

CITY OF BRADENTON
CITY COUNCIL MEETING
March 11, 2015
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, March 11, 2015.

Present: Mayor Wayne Poston; Councilman Ward I Gene Gallo; Vice Mayor Ward II Gene Brown; Councilman Ward III Patrick Roff; Councilman Ward IV Bemis Smith; and Councilman Ward V Harold Byrd, Jr.

City Officials: Carl Callahan, City Clerk & Treasurer/City Administrator; Capt. William Fowler, Police Department; Claude Tankersley, Public Works & Utilities Director; Chuck Edwards, Fire Chief; Tim Polk, Department of Planning & Community Development Director; and Bill Lisch, City Attorney.

The pre-meeting invocation was led by Pastor Everis Clarke of Mt. Gilead Seventh Day Adventist Church.
(The City does not endorse the religious beliefs of any speaker.)

The meeting was called to order by Mayor Poston.

The Pledge of Allegiance was led by Mayor Poston.

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

PROCLAMATIONS: None.

PRESENTATIONS: Bradenton Area Riverwalk Regatta – Mike Fetchko, President, ISM-USA, presented a video created by METV, of the February 7th event at which an estimated 80,000 onlookers gathered to watch the first-ever Formula 2 Powerboat races on the Manatee River. Mr. Fetchko said they were very enthusiastically looking forward to planning for the second annual event, and that he would return in the near future to request official approval so that all of the preparations could begin.

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

CITIZEN COMMENTS: None.

CONSENT AGENDA:

- a.) Resolution 15-06: Appointing Chief Chuck Edwards and Capt. Josh Cramer to Grievance Board.
- b) Minutes: Feb. 11 City Council meeting.
- c) Public Event: Florida Freedom Festival on June 13 at Riverwalk.
- d) Public Event: Request to close a portion of 16th Avenue West on April 4 for the Children's Easter Egg Hunt at City Life Church, 1300 17th Ave. W.
- e) Forfeiture Fund request – police equipment.

MOTION TO APPROVE CONSENT AGENDA ITEMS A-E was made by Councilman Gene Gallo, seconded by Vice Mayor Gene Brown, and approved 5:0.

BUSINESS/ADVERTISING, PETITIONS, HEARINGS AND COMMUNICATIONS

SU.15. 0076/AB.15.0138 Ward 1 Neighborhood 4.08 PUBLIC HEARING

Request of Ed Smith, agent for Charles A. Ernst, Jr., owner, to establish a lounge use and to obtain approval of a 4COP ABL at 6690 Cortez Road West. (Zoned PDP/SCC).

The Public Hearing was opened. Those in favor were requested to come forward. None came. Those in opposition were invited. None came. The Public Hearing was closed.

Tim Polk, Planning & Development Director, gave the Staff and Planning Commission recommendations for approval:

STAFF RECOMMENDATION:

APPROVAL of SU.15.0076 with the following stipulations:

1. Hours of operation will be as stated in the application: 12PM to 2AM daily.
2. No commercial cooking without a city approved hood system.
3. Fire protection system must be compliant with current codes.
4. Outdoor tables and chairs must be secured indoors overnight.
5. Outdoor seating area must be maintained and cleaned on a weekly basis.

APPROVAL of AB.15.0138 with the following stipulations:

1. Series 4-COP license to allow for on-premise consumption of beer, wine and liquor including the outdoor seating area.

PLANNING COMMISSION RECOMMENDATION (February 18, 2015):

APPROVAL of SU.15.0076 with the following stipulations:

1. Hours of operation will be as stated in the application: 12PM to 2AM daily.
2. No commercial cooking without a city approved hood system.
3. Fire protection system must be compliant with current codes.
4. Outdoor tables and chairs must be secured indoors overnight.
5. Outdoor seating area must be maintained and cleaned on a weekly basis.

APPROVAL of AB.15.0138 with the following stipulations:

1. Series 4-COP license to allow for on-premise consumption of beer, wine and liquor including the outdoor seating area.

Councilman Gallo brought up a discussion about adequate parking in such a busy area. He wanted to ensure that this was maintaining a consistent parking standard used by the Planning Department. Mr. Polk stated that it met the criteria and that Planning would monitor the parking situation to ensure there are no issues. If a problem arose, rezoning would be required. Due to staggered opening and closing times of the various establishments, no parking conflict was anticipated.

