

CITY OF BRADENTON
CITY COUNCIL MEETING
September 28, 2011
6:00 P.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 6:00 p.m. on Wednesday, September 28, 2011.

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

Ecumenical invocation was led by Councilman Byrd.

Pledge of Allegiance was led by Mayor Poston.

The meeting was called to order by Mayor Poston.

PROCLAMATIONS: None

PRESENTATIONS: None

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

CITIZEN COMMENTS:

Mayor Poston opened the floor to citizen comments on any non-agenda item. None came forward.

CONSENT AGENDA:

- A. MINUTES of Sept. 12 Budget Hearing
- B. MINUTES of Sept. 24 City Council Meeting
- C. RESOLUTION 11-57 State Revolving Fund Loan Program Application
- D. RESOLUTION 11-58 Appointment of Kerry Ward to the Downtown Development Authority Board

MOTION to approve Consent Agenda Items A-D was made by Councilman Gallo, seconded by Councilwoman Barnebey, and approved 5:0.

BUSINESS/ADVERTISING, PETITIONS, HEARINGS AND COMMUNICATIONS

SECOND READING OF PROPOSED ORDINANCE 2934

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, REPEALING SECTIONS 54-7 OF THE CODE OF ORDINANCES RELATING TO REGULATION OF DISCHARGING OF GUNS AND PISTOLS AND AMENDING SECTION 26-40 (A0(1) CODE OF ORDINANCE BY REMOVING THE POSSIBLE PROHIBITION ON THE SALE OF FIREARMS DURING A DISASTER EMERGENCY; PROVIDING FOR AN EFFECTIVE DATE.

The public hearing was opened. None came forward. The public hearing was closed.

MOTION TO APPROVE the second reading of Ordinance 2934 was made by Councilman Gallo, seconded by Councilman Smith, and passed 5:0.

RESOLUTION 11-56 PUBLIC HEARING

A RESOLUTION OF THE CITY OF BRADENTON, FLORIDA, STATING THE CITY'S INTENT TO DEVELOP AN INCREMENTAL APPROACH TO THE ISSUES OF URBAN FORESTRY AND TO IMPLEMENT RECOMMENDATIONS SET FORTH IN THE "URBAN FORESTRY MASTER PLAN"; PROVIDING FOR INTERGOVERNMENTAL COOPERATION; AND PROVIDING AN EFFECTIVE DATE.

The public hearing was opened to those in favor.

Tim Polk, Planning and Community Development Director, introduced **Christopher Hice of Kimley-Horn and Associates, Inc.**, the consultant of record, who gave an overview of the highlights, goals, and objectives of the Urban Forestry Master Plan, an update of the original Master Plan that was done in 1994.

Mary Runnells, member of the Tree and Land Preservation Board since its inception in 1993, applauded the efforts that had been put into the creation of the updated Master Plan and recommended its adoption.

Linda Perez, 9 Plaza Street, Braden Castle, Chairman of the Tree and Land Preservation Board, felt the updated Master Plan would serve the community well in informing and educating the residents of the area about the importance of planting and caring for the trees in our designated Tree City.

Patrick Gallagher, Tree and Land Preservation Board, urged Council's approval of the Urban Forestry Master Plan.

Bill Swan, Tree and Land Preservation Board, has worked hard with Kimley-Horn on the project and was very excited about the diverse pallet of Florida friendly trees and the proposed layout of the trees that this plan offers.

Ingrid McClellan, Keep Manatee Beautiful, urged support of the Urban Forestry Master Plan update and stated that the value and beauty that trees provide are worth the cost and expense to plant and maintain them.

Carol Ponder, newest member of the Tree and Land Preservation Board, stated that as the former president of the Manatee River Garden Club, the two groups had worked together very well and had planted approximately 40 trees in the vicinity. She expressed total support for the adoption of the updated Urban Forestry Master Plan.

The public hearing was opened to those in opposition. None came forward. The public hearing was closed.



MOTION TO APPROVE Resolution 11-56 was made by Vice Mayor and Councilman Roff, seconded by Councilwoman Barnebey, and passed 5:0.

