CITY OF BRADENTON
CITY COUNCIL MEETING
October 28, 2015
6:00 P.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 6:00 p.m. on Wednesday, October 28, 2015.

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

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

The pre-meeting invocation was given by **Pastor Mark Childers, Bayside Community 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.

Councilman Ward IV Bemis Smith was out with an excused absence.

PROCLAMATIONS:

Farm City Week - Nov. 12-20, 2015
The proclamation was accepted by **Ralph Garrison, Florida Farm Bureau**, and **Samantha Kennedy, Manatee County Extension Office**, who invited all to attend the numerous events to be held in the area to salute ***"Women in Agriculture,"*** the theme of 2015. The events would culminate on November 17th at a Kiwanis luncheon in Palmetto with the selection of the **Agriculturalist of the Year.** Council was given Farm City 2015 mugs and literature.

PRESENTATIONS: Florida Department of Transportation–Improvements to Intersection at 9th Ave. E. & 15th St. E.

A PowerPoint presentation was given to display the proposed roundabout which would be installed at the intersection of 9th Avenue East and 15th Street East. Two public workshops had been held with great turnout. Roundabouts had proven to reduce fatalities by 90%, with 76% less injuries and 35% less crashes. Construction was slated to begin in the spring of 2018 and would cost approximately $1 million with the right-of-way anticipated to cost $690,000. Besides increased safety, the benefits would also include reduced congestion, less delays in intersection, less consumption and pollution, less stopping and accelerating, and zero traffic light maintenance.

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

CITIZEN COMMENTS:

David Gustafson, Downtown Development Authority Executive Director, expressed his thanks and appreciation to Mayor and Council for having given him the opportunity to serve as Executive Director for the past four and a half years. He provided a summary of the many wonderful things that had been accomplished as a team to help make Bradenton even more amazing. Mayor Poston and Council thanked Mr. Gustafson in return and wished him well as he was turning a new chapter in his life and moving on to other endeavors.

Jim MacLuckey, 1212 Second Avenue East, expressed his upset with how the Bradenton Police Department had handled an attempted burglary of his home in which the offender had only been issued a trespass warning. Captain Christensen stated he would investigate the complaint further.

Joe McClash, 711 89th St. NW, questioned Resolution 13-41 passed on Sept. 11, 2013 which had changed a future land-use map defining the definition of coastal wetland areas. He felt there had been a mistake made by staff in the conservation designation. He requested that Council investigate this error and have it corrected. He submitted his renderings to the City Administrator.

Sara Hand, founder of Spark Growth Sarasota-Bradenton, extended a personal invitation to Council to attend the **3.0 Leaders Conference** on February 17-19, 2016, at the Manatee Performing Arts Center. Renowned leaders from around the world would be present to share cutting edge technological ideas and advancements.

CONSENT AGENDA:
A. Minutes: Sept. 23 City Council meeting.
B. Minutes: Oct. 21 City Council special meeting.
C. Public Event: Addendum to event permit for the Farmers' Market.
D. Joinder and Consent from the City to Manatee County for the Force Main 1D project.
E. Resolution 15-41: Supporting the Healthiest Weight Florida Initiative.
F. Ware's Creek – Services Agreement.

City Attorney, Bill Lisch, stated that the minutes of September 23, 2015 needed to be amended on Page 6, as the Public Hearing for the **Villages at Riverwalk** had not been closed, but had instead been continued to Oct. 14th.

MOTION TO APPROVE Consent Agenda Items A-F with the correction to the minutes of September 23rd was made by Vice Mayor Brown, seconded by Councilman Byrd, and approved 4:0. *(Councilman Smith was excused.)*

BUSINESS/ADVERTISING, PETITIONS, HEARINGS AND COMMUNICATIONS

ORDINANCE 2971 SECOND READING AND PUBLIC HEARING
AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, PERTAINING TO PROPERTIES LOCATED AT 1205 AND 1219 2ND AVENUE EAST, BRADENTON, MAKING CERTAIN FINDINGS OF FACT; PROVIDING FOR AMENDMENT TO THE CITY OF BRADENTON COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT/FUTURE LAND USE MAP (SMALL SCALE COMPREHENSIVE LAND USE PLAN AMENDMENT CP.15.3381) CHANGING THE FUTURE LAND USE DESIGNATION FROM RESIDENTIAL MEDIUM DENSITY (UP TO 10 DU/AC) TO URBAN VILLAGE; PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

The Public Hearing was opened. Those in favor were asked to come forward.

