

CITY OF BRADENTON
CITY COUNCIL MEETING
June 26, 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, June 26, 2013.

Present: Mayor Wayne Poston; Vice Mayor/Councilman Ward 1 Gene Gallo; Councilman Ward II Gene Brown; Councilman Ward III Patrick Roff; and Councilman Ward V Harold Byrd, Jr.

City Officials: Carl Callahan, City Clerk & Treasurer/Chief of Staff; Michael Radzilowski, Police Chief; David Beauchamp, Asst. Public Works Director; William Lisch, City Attorney; Chuck Edwards, Fire Chief; and Tim Polk, Department of Planning & Community Development Director.

The meeting was called to order by Mayor Poston.

The invocation was given by Fire Department Chaplain and Kingdom Life Church Pastor Paul Ewers.

The Pledge of Allegiance was led by Mayor Poston.

Councilman Ward IV Bemis Smith and Public Works Director, Claude Tankersley, were out with excused absences.

PROCLAMATIONS: None.

PRESENTATIONS:

Chief Michael Radzilowski - Rocky Pomerance Law Enforcement Excellence in Policing Award

Chief Radzilowski presented the Rocky Pomerance Law Enforcement Excellence in Policing Award to Mayor Poston which, on June 19th, had been awarded to the City of Bradenton by the Florida Police Chiefs' Association for the Neighborhood Liaison Communication Project, headed by Tami Spyker. The program had resulted in a reduction in crime, an increase in home sales, and a superb working collaboration between the participants and the police department. Mayor Poston expanded that, in the targeted areas, crime was down by 28.8%, business was up by 17.7%, and housing sales were up by 41%.

Representative Jim Boyd – Legislative Wrap-Up

Rep. Boyd congratulated everyone on receipt of such a distinguished policing award and expressed his pride in serving the community. He then summarized the actions of the state legislature and said that Florida was on the rebound, with Manatee County leading much of the progress. Three years ago, the state had been facing a shortage of \$6 billion and had had to make some hard economic decisions. This year, there was a small surplus, some of which had been used to pay down some debt, some had gone into reserves, and some had gone toward important projects like beach nourishment, roads, and economic incentives like IMG and the Benderson facility.

In addition, emphasis had been placed on expediting efficiency in government and in eliminating much of the red tape for families and businesses.

Rep. Boyd reported that he had also acted as the Chairman of the Elections in Ethics & Campaign Finance Committee which had passed sweeping election reforms.

Rep. Boyd and Senator Galvano had worked together in support of a manufacturing bill which shortened the approval process to 60 days for new businesses and adopted a more sensible policy to allow for minor changes being made within the footprint of established businesses rather than making them go back through the entire approval process. Manatee County was going to be the first county to adopt and employ the ordinance.

Finally, he stated that 330,000 private sector jobs had been created in the past three years.

Rep. Boyd encouraged the Mayor and Council to contact him if he could be of further service to Bradenton.

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

CITIZEN COMMENTS:

Adam Verona, occupant of a boat moored in the Manatee River, came forward to take issue with an article printed in the Bradenton Herald on June 14th about the live-aboard individuals and to defend that lifestyle.

CONSENT AGENDA:

- a) MB.13.00075: One-year extension of time; Minto-Hayden Lake, 12300 Manatee Ave. W.
- b) Minutes: June 12 City Council meeting.
- c) PBA contract.
- d) Public Event: Canes Cross Country Classic 5K on Sept. 2 at GT Bray Park.
- e) Public Event: Vintage Porsche display at Riverwalk on Jan. 11, 2014.
- f) Resolution 13-26: Single-family home rehabilitation contract.
- g) Resolution 13-27: Authorizing appointed members of City staff to serve as the Clerk to the Local Hearing Officer of the Traffic Safety Program.
- h) Resolution 13-28: Appointing Thomas Denslow to the Central CRA.
- i) Resolution 13-29: Reappointing John Mantone to the Fire Pension Board.
- j) Bradenton Police Department Forfeiture Fund expenditure request – business watch program.
- k) Bradenton Police Department Forfeiture Fund expenditure request – fitness room equipment.
- l) Bradenton Fire Department request to donate Engine 21 to Manatee Technical Institute's training program.
- m) Authorizing the Mayor to execute renewal of SWFWMD contract to close out Braden River Watershed Management Program Agreement.

MOTION TO APPROVE CONSENT AGENDA Items A-M was made by Vice Mayor/Councilman Gallo, seconded by Councilman Byrd, and approved 4:0.

Carl Callahan expanded on the work that had gone on behind the scenes in collective bargaining sessions to come to agreement on the PBA contract (Item C) which had been the first contract to be finalized after State law had changed regarding sick and vacation hours. As pensions continue to be challenging to fund, terms and conditions have needed to be altered. He thanked everyone for their cooperation in making necessary adjustments.

BUSINESS/ADVERTISING, PETITIONS, HEARINGS AND COMMUNICATIONS

ORDINANCE 2950 LU.13.00052 TEXT AMENDMENT FIRST READING

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRADENTON AMENDING THE CITY LAND USE REGULATIONS SECTIONS 3.4.3-FLOOD ZONE AND THOSE PORTIONS OF CHAPTER 10-DEFINITION AS THEY RELATE TO FLOOD ZONES AND SPECIAL FLOOD HAZARD AREAS. TO REPEAL REGULATIONS OF SECTION 3.4.3-FLOOD ZONE; TO ADOPT NEW FLOOD ZONE REGULATIONS TO BE TITLED FLOODPLAIN MANAGEMENT IN APPENDIX A OF THE LAND USE REGULATIONS; TO ADOPT FLOOD HAZARD MAPS, TO DESIGNATE A FLOODPLAIN ADMINISTRATOR, TO ADOPT PROCEDURES AND CRITERIA FOR DEVELOPMENT IN FLOOD HAZARD AREAS, AND FOR OTHER PURPOSES; TO ADOPT LOCAL ADMINISTRATIVE AMENDMENTS TO THE FLORIDA BUILDING CODE; PROVIDING FOR APPLICABILITY; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

MOTION TO APPROVE THE FIRST READING OF ORDINANCE 2950 AND SET THE SECOND READING AND PUBLIC HEARING FOR JULY 17, 2013 was made by Councilman Byrd, seconded by Councilman Roff, and approved 4:0.