Discussion: One thousand prints of the Urban Forestry Master Plan will be created along with a supply of CD's. The plan will also be made available to the public on the city's website: www.cityofbradenton.com.

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

Carl Callahan - Community Development Block Grant FY 2010-2011 Budget Adjustment for finalization of the paving project.

MOTION TO APPROVE the Community Development Block Grant FY 2010-2011 Budget Adjustment was made by Councilwoman Barnebey, seconded by Vice Mayor and Councilman Roff, and approved 5:0.

BUSINESS BY APPOINTMENT

None scheduled.

COUNCIL REPORTS

Councilman Gene Gallo, Ward I: Nothing to report.

Councilwoman Marianne Barnebey, Ward II: Nothing to report.

Vice Mayor and Councilman Patrick Roff, Ward III: Stated that there had been an official announcement in the Bradenton Herald that there will be a kickoff ceremony on November 14th for the start of the Ware's Creek Flood Control Project. A public hearing will be held on October 25th at 7:00 p.m. at Ballard Elementary if anyone has any questions.

Councilman Bemis Smith, Ward IV: Expressed sadness about the passing of Norma Lloyd for whom the Norma Lloyd Park was created. Councilman Smith said she had been a strong advocate for the community youth and will be greatly missed. A remembrance service will be held at the park on Saturday, Oct. 1.

Mr. Smith also encouraged all to attend the Manatee Children's Services' "Country Night" in the Bradenton Municipal Auditorium at 6:30 p.m. Saturday, Oct. 1, featuring One Night Rodeo, Billy Rice, and Henry Lawrence. Manatee Children's Services is a non-profit organization which assists troubled youth and provides emergency shelter, counseling, and services.

Councilman Harold Byrd, Jr., Ward V: Offered condolences to the family of Norma Lloyd and expressed appreciation for the great works she had done.

Councilman Byrd also expressed sympathies to the family of Rev. McMillan, Gethsemane Baptist Church, who had also recently passed.

He congratulated Julius Washington of the Public Works Department who is going to be retiring after 37 years of service to the City.

Mayor Wayne Poston: Nothing to report.

DEPARTMENT HEADS

Carl Callahan: Public Works Budget Adjustment – Mr. Callahan explained that this was an internal switch between funds with no impact to the budget.

MOTION TO APPROVE the Public Works Budget Adjustment was made by Councilman Gallo, seconded by Councilwoman Barnebey, and approved 5:0.

A request had been made by the **Arthritis Foundation** for permission to relocate the stage from the south end of 12th Street West to the east side of 4th Avenue West for Octoberfest on Saturday, October 1st. Octoberfest had previously been approved by Council on May 25th. Clarification of Council's stage placement preferences or stipulations was sought.

Discussion: Concerns about disturbance to residents of The Courtyard, crowd congestion, and public safety were expressed. A desire to bring some variety to the events and to have the stage in a more centralized area was also discussed. The businesses closest to Manatee Avenue where the stage is usually located have to endure a lot of disturbance on a regular basis, and this change would give them some relief.

MOTION TO APPROVE the request by the Arthritis Foundation to relocate the stage for Octoberfest was made by Councilman Smith, seconded by Councilman Byrd, and passed 4:0. Councilman Gallo was opposed.

The caveat was made that this was a test case of the 4th Street location.

Chief Edwards: Nothing to report.

Chief Radzilowski: Nothing to report.

Claude Tankersley: Congratulated Julius Washington on his retirement and said that he had been a mentor to many of the employees and a tremendous asset to the City.

Tim Polk: Thanked the Tree and Land Preservation Board and Chris Hice for all the hard work in the creation of the updated Urban Forestry Master Plan. Mr. Polk also introduced Brady Wood, who will be assuming Ruth Seewer's position in the Planning and Community Development Department upon her retirement at the end of the year.

Bill Lisch: Nothing to report.

ADJOURNMENT

There being no further business, Mayor Poston adjourned the meeting at 6:54 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.