

**CITY COUNCIL MEETING  
April 9, 2008**

APPROVED BY  
April 23, 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 April 9, 2008 at 8:30 a.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; Chuck Edwards, 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 Mayor Poston.

Fire Chief Mark Souders was excused from the meeting.

**PRESENTATIONS**

**BRADENTON POLICE DEPARTMENT**

Officer of the Month-Officer Carlos Houston

**HUMAN RESOURCES DEPARTMENT**

P.R.I.D.E Awards Recognition

Carolyn Moore presented the first quarter 2008 P.R.I.D.E. awards to: **Cynthia Hughes, Reneé Stockwell, Officer Sean O’Leary, and Officer Edward Genao.**

Claude Tankersley presented fourth quarter 2007 Public Works Employee of the Month awards to **Waymon Bowden** and **Bill Malfese**, Sanitation Department, and **Tami Barfield**, Executive Secretary.

Supervisor of the fourth quarter 2007-**Don Payne**, Solid Waste Department.

Team of the fourth quarter 2007- for Christmas holiday luncheon preparation-**Arlan Cumming, Grant Daniels, Gordon Everett, Marion Fuller, Jennifer Lee, Kevin Owens, Stacey Rau, Chris Shaffer, Steve Sibert, Charles Standifer, Carl Taylor, Stanley Yarn, Markie Weinstein, and James Simpson.**

*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:** Thanked Major Lewis for investigating and giving detailed facts on an incident that recently occurred in his neighborhood.

Vice Mayor and Councilman Gallo congratulated the Public Works Department for outstanding trash and debris pickup in his neighborhood.

Vice Mayor and Councilman Gallo offered his condolences to Chief Souders in the loss of his newborn granddaughter.

**Councilwoman Marianne Barnebey, Ward II:** Attended a gallery showing for Village of the Arts' artist Miki Bonne and congratulated her for receiving a grant that would relocate her to Chattanooga, Tennessee. Councilwoman Barnebey stated she was sad to see Miki and Tom leave the Village of the Arts as she had been a large supporter of the Village.

Councilwoman Barnebey announced that April 25<sup>th</sup> was National Arbor Day with celebrations taking place at Manatee High School.

Councilwoman Barnebey announced the annual Ribfest event, a fundraiser for the 13<sup>th</sup> Avenue Community Center, would be held at the Palmetto Fair Grounds this Sunday, April 13<sup>th</sup>.

Councilwoman Barnebey offered her condolences to Chief Souders in the loss of his granddaughter.

**Councilman Patrick Roff, Ward III:** Announced the Ware's Creek Neighborhood Cleanup would be held on Saturday, April 19<sup>th</sup> from 9 a.m. to noon. Volunteers will meet at the Bradenton Women's Club on Virginia Drive.

Councilman Roff thanked John Cumming and his staff for an outstanding job the Solid Waste Department had done in removing yard and tree debris in his ward.

**Councilman Bemis Smith, Ward IV:** Announced "Jazz in the Park", fundraiser for Manatee Children's Services, would be held this weekend at the Palma Sola Botanical Gardens.

**Councilman Harold Byrd, Jr., Ward V:** Reported that the Ward V community meetings were now completed and that a "work plan" would be developed for Ward V, to outline and focus on community goals while he was in office.

Councilman Byrd stated that he would be attending the Ribfest this weekend an event to raise funds for the 13<sup>th</sup> Avenue Community Center.

Councilman Byrd offered his condolences to Chief Souders in the loss of his granddaughter.

**Mayor Wayne Poston:** Reported that the Seafood Festival had gone well and been successful, despite a horrific storm which had passed through the downtown area Saturday evening.

## CONSENT AGENDA

- Approval of Minutes of March 26, 2008.
- 2008 Grant Application Submittal to the Department of Justice through the **Bulletproof Vest Program**.
- Public Event-The Arthritis Foundation is requesting to hold their annual **Arthritis Walk** on Thursday, May 15, 2008 beginning and ending in the Arthritis Foundation parking lot.
- **RESOLUTION 08-28**-A RESOLUTION APPOINTING **AL YOUNG** TO THE CODE ENFORCEMENT BOARD FOR THE CITY OF BRADENTON, FLORIDA AND DEFINING HIS TERM.

**MOTION TO APPROVE the Consent Agenda consisting of the Minutes of March 26, 2008, 2008 Grant Application Submittal through the Bulletproof Vest Program, Public Event – Arthritis Walk and Resolution 08-28 was made by Councilwoman Barnebey, seconded by Vice Mayor and Councilman Gallo and carried 5-0 for approval.**

## BUSINESS/ADVERTISING, PETITIONS, HEARINGS AND COMMUNICATIONS

### **FIRST READING OF PROPOSED ORDINANCE 2887**

AN ORDINANCE AMENDING CHAPTER 70, ARTICLE II, DIVISION 2 TITLED CROSS CONNECTION CONTROL, ADDING SECTION 70-67.

No discussion followed.

**MOTION TO APPROVE the first reading and set the second reading and public hearing of Ordinance 2887 for April 23, 2008 was made by Vice Mayor and Councilman Gallo, seconded by Councilwoman Barnebey and carried 5-0 for approval.**

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**MB.08.0021 WARD 4 NEIGHBORHOOD 20.03 RS**

Request of Stephen W. Thompson, Esquire, agent for Southern Hospitality Association, LLC, for a one-year extension of time for a project known as **“Magnolia Lakes”** for property located at 415 48<sup>th</sup> Street Court East. (Zoned PDP)

Councilman Smith gave the following three reasons why he would support this request. 1. Because of the extensive discussions regarding setting precedence on previous one-year extension of time requests for other projects. 2. The fact that this project was in an area outside of a neighborhood that would have significant impact on the citizens. 3. Because of the current nature of the housing market.

