

CITY OF BRADENTON
CITY COUNCIL MEETING
March 9, 2016
8:30 A.M.
MINUTES

The City of Bradenton City Council met in regular session in the City Hall Council Chamber, 101 Old Main Street, Bradenton, Florida, at 8:30 a.m. on Wednesday, March 9, 2016.

Present: Mayor Wayne Poston; Vice Mayor/Ward I Councilman Gene Gallo, Councilman Ward II Gene Brown; Councilman Ward III Patrick Roff; Councilman Ward IV Bemis Smith; and Councilman Ward V Harold Byrd, Jr.

City Officials: Carl Callahan, City Administrator; Melanie Bevan, Police Chief; Jim McLellan, Public Works & Utilities Director; Chuck Edwards, Fire Chief; and Bill Lisch, City Attorney.

The pre-meeting invocation was led by Councilman Harold Byrd.

(The City does not endorse the religious beliefs of any speaker.)

The Pledge of Allegiance was led by Mayor Poston.

The meeting was called to order by Mayor Poston who acknowledged the presence of Manatee County Commissioners John Chappie and Carol Whitmore in the audience. The mayor thanked Mr. Chappie for all his help throughout his tenure and wished him well as he planned to finish his term of service.

PROCLAMATIONS: None.

PRESENTATIONS: Megan Jordan, Director of Public Health Practice & Policy, Florida Department of Health, Manatee County, Kathleen Ochipa, Healthiest Weight Coordinator, and three staff members from the CDC, presented the City of Bradenton with an award for being a **Healthy Weight Community** Champion. Various elements including the downtown Farmers' Market, numerous civic events, and the Riverwalk, were cited as reasons for its selection.

Carl Callahan administered the oath to anyone wishing to speak on any non-agenda items or during the public hearings.

CITIZEN COMMENTS: None.

CONSENT AGENDA:

- A. Resolution 16-13: Appointing Judith Heston and Opal Jones to the Bradenton Housing Authority.
- B. Resolution 16-14: Reappointing Dr. Napoleon Mills to the Bradenton Housing Authority.
- C. Public Event: Station of the Cross Procession on March 25 at 1220 15th St. W.
- D. Public Event: Children's Egg Hunt on March 26 at 1300 17th Ave. W.
- E. Public Event: Kona Ice Chill Out Day on April 18 in front of Manatee Chamber of Commerce.
- F. MB.16.0370: Request by Alan Prather, agent for Tropicana Manufacturing Company Inc., owner, for a one-year extension of time, for a Preliminary Planned Development Project MA.09.0023 at 1001 9th Avenue East.
- G. Department of Corrections Work Squad Contract Renewal.
- H. Minutes: Feb. 24 City Council meeting.

MOTION TO APPROVE Consent Agenda items A-H was made by Vice Mayor Gallo, seconded by Councilman Byrd, and approved 5:0.

BUSINESS/ADVERTISING, PETITIONS, HEARINGS AND COMMUNICATIONS

SU.15.5128 WARD 2 NEIGHBORHOOD 1.01 PUBLIC HEARING

Request of Tina Long-Forslund, agent for Galatians 6:2 Inc., owner, for a Special Use approval of a Conference Center at 518 13th Street West (Zoned T5).

The Public Hearing was opened. Those in favor were asked to come forward.

Councilman Patrick Roff corrected the record to state that the property was in Ward 3.

Gary Crawford, 1215 Manatee Avenue West, owner, offered to answer any questions Council may have. He said they had had a presence in the downtown for years and needed an expansion of space. Their intent was to renovate the property and continue to utilize it to act as a training center to consolidate and mentor various helping groups.

Discussion: Inclusion of a stipulation prohibiting helping the homeless on site; vagueness of definition of “homeless”; rationale for Conference Center designation which could include lodging; questions about perpetuity of special use approval for any future owners; lengths Bradenton has gone to to assist those in need within Manatee County, of which the City residents comprise only 1/6th of the population.

Chris Gratz, Zoning Manager, stated that lodging was prohibited in this situation. Bill Lisch stated that Council had the ability to enforce and/or add stipulations for any other groups which could assume ownership in the future. Mayor Poston said that the discussion was actually one of land use regulations which should be directed to a workshop.

Mr. Crawford offered assurance that triage treatment in the way of offering food, clothing, and shelter to the homeless was not their mission. Their focus was on creating a coalition among educational, spiritual, business, governmental, and other helping groups to develop strategies and initiatives to increase effectiveness in the community.