MOTION TO APPROVE SU.15.0076 was made by Councilman Roff, seconded by Councilman Byrd, and approved 5:0.

MOTION TO APPROVE AB.15.0138 was made by Councilman Byrd, seconded by Councilman Roff, and approved 5:0.

SU.15.0255 Ward 4 Neighborhood 20.03 PUBLIC HEARING

Request of Belinda Waiters, agent for Juan Curci, owner, to establish a childcare center use at 5231 4th Ave. Circle East (zoned PDP/SCC).

The Public Hearing was opened. Those in favor were requested to come forward. None came. Those in opposition were invited. None came. The Public Hearing was closed.

Tim Polk, Planning & Development Director, gave the Staff and Planning Commission recommendations for approval:

STAFF RECOMMENDATION:

APPROVAL of SU.15.0255 with the following stipulations:

1. Hours of operation as stated by the applicant: 6:30AM to 6:30PM.
2. No commercial cooking.
3. Outdoor play area shall be enclosed with a six (6) feet tall, opaque fence. Gate latch shall be out of reach of children.
4. Provide structural bollard in front of entry.
5. Structures cannot be located within any easements.

PLANNING COMMISSION RECOMMENDATION (February 18, 2015):

1. Hours of operation as stated by the applicant: 6:30AM to 6:30PM.
2. No commercial cooking.
3. Outdoor play area shall be enclosed with a six (6) feet tall, opaque fence. Gate latch shall be out of reach of children.
4. Provide structural bollard in front of entry.
5. Structures cannot be located within any easements.
6. Applicant shall provide State DCF documentation of childcare certifications to the PCD Director prior to commencement of operations.

MOTION TO APPROVE SU.15.0255 was made by Councilman Smith, seconded by Councilman Byrd, and approved 5:0.

NEW BUSINESS BY DEPARTMENT HEADS, CITY ATTORNEY, AND COUNCIL – None scheduled.

BUSINESS BY APPOINTMENT - None scheduled.

COUNCIL REPORTS

Councilman Gene Gallo, Ward I – Nothing to report.

Vice Mayor Gene Brown, Ward II – Vice Mayor Brown thanked the Bradenton Fire Department for their assistance in an issue which needed attention in a building in Ironwood; the Bradenton Police Department for their impressive solving of a theft from his business and apprehension of a criminal wanted for multiple crimes in numerous states; and the Public Works Department for keeping neighborhood parks looking so great and for the tremendous job they did at the Regatta. Lastly, Vice Mayor Brown expressed happy birthday wishes to his wife, Gina, who was celebrating her birthday today.

Councilman Patrick Roff, Ward III – Thanked everyone for their well-wishes to his wife, Barbara, who had just been released from the hospital. Councilman Roff then requested consideration of a date change for the next Council Workshop as he would be in Tallahassee for the League of Cities. It was unanimously agreed to move the date from Wednesday, March 18th to Thursday, March 19th.

Councilman Bemis Smith, Ward IV – Nothing to report.

Councilman Harold Byrd, Jr., Ward V – Councilman Byrd stated he was going to take the 3rd and last in a series of classes for elected officials this coming weekend. Its focus would be on leadership and collaboration.

Mayor Wayne Poston – Mayor Poston said that Sarasota was holding its elections this week and was expected to draw only 17% of the electorate. He said he was very glad that Bradenton had prudently changed its election cycle to coincide with other elections, thus drawing more voters and saving money.

DEPARTMENT HEAD REPORTS

Carl Callahan: Mr. Callahan said that there was a mandatory ethics requirement for Council to complete a certain number of educational hours. Council would be notified in advance of the requirement.

Mr. Callahan requested approval to make a budget adjustment to allow for the purchase of two motors for the BFD/BPD boat in conjunction with the WCIND grant that had been obtained last year.

MOTION TO APPROVE THE BUDGET ADJUSTMENT for two boat motors and all the necessary hardware was made by Councilman Gallo, seconded by Councilman Smith, and approved 5:0.

Chief Edwards: Chief Edwards said that they had collected over \$11,000 last weekend during the Muscular Dystrophy Association Boot Drive.

Capt. Fowler: Nothing to report.

Claude Tankersley, Public Works Director: Nothing to report.

Tim Polk: Nothing to report.

Bill Lisch: Nothing to report.

There being no further business, Mayor Poston adjourned the meeting at 9:02 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.