

CITY OF BRADENTON
CITY COUNCIL MEETING
June 13, 2012
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, June 13, 2012.

Present: Vice Mayor/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 Byrd, Jr.

City Officials: Mayor Wayne Poston, Carl Callahan, City Clerk and Treasurer/Chief of Staff; Claude Tankersley, Public Works Director; William Lisch, City Attorney; Chuck Edwards, Fire Chief; Keith Davis, Deputy Police Chief; and Tim Polk, Department of Planning & Community Development Director.

Ecumenical invocation was led by Pastor Peter Swanson of Love Serves International.

Pledge of Allegiance was led by Mayor Poston.

The meeting was called to order by Mayor Poston.

PROCLAMATIONS: None Scheduled

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: None.

Carl Callahan

CONSENT AGENDA:

- A. Minutes of May 23 City Council meeting
- B. Resolution 12-26: Reappointing Diane Barcus and Buster Griffith to the Planning Commission
- C. Resolution 12-27: Reappointing Lynette Edwards and Vincent Foderingham to the Central Community Redevelopment Agency
- D. Request from Bradenton Police Department to use \$750 of forfeiture funds for Gun Buy Back Program on June 17th
- E. Application to operate a limousine service in the City of Bradenton
- F. Budget adjustment – paving program
- G. Approve request of Traffic Safety Team for 4-way stop sign at 4th Avenue West & 14th Street
- H. Recommendation to proceed with Air Mechanical & Service Corp. for HVAC renovation at Gene Gallo Central Station
- I. Public Event: “Walk for Life” over Green Bridge - 9/22/12
- J. Public Event: “Canes on Main” (Old Main Street) - 11/10/12
- K. Public Event: “Reels at Rossi” at Riverwalk Park – 11/16/12 & 12/21/12
- L. Requesting authorization of funds transfer from Reserves for Contingencies for Lift Station improvements
- M. Requesting authorization of funds transfer from Capital Outlay/Buildings into Capital Outlay/Equipment for emergency replacement of acid and caustic tanks

MOTION TO APPROVE CONSENT AGENDA ITEMS A-M was made by Vice Mayor/Councilman Gallo, seconded by Councilman Smith, and approved 5:0.

BUSINESS/ADVERTISING, PETITIONS, HEARINGS AND COMMUNICATIONS

MA.12.0031 WARD 4 NEIGHBORHOOD 20.03 BMW

PUBLIC HEARING

Request of Peter Logan, agent, for Medallion Camlin Prestige Homes, Inc., owner, for a Major Amendment to the Harbour Walk (Riverdale Revised) Planned Development Project to remove previously approved stipulations regarding individual fire protection systems and identical façade elevations, as well as a new stipulation regarding banner signage for the Bella Sole subdivision located at 4001 5th Avenue NE (PDP Zoning).

The Public Hearing was opened to those in favor. None came forward.

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

Tim Polk, Planning and Community Development Director, gave the Staff and Planning Commission reports recommending approval with the following stipulations:

STAFF RECOMMENDATION (Updated May 17, 2012): APPROVAL with the following stipulations:

1. **Pertaining exclusively to development within the Bella Sole community, interior fire sprinklers in each individual residence shall be required. Exterior window fire sprinklers shall not be required.**
2. **Pertaining exclusively to development within the Bella Sole community, applicant shall minimize landscaping between residential structures to reduce restrictions to Fire Department access.**

PLANNING COMMISSION RECOMMENDATION (April 18, 2012):

1. **Request to modify MA.08.0022 Stipulation #5 as it pertains to the requirement for individual sprinklers systems: CONTINUE to May 16, 2012 Planning Commission hearing.**
2. ~~**Request of an additional stipulation to MA.08.0022 to permit a single banner sign at the northeastern corner of Bella Sole and of Riverdale: (Applicant withdrew this request during the April 18, 2012 Planning Commission hearing.)**~~

Discussion: The applicant had formerly made three requests, but had withdrawn two: the elevations of the buildings and the banner sign. The requirement for outdoor sprinklers had also been removed because spacing between buildings had been increased from 10' to 12' and landscaping had been removed.

MOTION TO APPROVE MA.12.0031 WARD 4 NEIGHBORHOOD 20.03 BMW with two stipulations was made by Councilman Smith, seconded by Councilman Byrd, and APPROVED 4:0 with Councilwoman Barnebey abstaining from voting due to a conflict.

