

**CITY COUNCIL MEETING  
October 28, 2009**

**APPROVED BY**  
**November 18, 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 October 28, 2009 at 6:00 p.m.

**Present:** Mayor Wayne Poston; Councilman Ward I Gene Gallo; 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; 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 Bradenton Times.

The meeting was called to order by Mayor Poston.  
Ecumenical invocation was led by Dr. Joey Mimbs, Bethel Baptist Church.  
Pledge of Allegiance was led by Mayor Poston.

**PROCLAMATIONS**

United Way Day – October 28, 2009

Homeless and Hunger Awareness Month – November, 2009

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

**CITIZEN COMMENTS**

Carol Whitmore, Manatee County Commissioner presented a draft of Manatee County Resolution 09-249 regarding off-shore oil and gas drilling. She stated the resolution would be discussed at the November 3<sup>rd</sup> County Commission meeting. She stated she would be taking this resolution draft to all of the cities throughout the county to obtain a sense as to where all would like to go on this issue.

**CONSENT AGENDA**

- a) Minutes of October 14, 2009
- b) Resolution 09-77 Housing Trust Fund
- c) Resolution 09-78 Amending Equal Employment Opportunity Policy (EEOP)
- d) Public Event- 14<sup>th</sup> Annual Winter Wonderland Saturday, December 12, 2009

**MOTION TO APPROVE the Consent Agenda with items a through d was made by Councilman Gallo, seconded by Councilman Roff and passed 5-0 for approval.**

**BUSINESS/ADVERTISING, PETITIONS, HEARINGS AND COMMUNICATIONS**

None was reported.

NEW BUSINESS BY DEPARTMENT HEADS, CITY ATTORNEY AND COUNCIL

Tim Polk

**Adoption of the 2009-2010 School Capacity Program**

No discussion followed.

**MOTION TO APPROVE the Adoption of the 2009-2010 School Capacity Program was made by Vice Mayor and Councilman Smith, seconded by Councilwoman Barnebey and passed 5-0 for approval.**

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**Resolution 09-79 Appointing Fred Hayo to the Code Enforcement Board**

Mr. Polk stated that after reviewing the applicant’s résumé, the Planning and Community Development staff had found Mr. Hayo, a city resident, to be qualified to serve on the board.

**MOTION TO APPROVE RESOLUTION 09-79 was made by Councilwoman Barnebey, seconded by Vice Mayor and Councilman Smith and passed 5-0 for approval.**

Carl Callahan

**Agreement Between the City of Bradenton, Florida and the American Federation of State, County, and Municipal Employees**

Mr. Callahan stated the Union Agreement discussion had gone smoothly. Information in the contract had been previously discussed with Council in a shade session. He recommended approval of the agreement with ratification by the Union.

**MOTION FOR RATIFICATION of the Agreement Between the City of Bradenton, Florida and the American Federation of State, County, and Municipal Employees was made by Councilman Roff, seconded by Councilman Gallo and passed 5-0 for approval.**

COUNCIL REPORTS

**Councilman Gene Gallo, Ward I:** Stated in a letter to the Bradenton Herald that he requested to correct misinformation given by a council candidate who reported to the media that crime had increased in the city. He referred to the candidate’s website which showed data from 2008.

Deputy Police Chief Tokajer reported that crime was down by 7.9% YTD, and that if this trend continued, crime would be down by 35% since 2003. He stated that one crime was too many, but that the police department had been working diligently since 2003 and would continue doing everything in its power to reduce crime.

**Councilwoman Marianne Barnebey, Ward II:** Invited families to come out to Crimestoppers “Safe Kids Night” at the Bradenton Municipal Auditorium on Halloween, Saturday, October 31<sup>st</sup> from 6 pm to 9 pm.

Councilwoman Barnebey also reminded everyone to turn their clocks back Saturday, October 31<sup>st</sup>.

**Councilman Patrick Roff, Ward III:** Announced that a display of “Wildlife Prints” would be shown at the Art Council of Manatee and during the Village of the Arts’ Artwalk.