ORDINANCE NO. 2951

FIRST

READING

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, AMENDING PART 1, CHARTER AND RELATED LAWS, SUBPART B, RELATED LAWS, ARTICLE III, FIREFIGHTERS' RETIREMENT SYSTEM, OF THE CODE OF ORDINANCES OF THE CITY OF BRADENTON, FLORIDA; AMENDING SECTION 1, DEFINITIONS; AMENDING SECTION 4, FINANCES AND FUND MANAGEMENT; AMENDING SECTION 15, MAXIMUM PENSION; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.

MOTION TO APPROVE THE FIRST READING OF ORDINANCE 2951 AND SET THE SECOND READING AND PUBLIC HEARING FOR JULY 17, 2013 was made by Councilman Byrd, seconded by Councilman Roff, and approved 4:0.

RV.13.00029 WARD 4 NEIGHBORHOOD 7.03

PUBLIC HEARING

Request of City of Bradenton, owner, for a Right-of-Way Vacation Permit to vacate the platted alley at 720 Manatee Avenue West (zoned T6).

RESOLUTION 13-20

PUBLIC HEARING

A RESOLUTION PURSUANT TO SECTION 2.2.7, CITY LAND USE REGULATIONS, RIGHT-OF-WAY VACATION OF A 20 FOOT WIDE ALLEY LOCATED AT 720 MANATEE AVENUE WEST.

The Public Hearing was opened. Those 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.

Tim Polk gave the Staff and Planning Commission recommendations for approval.

STAFF RECOMMENDATION:

APPROVAL of RV.13.00029 with the following stipulation:

1. The 20' x 180' vacated portion of the property must remain accessible as a utility easement for public and private utilities.

PLANNING COMMISSION RECOMMENDATION (June 19, 2013):

APPROVAL of RV.13.00029 with the following stipulation:

1. The 20' x 180' vacated portion of the property must remain accessible as utility easement for public and private utilities.

MOTION TO APPROVE RESOLUTION 13-20 was made by Vice Mayor/Councilman Gallo, seconded by Councilman Byrd, and approved 4:0.

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

2013 JUSTICE ASSISTANCE GRANT PLAN

PUBLIC HEARING

The Department of Justice allocated \$26,435 of federal funding to be used for law enforcement purposes. The Bradenton Police Department has prioritized its needs and recommended use of funds based upon grant eligibility and DOJ priorities for use of funding. The public is welcome to comment on the plan, which is currently available on the City's website and at City Hall and the police station.

The Public Hearing was opened. Those 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.

Carl Callahan said that comment would continue to be accepted up to July 9, 2013.

MOTION TO APPROVE the 2013 JUSTICE ASSISTANCE GRANT PLAN was made by Councilman Brown, seconded by Councilman Roff, and approved 4:0.

BUSINESS BY APPOINTMENT - None scheduled.

COUNCIL REPORTS

Vice Mayor/Councilman Gene Gallo, Ward I: Thanked everyone for their cards and prayers following his recent accident. Special acknowledgement went to the three retired firefighters who had come to Georgia to help him get home.

Councilman Gene Brown, Ward II: Expressed his thanks and appreciation to Chief Radzilowski and Tami Spyker for the excellent work they do for community. He said he was proud to have just witnessed his first swearing-in of new police officers and the advancement of current personnel and offered congratulations to all.

Councilman Patrick Roff, Ward III: Had just returned from a trip to Buffalo, New York, where he had been very impressed with their revitalization efforts. Upon returning to town, he saw that an eyesore on Tamiami Trail had been demolished. He said that Bradenton is on the right track as rehab begins with demolition.

He also noted an article in the newspaper stating that the City of Sarasota was going to adopt Form Based Code for a cost of \$1 million. Bradenton had done so for \$200,000.

Councilman Harold Byrd, Jr., Ward V: Councilman Byrd welcomed back Vice Mayor/Councilman Gallo, and offered his condolences to the family of Rev. Edward Leftwich, Jr.

Mayor Wayne Poston: Wished everyone a happy and safe Independence Day and reminded all that the Marauders would have fireworks following their game on July 2nd.

DEPARTMENT HEADS

Carl Callahan: Nothing to report.

Chief Edwards: Nothing to report.

Chief Radzilowski: Reiterated the Mayor's wishes for a safe holiday.

Dave Beauchamp: Reported that the railroad crossing replacement on 6th Avenue East is on scheduled to be completed by the 4th of July holiday. In response to Councilman's Roff inquiry, said the 12th Avenue Bridge reconstruction would be done very soon.

Tim Polk: Nothing to report.

Bill Lisch: Welcomed back Vice Mayor/Councilman Gallo. Also informed everyone that State law required that a hearing officer be appointed for the Red Light Camera program. He recommended Alan Prather.

MOTION TO APPOINT Alan Prather as the Red Light Hearing Officer was made by Councilman Brown, seconded by Councilman Roff, and approved 4:0.

Lastly, Mr. Lisch congratulated Manatee County resident, Nik Wallenda, on his historic high wire walk over the Grand Canyon.

There being no further business, Mayor Poston adjourned the meeting at 6:35 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.