

CITY OF BRADENTON
CITY COUNCIL MEETING
May 22, 2013
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, May 22, 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; David Ezell, Asst. Fire Chief; and Tim Polk, Department of Planning & Community Development Director.

The Pledge of Allegiance was led by Harold Bridges and Jim Williamson.

The meeting was called to order by Mayor Poston.

Chuck Edwards, Fire Chief, was out with an excused absence.

PROCLAMATIONS:

Harold Bridges Day – May 22, 2013

Jim Williamson Day – May 22, 2013

Many words of thanks and appreciation were expressed by numerous people to Harold Bridges and Jim Williamson for their decades of service as engineers who had helped develop the infrastructure of the City.

PRESENTATIONS: None. A planned presentation by Johnette Isham of Realize Bradenton was withdrawn.

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: April 24 City Council Meeting
- b) Minutes: May 8 City Council Meeting
- c) Public Event: Girl Scout Bridging Ceremony on May 29 at Riverwalk
- d) Request to authorize the Mayor to execute a contract with Mega Waters Inc. for upgrades to the City's ASR degasification system.

MOTION TO APPROVE CONSENT AGENDA Items A-D was made by Councilman Smith, seconded by Vice Mayor/Councilman Gallo, and approved 5:0.

BUSINESS/ADVERTISING, PETITIONS, HEARINGS AND COMMUNICATIONS

ORDINANCE 2949

SECOND READING & PUBLIC HEARING

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA, AMENDING CHAPTER 54, ARTICLE IV, IMPOUNDMENT OF A MOTOR VEHICLE BY REPEALING SUCH ARTICLE IV IN ITS ENTIRETY AND ADOPTING A NEW ARTICLE IV RELATING TO IMPOUNDMENT OF MOTOR VEHICLES USED TO FACILITATE CERTAIN CRIMES INCLUDING PROSTITUTION ASSIGNATION, LEWDNESS OR SOLICITATION OF SAME OR UNNATURAL OR LASCIVIOUS ACTS OR EXPOSURE OF SEXUAL ORGANS OR CONTAINING A CONTROLLED SUBSTANCE AS DEFINED IN FLORIDA STATUTE 893.02 AND 893.03 OR COMMISSION OF ANY VIOLATION OF CHAPTER 893 OF THE FLORIDA STATUTES AS AMENDED;

PROVIDING FOR DEFINITIONS; PROVIDING FOR EXCEPTIONS, PROVIDING PROCEDURES; PROVIDING FOR PRELIMINARY HEARING AND ADMINISTRATIVE PENALTIES; PROVIDING ADMINISTRATIVE FINES AND FINAL HEARINGS; PROVIDING FOR POSSIBLE SETTLEMENTS; PROVIDING FOR APPEALS; PROVIDING AN EFFECTIVE DATE.

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

City Attorney, Bill Lisch, stated that the ordinance had been drafted in keeping with the court decisions which had been made regarding challenged ordinances of other municipalities.

Councilman Roff asked if the owner of the vehicle had to be present and Bill Lisch stated that the owner did need to be present and in control of the vehicle.

MOTION TO APPROVE ORDINANCE 2949 was made by Councilman Byrd, seconded by Councilman Smith, and approved 5:0.

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

Bill Lisch, City Attorney

RESOLUTION 13-19: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA, RELATING TO CITY COUNCIL MEETINGS BY CODIFYING ITS POLICY REGARDING INVOCATIONS BEFORE MEETINGS OF THE BRADENTON CITY COUNCIL; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE.

Bill Lisch reported that he had reviewed a court case which had been brought against the City of Lakeland for having invocations before business meetings. The Federal Court had decided in favor of Lakeland. The court had stated that invocations could be done if certain criteria were met such as having a formal procedure for getting on the invocation list, providing disclaimers that people did not have to pray, and not having the invocation as part of the official agenda.

MOTION TO APPROVE RESOLUTION 13-19 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: Stated that with summer weather, horses had returned to the Causeway. On Saturday, Code Enforcement officers would be checking the businesses to ensure they have business licenses.

Councilman Gene Brown, Ward II: Nothing to report.

Councilman Patrick Roff, Ward III: Two houses in Ballard Park had been demolished and the area was much improved due to that. In addition, two other properties had been claimed by Ozark Bank which would utilize the properties to build an office.

Councilman Bemis Smith, Ward IV: Introduced **Ethan Lecter**, a 9th grader from St. Stephen's Episcopal School, who was interested in government administration and elected office. Ethan had spent the week with personnel from several departments to learn how the City works.

Councilman Smith also expressed his thanks to Harold Bridges and Jim Williamson for everything they've done.

Councilman Harold Byrd, Jr., Ward V: Stated he had been working with one of the neighborhood groups to create a crime watch system. In addition, Councilman Byrd urged that the use of a Nuisance Abatement Board to look at abandoned and/or deplorable houses which posed safety hazards should be revisited.

Mayor Wayne Poston: Mayor Poston said that he had just returned from Rogers Elementary where he had participated in the "Let's Be Safe" program, an excellent training program promoting stranger awareness and abduction prevention. With the economic problems of the school system, the program would not be funded next year, so community funding may need to be obtained to continue to provide this important training information.

Mayor Poston also wished everyone a safe and sane Memorial Day weekend.

DEPARTMENT HEADS

Carl Callahan: Expressed his thanks and appreciation to Mr. Bridges and Mr. Williamson.

Deputy Chief Ezell: Nothing to report.

Chief Radzilowski: Nothing to report.

Claude Tankersley: Said that Mr. Edmunds of Jones Edmunds had not only come to participate in the honors today, but had also lent his expertise in a recent pipe rupture. Mr. Tankersley thanked everyone for the opportunity to honor Harold and Jim today.

Tim Polk: Nothing to report.

Bill Lisch: Added that Harold Bridges and Jim Williamson not only engineer projects, they take ownership of the projects and great pride in what they do to see the City prosper.

There being no further business, Mayor Poston adjourned the meeting at 6:38 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.