for approval of the Comprehensive Plan amendments with Resolution 08-33.

Councilwoman Barnebey stated she would abstain from voting as there was a continuing conflict as her husband was the attorney representing the School Board.

MOTION TO APPROVE CP.08.0026, RESOLUTION 08-33 was made by Councilman Smith seconded by Councilman Byrd and carried 4-0 for approval. Councilwoman Barnebey abstained from voting.

NEW BUSINESS BY DEPARTMENT HEADS, CITY ATTORNEY AND COUNCIL

Tim Polk

NOTICE OF PUBLIC HEARING AND AVAILABILITY OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REPORT (CAPER)

RESOLUTION NO. 08-44

PUBLIC HEARING

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA ADOPTING THE CITY OF BRADENTON'S COMMUNITY DEVELOPMENT OCTOBER 1, 2007 TO DECEMBER 31, 2007 CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REPORT (CAPER).

The public hearing was opened to anyone wishing to speak in favor to please come forward. No one came forward.

Anyone wishing to speak in opposition to please come forward. No one came forward the public hearing was closed.

Tim Polk stated the Planning and Community Development staff recommendation was for approval.

Lesa Ramos, Housing and Community Development Manager stated the public had the opportunity to review the CAPER as stated in the notice at the Housing and Community Development Division, the City Clerk's Office and at the Manatee County Library.

MOTION TO APPROVE RESOLUTION 08-44 was made by Councilman Smith seconded by Vice Mayor and Councilman Gallo and carried 5-0 for approval.

DEPARTMENT HEADS

Carl Callahan: Nothing to report.

Chief Souders: Nothing to report.

Staci Cross: Nothing to report.

Carolyn Moore: Invited everyone to attend the "City of Bradenton Night with the Tampa Bay Rays" on Saturday May 31, 2008 beginning with a tailgate party and followed by a post-game concert featuring country singer Trace Adkins.

Chief Radzilowski: Wished Sheriff Steube a speedy recovery from injuries he sustained when a ladder collapsed under him.

John Cumming: Nothing to report.

Tim Polk: Nothing to report.

Bill Lisch: Gave an update of the litigation with the Southern Manatee Fire District tax issues on the Mixon property.

RECOMMENDATION TO APPROVE the recommendation of the mitigation team to settle the Southern Manatee Fire District tax issue for a one time payment of \$10,000.

No discussion followed.

MOTION TO APPROVE THE RECOMMENDATION BY BILL LISCH was made by Councilwoman Barnebey seconded by Vice Mayor and Councilman Gallo and carried 5-0 for approval.

ADJOURNMENT

There being no further business, Mayor Poston adjourned the meeting at 6:30 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.