

CITY OF BRADENTON
CITY COUNCIL MEETING
January 9, 2013
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, January 9, 2013.

Present: Mayor Wayne Poston; Vice Mayor/Councilman Ward I 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 Clerk & Treasurer/Chief of Staff; Michael Radzilowski, Police Chief; Claude Tankersley, Public Works Director; William Lisch, City Attorney; Chuck Edwards, Fire Chief; and Tim Polk, Department of Planning & Community Development Director.

The ecumenical invocation was led by Pastor Nick Manassa of First Assembly of God.

The Pledge of Allegiance was led by recently installed Councilman Gene Brown.

The meeting was called to order by Mayor Poston.

MOTION TO NOMINATE CURRENT VICE MAYOR, GENE GALLO, FOR A SECOND CONSECUTIVE TERM AS VICE MAYOR FOR THE YEAR 2013 TO MAINTAIN STABILITY AND PROGRESS was made by Councilman Smith, seconded by Councilman Roff, and approved 5:0.

PROCLAMATIONS:

Human Trafficking Awareness Month – January 2013

The proclamation was accepted by Mr. Gary Tibbets of Congressman Vern Buchanan's office.

PRESENTATIONS: None Scheduled.

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

CITIZEN COMMENTS:

Manatee County Commissioner John Chappie, District 3, came forward to express his appreciation that the City and County have a very cooperative working relationship and good communication. He urged continued cooperation to serve the community well in these challenging times. He offered his on-going services and support to all of the municipalities in his district.

Mayor Poston stated that, along with the Council of Governments meetings, he would like to see the Mayors' Meetings reinstated, and Commissioner Chappie said he would take that request back to Chairman Bustle for further consideration. The mayor then also extended thanks to Congressman Buchanan and Gary Tibbets for their assistance in various major projects through the years. Mr. Tibbets replied that the Congressman has been very excited to see what has been going on in Bradenton and about the direction in which it is going.

Manatee County Commissioner-at-Large Carol Whitmore stated she had made a commitment in 2006 to be involved in City meetings within Manatee County to help keep the lines of communication open and be accessible. She said that it has been her pleasure to be working with the City of Bradenton and that she looks forward to continued involvement.

CONSENT AGENDA:

- A. New hotel groundbreaking ceremony on Jan. 17.
- B. Paws in Motion Walk-a-Thon on March 9 at Riverwalk.
- C. United Coast Guard Band performance on March 9 at Riverwalk.

- D. Big Brothers, Big Sisters Car Show on March 23 at Riverwalk.
- E. Resolution 13-01 appointing Tom Woods to Fire Pension Board
- F. Resolution 13-02 reappointing Lawrence Covins II to Fire Pension Board.
- G. Resolution 13-03 appointing Councilman Patrick Roff, Ricardo Ramos, Jeffrey Lewis, Cheryl Landers, Rebecca Pilsbury and Kelly Beyerlein to Grievance Board. H.
- H. Resolution 13-04 reappointing Paul Chapin to Construction Board.
- I. Resolution 13-05 reappointing Mary Runnells, Robert Alexander and Patrick Gallagher to Tree Board.
- J. Tree & Land Preservation Board FY 2012-13 projected expenditures.
- K. Operators Permit: Application from Healthstream Transport to operate a service to transport individuals to and from medical appointments and facilities.

Vice Mayor/Councilman Gallo requested that Item J be removed from the Consent Agenda for further discussion.

MOTION TO APPROVE Consent Agenda Items A–K with the exception of Item J was made by Councilman Byrd, seconded by Councilman Roff, and approved 5:0.

Vice Mayor/Councilman Gallo brought up Item J for discussion and stated that clarification had been made by Tim Polk, Planning and Community Development Director, that the designated amount of \$24, 834 was not going to be used for installation of trees, but rather for design. Historically, it had been understood that the Tree Funds had been established for tree planting.

MOTION TO DELETE THE AMOUNT OF \$24,834 FROM THE SUMMARY WHICH STATED “TREE PLANTING AND INITIAL CARE – CORTEZ RD. MEDIANS LANDSCAPE DESIGN FOR FDOT PERMIT AND GRANT PROPOSAL PREPARATION CONSTRUCTION TO INCLUDE 120 PALMS AND 60 CANOPY TREES” THEREBY REDUCING THE PROJECTED TOTAL FROM \$49,451 TO \$24,617 was made by Vice Mayor/Councilman Gallo, seconded by Councilman Smith, and approved 5:0.

