

**CITY OF BRADENTON**  
**CITY COUNCIL MEETING**  
**July 18, 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, July 18, 2012.

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

Michael Radzilowski, Police Chief, was out with an excused absence.

Ecumenical invocation was led by Pastor Don Sturiano of Kingdom Life Christian Church.

Pledge of Allegiance was led by Mayor Poston.

The meeting was called to order by Mayor Poston.

**PROCLAMATIONS: None Scheduled.**

**PRESENTATIONS: *Summation 360™* - Utility Billing Payment Services**

**Chris Wease**, National Sales Executive for TWI, specialists in automated billing and payment solutions for 26 years, provided an overview of how TWI has partnered with Munis to be able to offer integrated 24/7 automated customer self-service access and what types of services TWI could provide.

Features:

- Up-to-date Real Time Information
- Interactive Voice Response
- Payment by Credit Card or E-check
- Paperless E-billing
- Delinquent Notification
- Multiple Account Statements & History
- PDF Copies of Bills
- Mobile Compatible Calls, Texts, and Emails to Customers
- Financial Accounting Reports

Besides the Utility Billing Department, this technology could also be utilized in other departments to offer additional communication and payment solutions where necessary. Further information will continue to be brought forward.

*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**, City Clerk & Treasurer/Chief of Staff, spoke in favor of the ordinances which had been forged following successful collective bargaining negotiations and each of which makes the necessary pension reforms to help keep the pension plan affordable over the next 3 years.

**Rocco Salvatori**, BFD Firefighter, stated that savings as high as \$50-\$100K/year over the next 3 years would be realized by these changes, and premium tax revenues would offset contributions.

The Public Hearing was opened, and those who wished to speak in favor were asked to come forward. None came forward. Those persons wishing to speak in opposition were asked to come forward. None came forward. The Public Hearing was closed.

**MOTION TO APPROVE ORDINANCE 2939** was made by Councilman Byrd, seconded by Councilman Smith, and approved 5:0.

**MOTION TO APPROVE ORDINANCE 2940** was made by Councilman Byrd, seconded by Councilwoman Barnebey, and approved 5:0.

**MOTION TO APPROVE ORDINANCE 2941** was made by Councilman Byrd, seconded by Councilwoman Barnebey, and approved 5:0.

**SU.12.0095 WARD 2 NEIGHBORHOOD 4.06 PUBLIC HEARING**

**Request of Todd Mathes, agent, for Ronald Benderson 1995 Trust and Benderson 85-1 Trust, owner, for a Special Use Permit allowing for the expansion of the Pinebrook Square Shopping Center located at 4330 Cortez Road West (SCC zoning).**

The Public Hearing was opened to those in favor.

**Todd Mathes**, agent, for Ronald Benderson 1995 Trust and Benderson 85-1 Trust, owner, provided a PowerPoint overview of the proposed development and the planned changes to the Pinebrook Square Shopping Center. An 18,000' expansion would be added to the former Big Lots facility, and a different traffic access pattern from Cortez Road would improve ingress and egress. Additional buffer plantings will be installed along the existing fence which will be maintained.

Councilwoman Barnebey inquired about the plan for deliveries. Mr. Mathes stated that the new configuration of the expanded building would eliminate deliveries being made in the back of the building and near the surrounding neighborhood. It would allow for delivery access in a more buffered area and actually reduce noise intrusion.

**Tim Polk**, Planning and Community Development Director, gave the staff and Planning Commission recommendation.

**STAFF RECOMMENDATION: APPROVAL** with the following stipulations:

1. An approved Florida Department of Transportation (FDOT) permit for Cortez Road truck access point.
2. An approved South West Florida Water Management District (SWFWMD) permit for underground stormwater retention.
3. An approved Letter of Understanding from Florida Power & Light (FP&L) for the relocation or vacation of existing utility easement.
4. Applicant shall install fencing to prohibit pedestrian access behind the building.
5. Applicant shall add "hostile" landscaping to discourage habitation behind building.
6. Exterior lights shall be added to rear corners of building to adequately illuminate rear exit points. Exterior lights shall be shielded to prevent spillage onto adjacent residential property.
7. Applicant shall install signage indicating "Truck Access Only" and "Caution: Slow Moving Trucks" where appropriate.
8. Applicant shall replace on site, or pay-in-lieu, trees that require removal as part of the redevelopment process. Trees along the rear property line shall remain and be preserved to the greatest extent possible.
9. Provide ground hatching and additional signage to indicate that parking is strictly prohibited behind the existing northern commercial strip center.