Rachel Layton, ZNS Engineering, applicant, requested approval of the amendment to conform to the density granted under the previous comprehensive plan on the remaining 2.8 acres of the proposed development.

Those opposed were asked to come forward. None came. The Public Hearing was closed.

Tim Polk gave the Staff and Planning Commission recommendations for approval:
STAFF RECOMMENDATION:

APPROVAL of CP.15.3381 based on the Findings of Fact and Analysis of the proposed Small Scale Comprehensive Land Use Plan Amendment with the following stipulation:

1. Reimburse the City for all advertising costs required for the application.

PLANNING COMMISSION RECOMMENDATION (September 16, 2015):

APPROVAL of CP.15.3381 with the following stipulation:

1. Reimburse the City for all advertising costs required for the application.

MOTION TO APPROVE ORDINANCE 2971 with one stipulation was made by Councilman Gallo, seconded by Vice Mayor Brown, and approved 4:0. *(Councilman Smith was excused.)*

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

BUSINESS BY APPOINTMENT - None scheduled.

COUNCIL REPORTS

Councilman Gene Gallo, Ward I – Offered a belated happy birthday wish to City Administrator, Carl Callahan, who celebrated his birthday yesterday. Councilman Gallo congratulated Vice Mayor Brown for having successfully acquired a Jumbotron for the Joe Kinnan Field at Manatee High School.

Vice Mayor Gene Brown, Ward II – Vice Mayor Brown said the Jumbotron had been the culmination of a wonderful collaboration among many partners. He said Bradenton is the first city in the area with a high school that has one; it will promote the efforts of the teams and enhance the enjoyment of the fans. Mr. Brown congratulated Councilman Roff on being named as chairman of the Metropolitan Planning Organization.

Councilman Patrick Roff, Ward III – Mr. Roff said he had attended a Manatee County Chamber of Commerce meeting this morning which brought forth some concerns about new 50/50 live/work legislation which would potentially create difficulty for the Village of the Arts. He said he would request Planning to look into it.

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

Mayor Wayne Poston – Mayor Poston said the City's Enterprise Zone Board had had its last meeting due to legislation, but funding for businesses could be available until the end of December.

DEPARTMENT HEAD REPORTS

Carl Callahan: Nothing to report.

Chief Edwards: Nothing to report.

Captain Christensen: Nothing to report.

Claude Tankersley: Nothing to report.

Tim Polk: Nothing to report.

Bill Lisch: Nothing to report.

There being no further business, Mayor Poston adjourned the meeting at 6:53 p.m.

By request of Councilman Gallo, the meeting was reopened at 6:54 p.m.

Mr. Gallo stated that the agreement from WCI for the purchase of the land at Evers Reservoir had been received. He felt strongly that it was considerably under the value he felt should be accepted. He proposed that the agreement should be rejected and the bidding reopened to acquire the maximum remuneration possible.

Mr. Callahan reviewed the process from its beginning in February when Letters of Intent had generated six bidders. Discussions had been held with Manatee County as it would be the final approver of any developments. In June, Council had looked at the top three bidders and had selected WCI to begin negotiations with. It had taken longer than expected for the details of the agreement to be reviewed and approved by legal, and the contract had just been finalized for consideration.

Councilman Byrd said he felt the contract should have been an agenda item. Mr. Roff and Mr. Brown agreed. Mr. Callahan said that Bill Lisch had been requested to bring the contract back to Council as soon as possible following his review, so it hadn't necessarily needed to be an agenda item. Mayor Poston stated that the credibility of the City to honor its agreements could be damaged by continual vacillation. It was recommended to hold a special meeting to address the contract. Councilman Gallo strongly disagreed. The Special Meeting was scheduled for Wednesday, November 4, 2015 at 9:00 a.m. to set the matter to rest in a timely manner.

The meeting was adjourned at 7:31 p.m.

NOTE: This is not a verbatim record. An audio CD or DVD recording of the meeting is available for a fee upon request.