Those in opposition were asked to come forward. None came. The Public Hearing was closed.

Chris Gratz gave the Staff & Planning Commission recommendation for approval with stipulations:

STAFF RECOMMENDATION:

APPROVAL of SU.15.5128 King’s Station Conference Center based on the Findings of Fact and Analysis of the proposed Special Use with the following stipulations as stated in the applicant’s submission:

1. The approval is only to use the building for office and training center facilities. It is not to be used as retreat, conference center (traditional), exhibit hall, church, or venue for weddings, funerals, or concerts; with alcohol prohibited on the site.
2. Hours of operation:
 - 8:00 A.M. to 5:00 P.M. Monday through Friday.
 - After 5:00 P.M. until 10:00 P.M. Monday through Friday for staff and by appointments.
 - Weekends for staff and by appointments from 8:00 A.M. until 10:00 P.M.

PLANNING COMMISSION RECOMMENDATION:

APPROVAL on February 17, 2016, of SU.15.5128 King’s Station Conference Center with the following stipulation:

1. The approval is only to use the building for office and training center facilities. It is not to be used as retreat, conference center (traditional), exhibit hall, church, or venue for weddings, funerals, or concerts; with alcohol prohibited on the site.
2. Hours of operation:
 - 8:00 A.M. to 5:00 P.M. Monday through Friday.
 - After 5:00 P.M. until 10:00 P.M. Monday through Friday for staff and by appointments.
 - Weekends for staff and by appointments from 8:00 A.M. until 10:00 P.M.
3. Galatians 6:2, Inc. or any successor owner or occupant is prohibited from using any portion of the premises to feed, clothe, shelter or otherwise assist or serve homeless people, or permit them to assemble, or in any way congregate. Violation of this condition is an express violation of this Special Use Permit.

Following Mr. Gratz’s presentation, Councilman Roff received a text correcting him that the City was 1/7th of the population of Manatee County rather than his previous statement of 1/6th. The Mayor reminded the audience to turn off their phones. Mr. Roff indicated he would turn in a copy of the text to the City Administrator for the record.

MOTION TO APPROVE SU.15.5128 with the Planning Commission stipulations was made by Councilman Roff, seconded by Councilman Byrd, and approved 4:1 with Councilman Brown in opposition.

ORDINANCE 2978 SECOND READING & PUBLIC HEARING

CP.16.0144 WARD 4 NEIGHBORHOOD 20.12: Request by GreenbergFarrow Architecture, agent, for MIMCO Properties, LLC / Kathy & Jack McKendree, owners, for a Comprehensive Plan Map Amendment from RES-6 (County) to SCC, Suburban Commercial Corridor on 2.35 acres located at 5700 State Road 64, 711 Morgan Johnson Road (57th Street East) and two (2) contiguous parcels with no addresses on the east side of Morgan Johnson Road; Assessor Parcel Numbers (APN): 1120300056, 1120900004, 1121700059, 1121710209.

ORDINANCE 2979 SECOND READING & PUBLIC HEARING

LU.16.0145 WARD 4 NEIGHBORHOOD 20.12: Request by GreenbergFarrow Architecture, agent, for MIMCO Properties, LLC / Kathy & Jack McKendree, owners, for a Zoning Atlas Amendment from PDC and A-1 (County) to SCC, Suburban Commercial Corridor on 2.35 acres located at 5700 State Road 64, 711 Morgan Johnson Road (57th Street East) and two (2) contiguous parcels with no addresses on the east side of Morgan Johnson Road; Assessor Parcel Numbers (APN): 1120300056, 1120900004, 1121700059, 1121710209.

The Public Hearings of ordinances 2978 & 2979 were opened. Those in favor were asked to come forward.

Edward Allen, GreenbergFarrow Architecture, Atlanta, GA, presented a PowerPoint rendering of the property in question to display location and land use change to allow for commercial development which would enhance the corridor and spur growth with no increase in density. Road enhancements would also be completed by the applicant.

Those in opposition were invited to come forward. None came. The Public Hearing was closed.

Chris Gratz, Zoning Manager, gave the Staff and Planning Commission recommendations for approval:

MOTION TO APPROVE ORDINANCE 2978 was made by Councilman Smith, seconded by Councilman Byrd, and approved 5:0.

MOTION TO APPROVE ORDINANCE 2979 was made by Councilman Smith, seconded by Councilman Byrd, and approved 5:0.