**MOTION TO APPROVE the request for MB.08.0021 was made by Councilman Smith seconded by Councilwoman Barnebey and carried 5-0 for approval.**

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**SU.08.0051 WARD 4 NEIGHBORHOOD 7.02 RS**

**PUBLIC HEARING**

Request of Steven J. and Amy L. Mainardi, owners, for Special Use approval for construction of a dock for property located at 1822 Riverside Drive East. (Zoned R1B)

The public hearing was opened; those in favor please come forward.

**Amy Mainardi** requested approval for construction of a dock in front of her home located at 1822 Riverside Drive East.

Those in opposition please come forward, no one came forward, the public hearing was closed.

Tim Polk gave the Planning and Community Development staff report with the staff recommendation for approval with two stipulations and the Planning Commission accepting the staff recommendation with two stipulations as follows:

1. The proposed dock would be a minimum of 25 feet from the west property line extension and 25 feet from the east property line extension.
2. The proposed dock would be no more than 80 feet in length.

**MOTION TO APPROVE the SU.08.0051 dock request with the recommendations made by the Planning and Community Development staff and Planning Commission with two stipulations was made by Councilman Smith, seconded by Councilwoman Barnebey and carried 5-0 for approval.**

**NEW BUSINESS BY DEPARTMENT HEADS, CITY ATTORNEY AND COUNCIL**

Carl Callahan read the following public notice:

**NOTICE IS HEREBY GIVEN** that the City of Bradenton’s, Housing & Community Development Division has prepared the State Housing Initiatives Partnership (SHIP) Local Housing Assistance Plan (LHAP) for periods covering State Fiscal Years July 1, 2008 through June 30, 2011.

A public hearing will be held on April 9, 2008, at 8:30 a.m., in the City of Bradenton Council Chamber at City Hall, located at 101 Old Main Street, Bradenton, FL, to obtain citizens views and to consider oral and written comments.

The LHAP will be available during regular business hours at the following locations:

- City of Bradenton, Housing & Community Development Office  
912 7<sup>th</sup> Ave., East Bradenton, Florida 34208
- City of Bradenton, City Clerks Office  
101 12<sup>th</sup> Street West Bradenton, Florida 34205
- Manatee County Public Library  
1301 Barcarrota Boulevard Bradenton, Florida 34205

Any public comments will become part of the plan and be mailed to the State Housing Finance Agency, Tallahassee, FL. For further information, please contact Lesa Ramos, Manager or Vicki White, Housing & Community Development Coordinator at 941-932-9601.

Timothy Polk, Director  
Planning & Community Development

Wayne Poston, Mayor  
City of Bradenton

**RESOLUTION NO. 08-27**

**PUBLIC HEARING**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA APPROVING THE LOCAL HOUSING ASSISTANCE PLAN AS REQUIRED BY THE STATE HOUSING INITIATIVES PARTNERSHIP PROGRAM ACT, SUBSECTIONS 420.907-420.9079, FLORIDA STATUTES; AND RULE CHAPTER 67-37, FLORIDA ADMINISTRATIVE CODE; AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE ANY NECESSARY DOCUMENTS AND CERTIFICATIONS NEEDED BY THE STATE; AUTHORIZING THE SUBMISSION OF THE LOCAL HOUSING ASSISTANCE PLAN FOR REVIEW AND APPROVAL BY THE FLORIDA HOUSING FINANCE CORPORATION; AND PROVIDING AN EFFECTIVE DATE.

The public notice was opened those in favor please come forward.

**Sherrod Halliburton**, CCRA Executive Director and **Ed Jennings**, Jennings Development Group, Inc. gave a brief overview of a future development called Martin Luther King (MLK) Mixed-Use Project with goals of rehabilitation and economic development targeting neglected and blighted neighborhoods in the CCRA areas between 6<sup>th</sup> Street West and 27<sup>th</sup> Street East.

Those in opposition, hearing none the public hearing was closed.

Tim Polk gave the Planning and Community Development staff report with the staff recommendation for approval.

**Lesa Ramos**, Housing and Community Development Manager, gave a brief overview of the proposed SHIP funds of \$495,489, the first payment expected to be received by July 1, 2008 and each year for the next three years.

**MOTION TO APPROVE Resolution 08-27 with the recommendation made by the Planning and Community Development staff was made by Councilman Roff, seconded by Councilman Byrd and carried 4-0 for approval. Vice Mayor and Councilman Gallo was absent from voting.**

**DEPARTMENT HEADS**

**Carl Callahan: BUDGET ADJUSTMENT REQUEST for additional expenditures on the renovation of Pirate City with receipt of an additional contribution of \$520,000 from the Pittsburgh Pirates.**

No discussion followed.

**MOTION TO APPROVE the Budget Adjustment with the additional contribution of \$520,000 for Pirate City was made by Councilwoman Barnebey, seconded by Councilman Roff and carried 4-0 for approval. Vice Mayor and Councilman Gallo was absent from voting.**

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

**Staci Cross:** Nothing to report.

**Chief Radzilowski:** Nothing to report.

**John Cumming:** Reported that with the recent rainfall the reservoir was in good shape.

**Tim Polk:** Reported he would be meeting with the Department of Housing and Urban Development (HUD) in Jacksonville, Florida.

**Bill Lisch:** Nothing to report.

**Carolyn Moore:** Nothing to report.

## ADJOURNMENT

There being no further business, Mayor Poston adjourned the meeting at 9:30 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.