

**CITY COUNCIL MEETING
October 13, 2010**

APPROVED BY
October 27, 2010
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 13, 2010 at 8:30 a.m.

Present: Councilman Ward I Gene Gallo; Councilwoman Ward II Marianne Barnebey; Councilman Ward III Patrick Roff; Councilman Ward IV Bemis Smith and Vice Mayor and Councilman Ward V Harold E. Byrd, Jr.

City Officials: Carl Callahan, City Clerk and Treasurer/Chief of Staff; Claude Tankersley, 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.

Mayor Wayne Poston was excused from the meeting.

The meeting was called to order by Vice Mayor and Councilman Byrd.
Ecumenical invocation was led by Vice Mayor and Councilman Byrd.
Pledge of Allegiance was led by Vice Mayor and Councilman Byrd.

PROCLAMATIONS

DOMESTIC VIOLENCE AWARENESS MONTH – OCTOBER 2010

COMMUNITY PLANNING MONTH – OCTOBER 2010

MANATEE COUNTY CRIME STOPPERS AND CAMPUS CRIME STOPPERS RECOGNITION MONTH – OCTOBER 2010

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.

CONSENT AGENDA

- a) Minutes of September 22, 2010 Budget Meeting.
- b) Minutes of September 22, 2010 Council Meeting.
- c) Proposed City Holiday Calendar for 2010-2011.
- d) Resolution 10-58 SHIP Rehab, S. Neal Contract.
- e) Public Event-First Baptist Church Fall Festival, Wednesday, October 27, 2010.
- f) Public Event-Old Main Street Merchants, Zombie Fest, Saturday, October 30, 2010.
- g) Public Event-Southeastern Guide Dogs Walkathon, Saturday, March 5, 2011.

MOTION TO APPROVE the Consent Agenda items a-g was made by Councilman Gallo, seconded by Councilman Smith and passed 5-0 for approval.

BUSINESS/ADVERTISING, PETITIONS, HEARINGS AND COMMUNICATIONS

SECOND READING OF PROPOSED ORDINANCE 2927 PUBLIC HEARING

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, AMENDING CHAPTER 14, SECTION 14-6 OF THE CODE OF ORDINANCES TO PROHIBIT ALLOWING ANIMALS TO DEFECATE ON PUBLIC PROPERTY OR RIGHT OF WAYS, WATERWAYS OR UPON PRIVATE PROPERTY WITHOUT THE CONSENT OF OWNER(S); PROVIDING AN EFFECTIVE DATE.

The public hearing was opened, anyone speaking for or against the proposed ordinance please come forward. No one came forward. The public hearing was closed.

Councilman Gallo stated the real issue was with horses defecating on the causeway and in the waterways. The only way to resolve this issue was to prohibit horses on the causeway. The only thing this ordinance would do would be to cause problems for law or code enforcement officers who would have to "catch" the horse in the act.

Mr. Callahan stated that this ordinance was to make a minor change with an already existing ordinance which added an inclusion to include "all animals" and not just dogs.

As a Sarasota Bay Estuary board member Councilwoman Barnebey was aware that there are environmental issues on Palma Sola Causeway, and she would like to keep such issues to a minimum. She stated she would hate to see the Department of Environmental Protection or Department of Natural Resources fine the city for having poor water quality.

General discussion: The Council was in agreement that if this ordinance did not encourage horse owners to pick up after their horses, the next step would be to ban horses on the causeway.

MOTION TO APPROVE proposed Ordinance 2927 was made by Councilwoman Barnebey, seconded by Councilman Roff and passed 4-1 for approval with Councilman Gallo in opposition.

NEW BUSINESS BY DEPARTMENT HEADS, CITY ATTORNEY AND COUNCIL

Carl Callahan

REQUEST BY the Hernando DeSoto Historical Society to hold the following De Soto Heritage events in 2011; the Seafood Festival, Bottle Boat Regatta, Easter Sunrise Service, 5k Run and Grand Parade.

Mr. Callahan stated that there had been numerous discussions with FDOT regarding the projected status of the Manatee Avenue Project by April, 2011, in respect to the proposed Grand Parade route. He stated there may be a safety issue with the parade route at that time. He recommended a stipulation that the parade route be reviewed prior to April, 2011 to ensure that public safety would not be jeopardized prior to finalizing approval.

Dave Case, Chairman of the Seafood Festival, addressed an e-mail request from the Riverview Condominium Association regarding port-o-let placement near the condos. He stated that he would contact Fred Hart to discuss his concerns regarding the location of the port-o-lets. He stated that for the past several years, they had been placed in the parking lot of the Manatee County Public Library.

MOTION TO APPROVE the Hernando De Soto Historical Society's request to hold all of the events with stipulations that the DeSoto Historical Society obtain permission to use the Manatee County Library parking lot and that the parade route be determined by the condition of Manatee Avenue in April, 2011 was made by Councilwoman Barnebey, seconded by Councilman Roff and passed 5-0 for approval.