ORDINANCE 2980 ADVERTISE SECOND READING & PUBLIC HEARING

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, AMENDING ANNEXATION ORDINANCE NUMBER 2708 BY CORRECTING A SCRIVENER'S ERROR IN THE LEGAL DESCRIPTION AND MATCHING SUCH DESCRIPTION WITH THE MAP THAT ACCOMPANIED SAID ORDINANCE; PROVIDING AN EFFECTIVE DATE.

Carl Callahan stated that Ordinance 2980 had not been properly advertised; he requested that it be moved to a future meeting.

MOTION TO ADVERTISE THE SECOND READING & PUBLIC HEARING OF ORDINANCE 2980 for March 23, 2016 was made by Councilman Smith, seconded by Councilman Brown, and approved 5:0.

NEW BUSINESS BY DEPARTMENT HEADS, CITY ATTORNEY, AND COUNCIL – None scheduled.

BUSINESS BY APPOINTMENT - None scheduled.

COUNCIL REPORTS

Vice Mayor Gene Gallo, Ward I – Vice Mayor Gallo publically expressed his appreciation to Commissioner John Chappie for his service to the County, the City of Bradenton, and to Ward 1 specifically. Mr. Gallo then offered his sympathies to former firefighter Frank Wankowski in the loss of his wife, Terrie. Terrie Wankowski had also been the sister of firefighter Larry Reed.

Councilman Gene Brown, Ward II – Councilman Brown said he was also grateful for the time he had been able to work with Commissioner Chappie and wished him well.

Councilman Patrick Roff, Ward III – Councilman Roff echoed the sentiments about Commissioner Chappie. He said he had been honored to attend a mortgage burning ceremony last week at Bradenton Tropical Palms. As he had driven through the southern section of town, he said that the area between 26th and Bradenton Tropical Palms south of 17th Avenue to the City limits had been hit hard during the recession, but was recovering nicely. Lastly, he stated that the Army Corps of Engineers had made a change order for improvements to the bed of Ware's Creek, which were underway.

Councilman Bemis Smith, Ward IV – Councilman Smith expressed his thanks and appreciation to Commissioner Chappie for the wonderful cooperative spirit he had helped to create between the County and the City. Mr. Smith said he would be sorely missed.

Councilman Harold Byrd, Jr., Ward V – Councilman Byrd concurred with all the sentiments previously expressed about Commissioner Chappie and said his absence would be felt. With the grocery store project in mind, Mr. Byrd said he had been pleased to hear the state legislature dialogue about the possibility of providing funding to food desert areas.

Mayor Wayne Poston – Mayor Poston told Commissioner Chappie that he wasn't gone yet, so he asked him to roll up his sleeves and keep up the good work. **Commissioner John Chappie** stepped forward to thank all for their kind comments and said it had been his extreme honor and pleasure to work for the County, the City, the citizens, and the community.

DEPARTMENT HEAD REPORTS

Carl Callahan: Mr. Callahan stated that he felt that a better job could be done to follow-up on enforcing the stipulations that had been attached to land use approvals to ensure they would last through perpetuity.

Chief Edwards: Chief Edwards stated that the firefighters had conducted their annual boot drive last weekend to raise funds for Muscular Dystrophy and had collected approximately \$7,200.00. Due to a couple of structure fires, their time had been cut short, so they would be back out at the men's expo in Palmetto this weekend. Chief Edwards also informed everyone that the City of Bradenton Fire Department website was up and running and contained a lot of valuable information. Lastly, the Chief also expressed his sympathies to the Frank Wankowski family.

Chief Bevan: Chief Bevan said that former Chief Radzilowski's brother had died unexpectedly last night. Chief Bevan also informed everyone that there were some open positions in the Communications Department to allow an opportunity for someone to begin a life-long career with the police department.

Jim McLellan: Mr. McLellan said that the Department of Transportation would be holding a visioning workshop on March 31st to present their statistical analyses on intermodal transportation. Mr. McLellan said that as of today, collection of all of the recycling routes should be caught up following a barrage of truck repair needs. In response to a question from Councilman Brown, he said that they are trying to make do with the trucks they currently have as they move toward single-stream recycling.

Bill Lisch: Nothing to report.

Mayor Poston: The Mayor offered everyone copies of a photo book which had been created of the Police & Fire Department personnel. He also stated that going forward, there would be photos taken of all new City hires.

There being no further business, Mayor Poston adjourned the meeting at 9:44 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.