

CITY OF BRADENTON
CITY COUNCIL MEETING
November 16, 2011
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, November 16, 2011.

Present: 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.

Mayor Wayne Poston was out with an excused absence.

Ecumenical invocation was led by Carole Kay Monaco of Christian Coalition.

Pledge of Allegiance was led by Vice Mayor Roff.

The meeting was called to order by Vice Mayor Roff.

PROCLAMATIONS: None scheduled.

PRESENTATIONS:

Central CRA / CareerEdge FRA President's Award Presentation

Sherod Halliburton and Mireya Eavey thanked Council for having allowed the Central CRA to initiate a job training program which has been very successful. From the initial \$400,000 investment, it has blossomed into a \$4 million imitative supported by many partners.

Kurt Easton, outgoing president of the Florida Redevelopment Association, congratulated Bradenton for having been selected from among 70 competitor cities to receive the FRA President's Award. He stated that this program would serve as a model for other CRA's in the state. He presented the award to Vice Mayor Roff.

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

CITIZEN COMMENTS:

Vice Mayor Roff opened the floor to citizen comments on any non-agenda item.

J. Clifford Curley, 1616 Point Pleasant, addressed Council about the problems of loud music (primarily from the bass section) which emanate from Pier 22 and Tarpon Pointe Grill.

Discussion: Possible corrections to the problem were discussed including decibel testing, moderation of bass, redirecting bands away from residences, and installation of plexi-glass noise barriers. This issue will continue to be monitored and addressed.

Dorothy Middleton, Bradenton resident, addressed Council about an issue with the Utility Billing Department in which her single-family home had been charged duplex rates since the 1990's.

The statute of limitations allows for only 4 years of repayments for the overcharge. The billing discrepancy will be further discussed at a workshop and a decision made.

No one else came forward; Citizen Comments was closed.

CONSENT AGENDA:

- A. MINUTES of October 26, 2011 City Council Meeting
- B. Vehicle for Hire Operators Permit – Rapid Wheelchair Transport LLC
- C. EECBG Budget Adjustment
- D. Line Item Adjustment for Emergency Sewer Repair
- E. Pond Maintenance Cost Sharing Agreement
- F. Public Event: Pirate Fest on 9th Street W/ Saturday, March 24
- G. Copier replacement contract

MOTION TO APPROVE ITEMS A-F WITH ITEM G WITHDRAWN for discussion was made by Councilman Byrd, seconded by Councilman Smith, and approved 5:0.

Carl Callahan brought up Item G to explain that City Attorney, Bill Lisch, was reviewing the new contract. Council was being requested to authorize approval of the contract once review was complete.

MOTION TO APPROVE THE COPY MACHINE REPLACEMENT CONTRACT once review is completed by the city attorney was made by Councilman Byrd, seconded by Councilwoman Barnebey, and approved 4:0 with Councilman Smith absent during the vote.

BUSINESS/ADVERTISING, PETITIONS, HEARINGS AND COMMUNICATIONS – None scheduled.

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

Claude Tankersley, Public Works Director

SRF Funding Agreement – a request authorizing the Vice Mayor to sign the proposed Clean Water State Revolving Fund loan agreement for the City's Stormwater management facilities project. This would allow for the building of the 9th Avenue bridge, the first of the bridges that will be built over Wares Creek. The cost of this construction would be approximately \$850,000, which will be borrowed from SRF at a very competitive rate.

MOTION TO AUTHORIZE VICE MAYOR ROFF TO SIGN THE PROPOSED CLEAN WATER STATE REVOLVING FUND LOAN AGREEMENT was made by Councilman Gallo, seconded by Councilman Byrd, and approved 5:0.

BUSINESS BY APPOINTMENT - None scheduled.

COUNCIL REPORTS

Councilman Gene Gallo, Ward I: Had attended a workshop with the players in the Riverwalk Redevelopment Project for an update on the status of the construction. There are valid timing and permitting reasons for the delays which have been experienced. Progress will continue to be monitored.

Councilwoman Marianne Barnebey, Ward II: Wished everyone a very happy Thanksgiving and announced that the 16th Annual Winter Wonderland would be held on Saturday, Dec. 10, from 5:00-10:00 p.m. She encouraged everyone to attend this family-friendly event.

Councilman Bemis Smith, Ward IV: Brought forward three requests by the Old Main Street Merchants' Association:

1. Approval of the rest of the Get Downs for the 2011-2012 season
2. Approval to hold Turkey Crawl 2011 on Wed., Nov. 23, 2011
3. Approval to move the December Get Down from Thursday, Dec. 15, to Friday, Dec. 16, with extended hours of 5:00 p.m. – 11:00 p.m.

Discussion on Item 1: Expanded detailed site plan requested for Get Down events

Discussion on Item 2: Concerns about Turkey Crawl due to trash & debris problems experienced last year along with dangerous overcrowding of bars

Cork Miller, Old Main Street Merchants Association, addressed concerns about security, crowd control, and cleanup for Turkey Crawl. As is the custom, college students will be on the street in large numbers with or without an event, so street closure would increase safety.

MOTION TO APPROVE THE GET DOWN DOWNTOWN for November 15, 2011 *only* was made by **Councilman Smith**, seconded by **Councilman Gallo**, and approved 5:0.

MOTION TO APPROVE THE REQUEST BY THE OLD MAIN STREET MERCHANTS ASSOCIATION TO HOLD TURKEY CRAWL on Wednesday, Nov. 23, 2011 was made by **Councilman Smith**, seconded by **Councilman Gallo** and approved 5:0 with a disclaimer made by **Councilwoman Barnebey** that people will be held accountable if complaints are received following the event.

Discussion on Item 3: To accommodate The Billy Rice Band and create a holiday party, the Old Main Street Merchants Association would like to change the regular date of the December Get Down Downtown from Thursday, Dec. 15th to Friday, Dec. 16th and extend the event by one hour to 11:00 p.m. It was decided that this request will be addressed at a special workshop to be held on November 30th.

Councilman Harold Byrd, Jr., Ward V: Stated that it would be preferable to have topics of this type included on the official City Council Meeting agenda so that people are better informed about what will be discussed.

Vice Mayor and Councilman Patrick Roff, Ward III: The long-awaited Ware's Creek Groundbreaking Ceremony had been held on November 14, 2011. A jar of esoteric muck taken from the creek would be kept on hand in Vice Mayor Roff's office for viewing.

DEPARTMENT HEADS

Carl Callahan: Reminded Council that a City Council Workshop would be held after this meeting.

Chief Edwards: Announced that Battalion Chief Garry Lawson will be retiring at the end of this month following 31 years of service.

Chief Radzilowski: Nothing to report.

Claude Tankersley: Wished to assure everyone that the Ware's Creek project will be very well handled with no mess or mud in the transport of the dredged materials.

Tim Polk: Wished everyone a happy Thanksgiving and commended the Planning and Community Development staff for their good works to ensure several families will have a nice Thanksgiving.

Bill Lisch: Requested approval of a joint agreement with Neal Communities to share costs to repair a collapsed culvert and damaged roadway on Natalie Way.

MOTION TO APPROVE AN AGREEMENT WITH Neal Communities to share costs to repair a collapsed culvert on Natalie Way was made by **Councilman Byrd**, seconded by **Councilwoman Barnebey**, and approved 5:0.

There being no further business, Vice Mayor Roff adjourned the meeting at 11:13 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.