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

Carl Callahan, City Clerk & Treasurer/Chief of Staff – Police Department Pension Update

The LeRoy Collins Institute had recently released a report on the state of pension funds in the state of Florida which had caused concern about the state of our funds. Mr. Callahan explained that the Police Pension fund was actuarially sound and 79% funded. It had formerly been 82% funded according to the last institute report, but had dropped due to poor returns on investments. It was still considered a very healthy plan. The city has always funded 100% of the plan and had never taken a holiday as some municipalities had done. The core benefits that are being offered are virtually the same as they were in 1998-1999. The changed market and salary rates have made it necessary to fund the plan via greater employee contributions. The numbers in the Collins Institute report had combined OPEB (Other Post Employee Benefits) figures with pension figures resulting in unnecessarily negative numbers which presented a distorted picture.

Going forward, the challenge is ongoing as to how best to negotiate the funding of the pension plan, and all options will be reviewed.

BUSINESS BY APPOINTMENT - None scheduled.

COUNCIL REPORTS

Mayor Wayne Poston: Reported that he had returned from a very successful second trade mission to Pittsburgh where he, Carl Callahan, and a contingency of other local representatives from the city and various Manatee County agencies had met with the Mayor of Pittsburgh and Pittsburgh counterparts from likewise groups, as well as members of the Pirates' organization. The meetings had been very beneficial and cemented the strong economic development relations. Strategies had been shared and updates given about how Pittsburgh had successfully redeveloped its downtown into a thriving area. Likewise, updates and strategies from Bradenton were shared including the improvements to McKechnie Field, the revitalization of downtown, the Riverwalk redevelopment project, the growth of Village of the Arts, and the establishment of an arts overlay district.

Mayor Poston offered his sympathies and condolences to the Wally Stern and Don Miller families. Both had been pillars in the community who had contributed much to the area.

Vice Mayor/Councilman Gene Gallo, Ward I: Also offered his condolences to the Stern and Miller families.

Councilwoman Marianne Barnebey, Ward II: Councilwoman Barnebey also expressed her sympathies to the grieving families and spoke of past memories and connections with them.

Councilwoman Barnebey announced that Crimestoppers' is holding a summer fundraiser and is offering New York Giant's tickets to anyone who would like to make a donation.

In conclusion, Ms. Barnebey wished all a happy Fathers' Day.

Councilman Patrick Roff, Ward III: Extended his congratulations to Vice Mayor/Councilman Gallo and Councilman Byrd on another 4 years of service on the City council as they had no contenders running for their positions.

Councilman Bemis Smith, Ward IV: Joined with all in expressions to the Stern and Miller families. Councilman Smith also made mention that a delegation from the community would be traveling to Barcarrota, Spain for the 50th anniversary of the sister city acknowledgement and requested that small gifts be sent with the delegation to present to the Spanish dignitaries.

Councilman Harold Byrd, Ward V: Offered condolences to the Stern & Miller families. Councilman Byrd also wished to remind city residents that a referendum vote will be held in August to determine the desire of the voters to eliminate the need for run-off elections as currently required by city charter. Eliminating run-offs would save money.

DEPARTMENT HEADS

Carl Callahan: Requested approval of the AIA contract with NDC Construction. NDC had been selected by the competitive bid process. This contract contains the terms for the pre-construction and construction services. A guaranteed maximum price (GMP) and final plans for the renovation of McKechnie Field will be presented to City Council at a future meeting.

MOTION TO APPROVE THE NDC AIA CONTRACT was made by Vice Mayor/Councilman Gallo, seconded by Councilman Smith, and approved 4:0, with Councilwoman abstaining from voting due to a continuing conflict.

Mr. Callahan reported that the recently received Property Tax reports were worse than had been anticipated with a 6% reduction being foreseen which would result in \$600,000 less in revenue. A tentative budget will be forthcoming as soon as possible.

Chief Edwards: Nothing to report.

Assistant Chief Davis: Nothing to report.

Claude Tankersley: The 17th Avenue West Ware's Creek bridge replacement project was going to wrap up this week or next and then move to 9th Street.

Tim Polk: Announced that the 13th Avenue Community Center demolition had been completed and a letter of intent had been received from Save-A-Lot thus enabling continuation of the development of the Urban Format Grocery Store.

In response to Vice Mayor/Councilman Gallo's question about recently passed House Bill 503 and how it could potentially impact new developments, Mr. Polk stated that the bill involved the Department of Environmental Protection and could force municipalities to issue permits within a specific timeframe regardless of having received approval from the DEP.

Bill Lisch: Nothing to report.

There being no further business, Mayor Poston adjourned the meeting at 9:22 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.