CITY OF BRADENTON
CITY COUNCIL MEETING
April 10, 2013
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, April 10, 2013.

Present: Mayor Wayne Poston; Vice Mayor/Councilman Ward 1 Gene Gallo; Councilman 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/Chief of Staff; Michael Radzilowski, Police Chief; Claude Tankersley, Public Works Director; William Lisch, City Attorney; Chuck Edwards, Fire Chief; and Tim Polk, Department of Planning & Community Development Director.

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

The Pledge of Allegiance was led by Mayor Poston.

The meeting was called to order by Mayor Poston.

PROCLAMATIONS:

Child Abuse Prevention Month – April 2013 The proclamation was accepted by Connie Shingledecker of Healthy Families Florida on behalf of Prevent Child Abuse Florida, the Florida Department of Children and Families, and the Manatee County Child Protective Investigators and Detectives.

Military Family & Community Covenant Day – April 17, 2013

PowerTalk 21 Day – April 21, 2013 The proclamation was accepted by Monica Johnson, Mothers Against Drunk Driving, Florida Suncoast Region. April 21st has been deemed a national day to promote discussions between parents and teens about the danger of alcohol use. Free "Power of Parents" workshops and handbooks are being offered to aid parents in these conversations. Ms. Johnson also offered thanks to Nationwide Insurance for sponsoring the workshops, and to Brighthouse Networks, the Manatee County Substance Abuse Coalition, the Manatee County Youth Commission, the Bradenton Police, and the Alcohol Task Force. She also invited all to attend the "Let's Talk" event on April 30th at Pirate City.

PRESENTATIONS: None.

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) Minutes: March 27 City Council meeting.
b) MB.13.00074 One-year extension of time/Tropicana Manufacturing Co.
c) Request from Police Department to use forfeiture funds to buy SWAT Team ballistic vest replacements.
d) Resolution 13-14: Appointing Xena Vallone to the Code Enforcement Board.
e) Resolution 13-15: Appointing Rachel Whitcomb Layton to the Architectural Review Board.
f) Public Event: Walk for Life 5K run/walk on Sept. 28, 2013, over the Green Bridge.
g) Public Event: Southeastern Guide Dogs Walkathon on Saturday, March 15, 2014, at Riverwalk.

MOTION TO APPROVE CONSENT AGENDA items A-G was made by Councilman Byrd, seconded by Councilman Smith, and approved 5:0.

Discussion about whether or not it was inconsistent to allow the Farmers' Market to take place in the Village of the Arts for one day while historically prohibiting other such types of sales events from being held on city streets. As the Village was a special overlay district, it was deemed an exception which would not set precedent.

MOTION TO APPROVE ITEM J was made by Councilman Roff, seconded by Vice-Mayor/Councilman Gallo, and approved 4:0. (Councilman Byrd was excused.)

BUSINESS/ADVERTISING, PETITIONS, HEARINGS AND COMMUNICATIONS

SA.13.00024 WARD 3 NEIGHBORHOOD 1.01 PUBLIC HEARING

Request of Peter Rodewald, agent for First Baptist Church Bradenton, owner, for special use amendment to expand the existing on-site day care located at 1306 Manatee Avenue West (zoned T5).

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

Peter Rodewald, agent, First Baptist Church, restated that the church would like to open a Monday-Friday day care facility using the existing buildings they currently own.

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

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

STAFF RECOMMENDATION: APPROVAL with the following stipulations:

1. Day care facility to accommodate a maximum of fifty-five (55) children.
2. Hours of operation: 6AM to 6PM daily.

PLANNING COMMISSION RECOMMENDATION (March 20, 2013): APPROVAL with the following stipulation:

1. Day care facility to accommodate a maximum of fifty-five (55) children.
2. ~~Hours of operation: 6AM to 6PM daily~~.

MOTION TO APPROVE SU.13.0002 WITH RECOMMENDED STIPULATIONS was made by Councilman Roff, seconded by Councilman Brown, and approved 5:0.

ORDINANCE 2948 FIRST READING

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR TEXT AMENDMENTS TO THE CITY OF BRADENTON FORM-BASED CODE INCLUDING MODIFICATIONS TO PRE-APPLICATION PROCESS, WAIVER/ADJUSTMENT PROCESS AND CRITERIA; DEFINITION OF TERMS; PROVIDING FOR INCLUSION OF HISTORIC, ANTIQUE, AND VILLAGE OF THE ARTS DISTRICTS; PROVIDING FOR CORRECTION OF TYPOGRAPHICAL ERRORS; AND PROVIDING AN EFFECTIVE DATE.