**PLANNING COMMISSION RECOMMENDATION (June 19, 2012):**

1. An approved Florida Department of Transportation (FDOT) permit for Cortez Road truck access point.
2. An approved South West Florida Water Management District (SWFWMD) permit for underground stormwater retention.
3. An approved Letter of Understanding from Florida Power & Light (FP&L) for the relocation or vacation of existing utility easement.
4. Applicant shall install fencing to prohibit pedestrian access behind the building.
5. Applicant shall add "hostile" landscaping to discourage habitation behind building.
6. Exterior lights shall be added to rear corners of building to adequately illuminate rear exit points. Exterior lights shall be shielded to prevent spillage onto adjacent residential property.
7. Applicant shall install signage indicating "Truck Access Only" and "Caution: Slow Moving Trucks" where appropriate.
8. Adjacent to northern property line only along Pinebrook Circle, applicant shall replace or pay-in-lieu, trees that require removal as part of the redevelopment process. Trees along the rear property line shall remain and be preserved to the greatest extent possible. Any trees replaced along Pinebrook Circle shall meet the approval of Public Works.
9. Provide ground hatching and additional signage to indicate that parking is strictly prohibited behind the existing northern commercial strip center.

**MOTION TO APPROVE SU.12.0095 WARD 2 NEIGHBORHOOD 4.06 WITH THE RECOMMENDATIONS MADE BY THE PLANNING AND COMMUNITY DEVELOPMENT STAFF AND PLANNING COMMISSION WITH NINE (9) STIPULATIONS was made by Councilwoman Barnebey, seconded by Councilman Byrd, and approved 5:0.**

**SU.12.0096 WARD 1 NEIGHBORHOOD 12.04 PUBLIC HEARING**

**Request of WilsonMiller Stantec, agent, for Manatee County Board of County Commissioners, owners, for a Special Use Permit allowing for a rookery and associated parking on the Perico Preserve located at 11700 Manatee Avenue West (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** presented the Staff and Planning Commission recommendations for approval with two (2) stipulations:

**STAFF RECOMMENDATION: APPROVAL** with the following stipulations:

1. Indicate previously approved Proposed Future Fire Station site with connected access to Manatee Avenue West on all future development plans.
2. A specialty wheelchair shall be provided for ADA accessibility across 12' wide grass path unless hardened surface is provided.

**PLANNING COMMISSION RECOMMENDATION (June 19, 2012):**

1. Indicate previously approved Proposed Future Fire Station site with connected access to Manatee Avenue West on all future development plans.
2. A specialty wheelchair shall be provided for ADA accessibility across 12' wide grass path unless hardened surface is provided. Access within the Perico Preserve Seagrass Rookery shall be ADA compliant once opened for public use.

**MOTION TO APPROVE SU.12.0096 WARD 1 NEIGHBORHOOD 12.04 WITH THE RECOMMENDATIONS MADE BY THE PLANNING AND COMMUNITY DEVELOPMENT STAFF AND PLANNING COMMISSION WITH TWO (2) STIPULATIONS was made by Vice Mayor/Councilman Gallo, seconded by Councilman Smith, and approved 5:0.**

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

### WARE'S CREEK PARCELS PURCHASE AGREEMENT – Carl Callahan

As a reinvestment opportunity, the City would like to acquire eight parcels of land at a cost of \$294,657.00 for the purpose of making improvements to the Ware's Creek neighborhood. It was being requested that a 30-day period of due diligence be done, and if all seemed well, that the mayor be authorized to execute the purchase agreement.

**MOTION TO APPROVE THE PURCHASE AGREEMENT FOR THE WARE'S CREEK PROPERTIES was made by Councilman Roff, seconded by Councilman Byrd, and approved 5:0.**

### McKECHNIE FIELD PLANS UPDATE – Carl Callahan

Mr. Callahan presented the details of the upgrades:

- 360° ballpark view from the boardwalk
- Tiki bar (Specialty bar) in right field
- Commissary center field
- New grandstand areas in left field and right field – with temporary covers at this time
- Cart sales areas
- Access ramps between left and right fields and elevator
- Bullpens will be pulled into the outfield
- New permanent seating with fold-up type seats & cup holders
- Backing for outfield seats
- Tabletop tables
- New concession area with 18 points of sale and larger plaza
- Upgrade to restrooms for larger capacity
- Increased seating from 6,500 to 8,300-8,500
- 1st base and 3<sup>rd</sup> base line box seating will get permanent cover
- Scoreboard would be moved to left field wall and auxiliary scoreboards added
- Upgrades to press area