Councilman Roff thanked Mayor Poston for his support and Sherod Halliburton for his efforts in setting up the successful media briefing to introduce Manatee Sarasota Workforce Funders Collaborative. The MSWFC will serve as a regional workforce intermediary promoting a dual focused approach concerned with the needs of both workers and employers.

Councilman Roff thanked the Code Enforcement officers for their observation skills and quick action in alerting the BPD SWAT Team about a drug house in the Ware's Creek neighborhood. He stated that, in a matter of seconds, the team had the occupants in custody with no one hurt.

**Vice Mayor and Councilman Bemis Smith, Ward IV:** Nothing to report.

Councilwoman Barnebey reported on the "Dance of the Skeletons" public event to take place on November 6<sup>th</sup> and 7<sup>th</sup> in the Village of the Arts.

**Councilman Harold Byrd, Jr., Ward V:** Reported that, due to the poor economy and the reduced SHIP Funds available, there would be future problems in rehabilitating homes. He suggested we look at other ways to find funds to assist people who can't afford to fix up their homes.

Councilman Byrd also reminded everyone to exercise their right to vote next Tuesday, November 3<sup>rd</sup>.

**Mayor Wayne Poston:** Referring to a previous discussion on board appointments, reported that in Attorney Lisch's opinion there could be a potential problem with a person serving simultaneously on two boards. He stated under the Florida Statutes, a person cannot serve on the CCRA Board and also as the Director of the Suncoast Workforce Board. He stated the person would have to make a decision as to which board he wanted to serve.

DEPARTMENT HEADS

**Carl Callahan:**

**REQUEST of the Farmer's Market** to expand the market from 4<sup>th</sup> Avenue to 3<sup>rd</sup> Avenue leaving 3<sup>rd</sup> Avenue open for traffic and a **request of Mainly Art** to expand beyond 3<sup>rd</sup> Avenue up to the southern entrance of the Courtyard. He recommended approval of both requests.

**MOTION TO APPROVE the two request to expand the Farmer's Market and Mainly Art was made by Councilwoman Barnebey, seconded by Councilman Roff and passed 5-0 for approval.**

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**REQUEST of Bona Monplaiser, the applicant of a previously approved wedding ceremony, to change the ceremony location from the Rossi Park Memorial Garden to the amphitheatre on Saturday, November 7, 2009.**

No discussion followed.

**MOTION TO APPROVE the request to change the wedding ceremony location was made by Councilman Roff, seconded by Councilwoman Barnebey and passed 5-0 for approval.**

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**REQUEST to have a special session for Council to certify the elections results on Monday, November 9, 2009 at 12:00 pm.**

If Council had no objections, he would proceed with the notice.

Council had no objections.

**REQUEST OF Cork Miller on behalf of the Old Main Street Merchants Association to hold a "Zombie Fest" on Saturday, October 31, 2009 on Old Main Street from 7:00 pm–2:00 am.**

General discussion about the original requested starting time being a conflict with Crimestoppers "Safe Kids' Night" which would be held in the Bradenton Municipal Auditorium from 6 pm to 9 pm. To avoid the conflict, the Old Main Street Merchants Association requested the starting time be changed from 7 pm to 9 pm. The music would end at 12 midnight with the remaining 2 hours to break down the event. The event would be set up like the Get Down Downtown with the stage location just north of Manatee Avenue with 200-500 estimated participants.

**MOTION TO APPROVE the public event "Zombie Fest" was made by Councilman Gallo, seconded by Councilman Roff and passed 5-0 for approval.**

**Chief Souders:** Nothing to report.

**Staci Cross:** Nothing to report.

**Deputy Chief Tokajer:**

**Claude Tankersley:** Nothing to report.

**Tim Polk:** Reported that the Pink Palace was being boarded up with all openings to be covered before the raining season.

**Bill Lisch:** Nothing to report.

**Carolyn Moore:** Nothing to report.

ADJOURNMENT

There being no further business, Mayor Poston adjourned the meeting at 7:02 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.