

**CITY OF BRADENTON  
CITY COUNCIL MEETING  
July 20, 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 July 20, 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 & 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 Chaplain Paul Scheele, Water's Edge Community.

Pledge of Allegiance was led by Maria Salazar, City of Bradenton Accounting Department employee and newly qualified U.S. citizen.

The meeting was called to order by Mayor Poston.

**PROCLAMATIONS**

**Women's Equity Day – August 20, 2011**

**World Breastfeeding Week – August 1-7, 2011**

**PRESENTATION**

Sherod Halliburton, Executive Director, CCRA, introduced Mireya Eavey, Executive Director of CareerEdge. Ms. Eavey presented an overview of the CareerEdge program including details about program successes and funding.

Mr. Callahan administered the oath to the individuals who wished to speak on any non-agenda items and during the public hearings.

**CITIZEN COMMENTS**

DeLouis Simmons introduced her neighborhood group and presented thanks and a trophy to Officer Timothy Gunst of the Bradenton Police Department who was credited for a marked increase in safety and protection within their community.

**CONSENT AGENDA**

- a) Minutes from June 22, 2011 Council Meeting
- b) Resolution 11-39/ Reappointing Jayne Kocher to the Bradenton Downtown Development Authority
- c) Resolution 11-40/ Establishing a mileage reimbursement rate for city employees

- d) Resolution 11-41/ Approving the CDBG 2011-2014 Consolidated Plan and 2011-2012 Annual Action Plan
- e) Resolution 11-42/ Appointing Thomas Heitzman to the Tree and Land Preservation Board
- f) Award of CDBG 2010-2011 Street Resurfacing Program Contract to most responsive, responsible bidder
- g) Award of Sidewalks-to-Schools Survey Contract to Hyatt Engineering
- h) Execute the Braden River Watershed Management Program (B074) First Amendment that would extend completion dates to September 30, 2012
- i) Approval to make ChargePoint grant application and agreement for installation of electric vehicle recharging stations
- j) Budget adjustments

**MOTION TO APPROVE Consent Agenda items a-j was made by Councilman Roff, 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

Carl Callahan

Establish tentative millage rate and set budget public hearing schedule

Mr. Callahan gave an overview of the tentative budget and the Truth-in-Millage (TRIM) process. The rollback millage rate has been calculated at 5.2002. This is the rate that will bring in to the city the same amount of property tax revenue as last year. It is higher than the previous rate last year of 4.9452 due to the decrease in property values.

The tentative millage rate must be set at this time in order for it to be included in the TRIM notices to be mailed by the Tax Collector on August 24. This rate may be lowered by Council prior to their final approval in September; however, it cannot be increased without readvertising and holding additional public hearings.

**MOTION TO set the tentative millage rate at the rollback rate of 5.2002 was made by Councilman Gallo, seconded by Councilman Smith, and approved 5-0.**

A September calendar, indicating available dates for public hearings, was distributed to Council. After some discussion, it was decided to hold the budget public hearings on September 12<sup>th</sup> and 21<sup>st</sup>.

**MOTION TO set the budget public hearing dates for Monday, September 12 at 5:01 pm and Wednesday, September 21 at 5:01 pm was made by Councilwoman Barnebey, seconded by Councilman Roff, and approved 5-0.**

Tim Polk

Request to approve award of contracts for new construction of two single-family Neighborhood Stabilization Program residences. Tom Cookingham, Assistant Director of the Planning & Community Development Department, discussed the bid process and how the two builders had been selected.

Discussion about the suddenness of this request, the requirements of the federal government, and the tight timeliness that must be adhered to.

**Motion to approve the contract award was made by Councilman Smith, seconded by Councilman Roff, and approved 4-1 with Councilman Gallo in opposition.**

#### BUSINESS BY APPOINTMENT

None scheduled.

#### COUNCIL REPORTS

**Councilman Gene Gallo, Ward I:** Made mention of the Pittsburgh Pirates currently being in first place.

**Councilwoman Marianne Barnebey, Ward II:** Also gave kudos to the Pirates and expressed how proud the community was of their performance.

Councilwoman Barnebey acknowledged Marcia Ambrose, representative to Girls State, who had sat in on the council meeting.

National Night Out, America's night out against crime, will be held on August 2<sup>nd</sup>. No locations have been finalized at this time, but Ms. Barnebey encouraged everyone to watch for further info and to participate in this important event.

Councilwoman Barnebey expressed her thanks to the fire department and the police department for how well all of the 4<sup>th</sup> of July activities had been handled.

**Vice Mayor and Councilman Patrick Roff, Ward III:** Recently returned from a trip to Boston where he had taken the opportunity to tour one of the famous Cambridge rowing facilities. The possibility of having a fine rowing club established in Bradenton is very exciting.

**Councilman Bemis Smith, Ward IV:** Expressed chagrin about too much government regulation that cannot be enforced regarding fireworks.

**Councilman Harold Byrd, Jr., Ward V:** Reminded everyone that on August 2<sup>nd</sup>, a group of Youth Ambassadors for Pathways Ministries will tour City Hall.

**Mayor Wayne Poston:** Reported that in mid-August, he, City Clerk Carl Callahan, members of the Chamber of Commerce, Manatee County, the Economic Development Council, the Downtown Development Authority, and Benderson Development will be going to Pittsburgh, PA to hold a "trade mission" to expand on the city's current spring training relationship to share increased tourism between Bradenton and Pittsburgh on a year-round basis.

#### DEPARTMENT HEADS

**Carl Callahan:** Was very encouraged that Manatee County has agreed to be involved in the Pittsburgh connection discussions.

**Chief Edwards:** Nothing to report.

**Chief Radzilowski:** Sgt. Nicol Scholer's son had been one of two youths selected to receive a 4-year scholarship to St. Stephens.

**Claude Tankersley:** Thanked Council for awarding bid to the most responsible bidder for the street resurfacing project. The monies received from CDBD to do the paving came to \$249,500. As the bid award was for \$237,791, Mr. Tankersley wanted to request additional authorization to add additional paving to utilize the full amount of available funding.

**MOTION TO AUTHORIZE Mr. Tankersley to utilize the full amount of \$249,500 for the street resurfacing project was made by Vice Mayor and Councilman Roff, seconded by Councilman Smith, and approved 5-0.**

Mr. Tankersley requested Council to rescind the motion made at the last City Council meeting on June 22<sup>nd</sup> requesting the City Attorney to draft an ordinance to prohibit horses on the Palma Sola Causeway. He went on to explain why he wished to make this request:

- Science and common sense do not support unfettered use of horses nor a total ban on them. Science does not support that horses pose health issues to humans.
- The Sarasota Bay Estuary Program has confirmed that sea grasses are not present in that area.
- Water quality testing has been done throughout the last three weeks in the area where the horses are used and majority of water samples came in with almost undetectable levels of fecal coliform. The two samples that were higher, but may be erroneous spikes as testing must be done on a consistent basis.
- It is only his opinion, but he believes the City may not have the authority to legislate in this FDOT right of way.

Discussion: Inappropriateness of asking for motion to be rescinded until all information and data about various questions and concerns is gathered and discussed by Council at a workshop. **No motion to rescind was made.**

**Tim Polk:** Nothing to report.

**Bill Lisch:** Gave Council an update on two recent legal challenges that have been brought regarding the City's action in the Riversong issue. Grimes Goebel will be assisting in these complicated, labor intensive cases.

Stated he will be attending the Municipal Attorney's seminar and will return with an update of current issues that cities are dealing with and how they are being handled.

#### ADJOURNMENT

There being no further business, Mayor Poston adjourned the meeting at 11:00 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.