An overall nice look which is fan friendly, the goal is to commence redevelopment by Sept. 1 in order to be game-ready by the first game on February 19, 2013. Funding for the project was being provided by a \$7.5M loan composed of monies from the Tourist Development Council, Manatee County, and the 14<sup>th</sup> Street Central CRA. Any construction costs over \$7.5M would be assumed by the Pirates Association. There is no local property tax involved.

**MOTION TO APPROVE THE McKECHNIE FIELD PLANS & MOVE FORWARD was made by Councilman Roff, seconded by Councilman Byrd, and approved 5:0.**

### BRADEN RIVER UTILITIES – Re-Use Water Agreement - Claude Tankersley

The City of Bradenton would like to enter into a 20-year agreement to sell reclaimed water to Braden River Utilities (BRU) which services Lakewood Ranch. Assisted by grant monies from SWFMD, BRU would construct the transmission facilities to transport the water, with the exception of one pump station which will be on our end. SWFMD required that the contract be in place prior to commencement of construction. Mr. Tankersley stated that this agreement is beneficial to the City, the County, and the environment.

**MOTION TO APPROVE THE AGREEMENT BETWEEN THE CITY OF BRADENTON AND BRADEN RIVER UTILITIES FOR THE USE OF RECLAIMED WATER was made by Councilman Roff, seconded by Councilwoman Barnebey, and approved 5:0.**

BUSINESS BY APPOINTMENT - None scheduled.

## COUNCIL REPORTS

**Vice Mayor/Councilman Gene Gallo, Ward I:** Nothing to report.

**Councilwoman Marianne Barnebey, Ward II:** A home near Manatee High School which was damaged by fire has become a safety and security issue and joins with approximately 10-15 other nuisance properties within the City. Ms. Barnebey inquired about the possibility of establishing a demolition fund in this budget to take care of such properties. Much discussion ensued. With the budget so tight, it may not be possible. Information about what other cities have done about this issue may be sought.

Councilwoman Barnebey announced that The Gold Star Club would be hosting *Caribbean Night* on Saturday, July 28<sup>th</sup> and encouraged everyone to go to [www.goldstar.com](http://www.goldstar.com) for more information.

Councilwoman Barnebey also offered condolences to the Preston, Alton, and Ewers families who just lost loved ones.

**Councilman Patrick Roff, Ward III:** The Ware's Creek dredge work is moving into the final stages. The rest of the dredge material will be dried in a pile on site. FPL has put in a new high line pole on Virginia Avenue power pole in preparation for the 9<sup>th</sup> Avenue bridge replacement.

**Councilman Bemis Smith, Ward IV:** Expressed sympathies to the family of Flavia Preston.

**Councilman Harold Byrd, Ward V:** Offered his prayers and condolences to the families of the deceased and to the families of the recent murder victims in his neighborhood. He also expressed the desire to have community members gather together to help stop this senseless violence.

Councilman Byrd also reminded everyone that a community meeting would be held on Thursday, July 19<sup>th</sup> at 6:30 p.m. at the Dream Center. The focus of the meeting would be to discuss options to commemorate the history that has occurred on the site of the former Youth Center.

## DEPARTMENT HEADS

**Carl Callahan:** Mr. Callahan said that Human Resources Director, Barbara Hitzemann, would like to have a collective bargaining session with Council following this meeting. Next Wednesday, July 25<sup>th</sup>, a budget meeting to review the preliminary budget would be held at 8:30 a.m. to set the tentative millage rate and the dates for the budget hearings. Mr. Callahan also expressed thanks to the Pittsburgh Pirates for all they have done to make the renovation of McKechnie Field a reality. He also thanked the Boys & Girls Club for their neighborly cooperation in the process.

**Chief Edwards:** Nothing to report.

**Claude Tankersley:** One of the goals of the Manatee Avenue project was to help prevent flooding, and no reports of flooding have been received.

**Tim Polk:** Nothing to report.

**Bill Lisch:** Nothing to report.

There being no further business, Mayor Poston adjourned the meeting at 10:44 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.