BUSINESS/ADVERTISING, PETITIONS, HEARINGS AND COMMUNICATIONS - NONE

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

ORDINANCE #2945 FIRST READING

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, CREATING A NEW SECTION 54-14 OF THE CITY CODE OF ORDINANCES ESTABLISHING A PROCESS FOR THE ISSUANCE OF TRESPASS WARNINGS ON PUBLIC PROPERTY; PROVIDING NOTICE REQUIREMENTS FOR TRESPASS WARNINGS; ESTABLISHING AN APPEAL PROCESS FOR TRESPASS WARNINGS; PROVIDING FOR A SPECIAL MAGISTRATE TO HEAR APPEALS FROM ISSUED TRESPASS WARNINGS; PROVIDING FOR THE SEVERABILITY OF PARTS HEREOF; PROVIDING AN EFFECTIVE DATE.

Councilman Byrd expressed concern about the wording of the ordinance and how it would be interpreted or employed.

Discussion: Officer discretion is always utilized in any violation, and an appeal process is in place to prevent misuse of the ordinance.

MOTION TO APPROVE FIRST READING OF ORDINANCE #2945 AND SET THE SECOND READING AND PUBLIC HEARING FOR JANUARY 23, 2013 was made by Vice Mayor/Councilman Gallo, seconded by Councilman Roff, and approved 5:0.

BUSINESS BY APPOINTMENT - None scheduled.

COUNCIL REPORTS

Vice Mayor/Councilman Gene Gallo, Ward I: Expressed that he would like to see FDOT complete the Manatee Avenue street lighting project which had been started years ago. The area between 59th – 75th Avenues West had been forgotten resulting in a dangerous situation in that area. Commissioner Chappie had agreed to assist in this endeavor. Vice Mayor/Councilman Gallo also stated that a change was needed at the former bus transfer area near the Manatee County Historic Courthouse. It is still being used by Amtrak busses and should be returned to public use.

Carl Callahan stated that discussion was being held with Amtrak and more suitable sites were being explored.

Lastly, he congratulated the SEC on their 7th consecutive NCAA football championship.

Councilman Gene Brown, Ward II: Said that he had been enjoying his first week on the job and looked forward to serving the citizens and continuing the positive growth that Bradenton has been experiencing.

Councilman Patrick Roff, Ward III: Councilman Roff said that he had been observing positive growth and rehabbing going on in area neighborhoods and that recovery seemed to be starting.

Councilman Bemis Smith, Ward IV: Said that the first reading of the ordinance which had been approved today was a step in the right direction to address the problems that have been experienced at the skate park. He clarified that the trouble had not been caused by the skaters, but by others who come down to cause disturbance. He said that the skate park has been a tremendous asset which generates a draw to the city.

Councilman Harold Byrd, Ward V: Councilman Byrd stated that whoever is causing the trouble at the skate park needs to cease and desist.

He reiterated that he, too, had observed good changes in neighborhoods and that economic development, job creation, and rehabilitation need to continue to be the city's focuses.

Councilman Byrd then welcomed Councilman Brown, now replacing him as the youngest person on the Council.

Mayor Wayne Poston: Said Ward 2 has also seen positive changes and that plans and strategies to continue the progress would be maintained in spite of budget constraints.

DEPARTMENT HEADS

Carl Callahan: Mr. Callahan stated that Claude Tankersley and he would work with Amtrak and Manatee County to resolve the transit and parking issue of the former bus transfer area on 12th Street West, previously mentioned. He added that Council Workshops would be reinstated beginning next Wednesday, January 16th.

Deputy Chief Ezell: Reported that BFD will take delivery of a new fire truck near the end of the month.

Chief Radzilowski: Stated that in 2012, there had been an overall reduction in crime of 6.1% resulting in a 45% reduction since the institution of community policing.

Claude Tankersley: Said that discussions with Amtrak had already begun. He also said that he personally knew that the skate park and the downtown area is a draw to people from Lakewood Ranch and surrounding areas.

Tim Polk: Nothing to report.

Bill Lisch: Nothing to report.

There being no further business, Mayor Poston adjourned the meeting at 9:31 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.