REQUEST BY Harvest Chapel Christian Fellowship Church to hold a Children's Fall Festival on Saturday, October 16, 2010 with the closure of 16th Avenue West.

No discussion followed.

MOTION TO APPROVE the request made by Harvest Chapel Christian Fellowship Church was made by Councilman Roff, seconded by Councilwoman Barnebey and passed 5-0 for approval.

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**REQUEST BY the Old Main Street Merchants to hold "Beer Taste of Manatee" on November 6<sup>th</sup> and 7<sup>th</sup>, 2010 on Old Main Street between 3<sup>rd</sup> Avenue and Manatee Avenue in conjunction with the "Taste of Manatee" which had previously been approved to be held on Barcarrota Boulevard.**

General discussion: That someone from the Old Main Street Merchants' organization be designated to clean up Old Main Street and clean up the First Baptist Church property prior to Sunday services and at the conclusion of the event on Sunday evening.

**Joe Bennett**, Old Main Street Merchants, gave an overview of the event plans stating the vendors and their tents would break down Saturday evening and set up again on Sunday morning before 10 a.m. He assured Council that someone would police the area.

**MOTION TO APPROVE the Beer Taste of Manatee was made by Councilman Roff, seconded by Councilman Smith and passed 5-0 for approval.**

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REQUEST BY Carl Callahan to approve the 2010-2011 School Resource Officer Contract with Manatee County.

No discussion followed.

MOTION TO APPROVE to authorize Mayor Poston to execute the 2010-2011 School Resource Officer Contract with Manatee County was made by Councilman Smith, seconded by Councilman Roff and passed 5-0 for approval.

COUNCIL REPORTS

Councilman Gene Gallo, Ward I: Nothing to report.

Councilwoman Marianne Barnebey, Ward II: Reported that the Manatee County Substance Abuse Coalition was planning several events to be held on October 28th starting at 7:30 a.m. with a Red Ribbon Breakfast at Pirates City, followed by a Drug Free Workplace workshop, and followed by an evening Candlelight Vigil at the Manatee County Judicial Center at 6:30 p.m.

Councilwoman Barnebey stated on Saturday, October 30th "Operation Medicine Cabinet", a pharmaceutical take back program would be held at the corner of Manatee Avenue and 43rd Street West at Walgreens.

Councilman Patrick Roff, Ward III: Thanked Planning Director, Tim Polk for comments he made during the Community Planning Month Proclamation, proclaiming the assurance that the City of Bradenton was on the right road for Smart Growth and New Urbanism.

Councilman Roff stated that "ArtSlam" would be held this Saturday, October 16th with many artists using the downtown area as their canvas with people able to vote on their favorite art piece.

Councilman Bemis Smith, Ward IV: Invited everyone to attend Manatee Children's Services 10th Annual Country Night featuring the band, "One Night Rodeo" in the Bradenton Municipal Auditorium this Saturday, October 16th.

Vice Mayor and Councilman Harold Byrd, Jr., Ward V: Nothing to report.

Mayor Wayne Poston: Excused from the meeting.

DEPARTMENT HEADS

Carl Callahan: Nothing to report.

Chief Souders: Nothing to report.

Staci Cross: Nothing to report.

Chief Radzilowski: Nothing to report.

Claude Tankersley: Gave a brief overview of a railroad project to replace all railroad ties throughout Manatee County to be installed by CSX Railroad.

REQUESTED DIRECTION from the council as to which method they wished to take as follows:

1. The faster method was to use a machine method, with completion within a week. The disadvantage was all the intersections would be closed at the same time.
2. The slower method was by hand which would take longer, approximately two weeks for one intersection with each intersection closed at one time.

Mr. Tankersley displayed a map which displayed the necessary road closures and detours. The closures were at M.L.K. Avenue West from 1st Street to 6th Street West and 13th Avenue West from 1st Street to 9th Street West, from midnight November 1st, 2010 to midnight November 8th, 2010. He recommended the fastest method.

MOTION TO DIRECT the Public Works Department to work with CSX Railroad and select the fastest means to minimize negative impact as recommended by Mr. Tankersley, was made by Councilwoman Barnebey, seconded by Councilman Roff and passed 5-0 for approval.

Mr. Tankersley stated that flyers had been sent out to each household regarding the reduced schedule for yard waste pickup.

Discussion: Attempts should be made to determine the best schedule to prevent yard waste from sitting around for days awaiting pickup.

Mr. Tankersley stated that storm water pipes were being repaired in Village Green, and due to some problems and delays, the project had not been completed last fiscal year as had been planned.

Mr. Callahan stated that funds had been carried over from last year and were available to complete the project. He wanted to give the Council a heads up about the budget adjustment of approximately \$60-65,000 for this project.

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 9:45 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.