

**CITY COUNCIL MEETING
May 11, 2011**

The City of Bradenton City Council met in regular session in the City Hall Council Chamber, 101 Old Main Street, Bradenton, Florida on May 11, 2011 at 8:30 a.m.

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; Michael Radzilowski, Police Chief; and Tim Polk, Department of Planning and Community Development Director.

“Mayor for a Day – Colton Ward”

Ecumenical invocation was led by Pastor Don Sturiano, Kingdom Life Christian Church. Pledge of Allegiance was led by Mayor for a Day Colton Ward.

The meeting was called to order by Mayor Ward.
Fire Chief Chuck Edwards was excused from the meeting.

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

CITIZEN COMMENTS

No one came forward.

CONSENT AGENDA

- a) Minutes of April 27, 2011.
- b) Public Event/ Request by Harvest Chapel Christian Fellowship, for a road closure of 16th Avenue West during “Family Day”, Sunday, May 29, 2011, at 1300 17th Avenue West.
- c) Traffic Management Center Operation and Maintenance Interlocal Agreement between the City of Bradenton and Manatee County.

MOTION TO APPROVE THE CONSENT AGENDA with items a – c was made by Councilman Smith, seconded by Vice Mayor and Councilman Roff and passed 5-0 for approval.

BUSINESS/ADVERTISING, PETITIONS, HEARINGS AND COMMUNICATIONS

SECOND READING & ADOPTION OF PROPOSED ORDINANCE 2930 RS CONTINUED PUBLIC HEARING

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR ADOPTION OF A FORM-BASED CODE LAND USE REGULATIONS (FBC); PROVIDING FOR TRANSECT DESIGNATIONS; PROVIDING FOR ARTICLES FOR IMPLEMENTATION, INCLUDING GENERAL PROVISIONS, NEW COMMUNITY SCALE PLANS, INFILL COMMUNITY SCALE PLANS, BUILDING SCALE PLANS AND URBAN STANDARDS, ARCHITECTURAL STANDARDS, THOROUGHFARE STANDARDS, LANDSCAPE STANDARDS, LIGHTING STANDARDS, LIGHT IMPRINT STORMWATER MANAGEMENT, SUSTAINABILITY, PUBLIC ART, DEFINITIONS AND APPENDICES; PROVIDING FOR REPEAL OF PROVISIONS OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

The public hearing was opened.

**APPROVED BY
May 25, 2011
CITY COUNCIL**

Carl Callahan stated the Planning and Community Development Department had requested to continue the public hearing until June 8, 2011.

MOTION TO CONTINUE the public hearing of Ordinance 2930, Form Base Code to June 8, 2011 was made by Councilman Smith, seconded by Vice Mayor and Councilman Roff and passed 5-0 for approval.

MA.11.0027 WARD 3 NEIGHBORHOOD 6.01 RS PUBLIC HEARING

Request of Marla Hough, agent for Children’s Academy of Southwest Florida, owner, to expand the existing daycare/pre-school facility to include additional properties east of the existing facility, located at 2403, 2405, 2407, 2415, 2417, 2419, 2421, 2513, and 2519 9th Avenue West, 928 25th Street West, and 923 26th Street West (zoned P, R-1).

The public hearing was opened, anyone wishing to speak in favor please come forward.

Marla Hough displayed a site plan of the total campus future plans. She stated the academy had purchased foreclosed properties to add to their existing campus with the request to include these additional properties to expand the facility to 3.77 acres. She stated the owner was in agreement with the staff report and with the stipulations added by the Planning Commission.

No questions were asked.

Anyone wishing to speak in opposition, no one came forward the public hearing was closed.

Tim Polk gave the Planning and Community Development staff report with the staff and Planning Commission recommendation as follows:

STAFF RECOMMENDATION: APPROVAL with the following (4) stipulations:

1. The plan identified as Exhibit “F” dated 3/23/11 was the approved plan.
2. Any changes in the phasing plan would be coordinated with the PCD Director and the Fire Marshal.
3. If the PCD Director determines that there was insufficient parking, additional parking spaces would be provided as needed.
4. The landscape buffer would continue along 9th Avenue West, and around all vehicular use areas.

PLANNING COMMISSION RECOMMENDATION (April 20, 2011): APPROVAL with the following (4) stipulations:

1. Any changes in the phasing plan would be coordinated with the PCD Director and the Fire Marshal.
2. If the PCD Director determines that there was insufficient parking, additional parking spaces would be provided as needed.
3. The landscape buffer would continue along 9th Avenue West, and around all vehicular use areas. Landscape Materials would be approved by the PCD Director.
4. A four foot fence would be installed along 9th Avenue and setback 10 feet from the right of way. Landscaping would be installed on the outside of the fence.

Vice Mayor and Councilman Roff stated there were many abandoned and foreclosed properties in his ward and stated that this was an excellent use of foreclosures and also a good form of Urban Redevelopment.

MOTION TO APPROVE MA.11.0027 with the recommendations made by the Planning and Community Development staff and Planning Commission with 4 stipulations made by the Planning Commission was made by Vice Mayor and Councilman Roff, seconded by Councilwoman Barnebey and passed 5-0 for approval.

APPROVED BY
May 25, 2011
CITY COUNCIL

NEW BUSINESS BY DEPARTMENT HEADS, CITY ATTORNEY AND COUNCIL

Carl Callahan

A RESOLUTION REAPPOINTING **JOHN MANTONE** TO THE **FIRE PENSION BOARD** FOR THE CITY OF BRADENTON, FLORIDA AND DEFINING HIS TERM.

Mr. Callahan explained the timing of the legislation regarding pensions, which would take effect July 1, 2011, with this appointment also taking effect on July 1, 2011.

Councilman Gallo stated that he could not support this resolution as the current board had 3 members on the department side and 2 members from the private sector. He stated this would give the department an edge. He stated he did not have anything against Mr. Mantone.

General discussion: The current city ordinance stated this appointment was an administrative duty. If an appointment was not approved, then the person would continue to serve until a new appointment was made or if the person resigns.

A motion was made and then withdrawn.

COUNCIL REPORTS

Councilman Gene Gallo, Ward I: Reported that he, along with some of the firefighters, had had a great time at the recent State Bass Fishing Tournament.

Councilwoman Marianne Barnebey, Ward II: Announced that she was the city's representative as the chairperson for the Library Board who was in search of a new library manager.

Stated the Manatee High School performance academy was now open and was searching for individuals to grade performance projects. Interviews would take place May 16th & 17th.

Vice Mayor and Councilman Patrick Roff, Ward III: Reported that the Public Works Department's was working on the Ballard Park Water Main Project. He stated that the directional boring process seemed to work well and is less invasive to the residence.

Councilman Bemis Smith, Ward IV: Nothing to report.

Councilman Harold Byrd, Jr., Ward V: Nothing to report.

Mayor Wayne Poston: Thankful that the legislative process had adjourned and stated he was awaiting a full report of the goings-on from Senator Bennett.

DEPARTMENT HEADS

Carl Callahan: Reminded everyone of the workshop to be held right after the meeting.

David Ezell: Nothing to report.

Chief Radzilowski: Nothing to report.

Claude Tankersley: Nothing to report.

Tim Polk: Reminded the council that the next work session would be composed of a tour of Harbor Isle on Perico Island next Wednesday, May 18th to envision firsthand the build out plan.

Bill Lisch: Attended the Local Government Seminar which had emphasized that the legislature and laws were changing daily.

ADJOURNMENT

There being no further business, Mayor Poston adjourned the meeting at 8:59 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.