MOTION TO APPROVE THE FIRST READING OF ORDINANCE 2948 AND SET THE SECOND READING AND PUBLIC HEARING FOR APRIL 24, 2013, was made by Councilman Roff, seconded by Councilman Smith, and approved 5:0.

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

Claude Tankersley, Director of Public Works & Utilities

The City of Bradenton has set the standard for the entire world by using experimental new equipment for arsenic pre-treatment for potable water in ASR wells. To forward that purpose, Southwest Florida Water Management District has agreed to pay all costs for the City to obtain and use the second generation of modified equipment. Normally, SWFWMD

would pay half and the city the other half. It was being requested that the Mayor be authorized to sign the necessary agreement to accept full funding from SWFWMD.

The Mayor stated that this has been a very innovative, safe, and successful process which has set a standard for the state of Florida.

Councilman Smith noted that the Peace River group, composed of Charlotte, DeSoto, Sarasota, & Manatee counties, has been very progressive in the care of ASR wells & reservoirs. Because of such coordination in the area, including between the City of Bradenton and Manatee County, it's been possible to conserve waters and maintain a safe and sufficient water supply.

A MOTION TO AUTHORIZE MAYOR POSTON TO SIGN THE AGREEMENT WITH SWFWMD WAS MADE BY Councilman Smith, seconded by Councilman Byrd, and approved 5:0.

BUSINESS BY APPOINTMENT - None scheduled.

COUNCIL REPORTS

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

Councilman Gene Brown, Ward II: Reported that he had walked down to the Hernando DeSoto Historical Society Seafood Fest and the Riverwalk with another couple who had moved away from Bradenton and, due to the development of the park, were now moving back. He said the Seafood Fest had been unbelievably well-attended on Friday night.

Councilman Patrick Roff, Ward III: Said that on April 3rd, he had attended a reception hosted by USF for the new presidents of the State College of Florida and New College of Florida. He said it had been exciting to see the collaboration between the local educational facilities, thus making our area education-rich.

Councilman Roff announced that the bi-annual Ware's Creek clean-up would be held on Saturday, April 20th. Refreshments and cleaning supplies would be supplied.

Lastly, he said that Chief Radzilowski's emphasis to clamp down on the sale of synthetic drugs would be appreciated in the Village of the Arts.

Councilman Bemis Smith, Ward IV: Nothing to report.

Councilman Harold Byrd, Jr., Ward V: Reiterated Councilman Brown's sentiments, that he, too, has heard many comments from people very impressed with all the progress and developments in the city and surrounding areas.

He also announced that the Ribfest would be held on April 12-14 at the Manatee County fairgrounds and would include great entertainment. All proceeds go to the United Centers, including the 13th Avenue Dream Center in Bradenton.

Mayor Wayne Poston: Mayor Poston said he had never seen as many people downtown as he had on Saturday night at the Seafood Fest. As the crowd flowed over to Old Main Street after the concert, the police closed the street for safety, and all had been a big success.

He also reported that there had been a big turnout for the Marauders opening at McKechnie Field and the new fan deck had been very much being enjoyed.

DEPARTMENT HEADS

Carl Callahan: Thanked Council and Claude Tankersley for their support of the on-street parking on Manatee Avenue. It has been well-used and has worked out well.

He also said that two abandoned homes on Ware's Creek were undergoing asbestos removal and demolition, which would result in a good improvement for the area.

Mayor Poston agreed that the parallel parking on Manatee Avenue had been a wonderful improvement. The increased ease and safety has opened the area to many who formerly were prohibited from coming downtown.

Chief Edwards: Announced that the Fire Department's Muscular Dystrophy Boot Drive would be held this weekend, April 12-14, from 9:00 a.m. – 1:00 p.m. on 1st Street and Manatee Avenue

Chief Radzilowski: Nothing to report.

Claude Tankersley: Told everyone that Manatee County Area Transit would be holding continuing workshops to discuss improvements to public transit. At the first workshop, the need for a downtown circulator had been met with much agreement. He encouraged everyone to attend one of the future workshops to let their voices be heard.

In response to a question from Vice Mayor/Councilman Gallo, Mr. Tankersley gave an update on the Palma Sola boat launch which included a recommendation to lower the heights of the two existing docks. He also agreed to discuss with the County the possibility of adding a third dock and ramp as requested by Vice Mayor/Councilman Gallo who has noted the intensity of use.

Tim Polk: Stated Staff had met with Clerk of Court, Chip Shore, regarding the landscaping at Courthouse Square. It will begin in June, be completed in September, and be a fantastic enhancement to the Artisan Avenue corridor.

Bill Lisch: Nothing to report.

There being no further business, Mayor Poston adjourned the meeting at 9:11 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.