CITY OF BRADENTON
CITY COUNCIL MEETING
March 13, 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, March 13, 2013.

Present: Mayor Wayne Poston; Vice Mayor/Councilman 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; Keith Davis, Deputy 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 Councilman Harold Byrd, Jr.

The Pledge of Allegiance was led by Mayor Poston.

The meeting was called to order by Mayor Poston.

PROCLAMATION: Water Conservation Month – April 2013

The proclamation was accepted by Claude Tankersley, Public Works Director, on behalf of Tara Poulton, SWFMD, who was unable to attend. Mr. Tankersley reminded everyone that we were still in the 8th or 9th year of below-record rainfall and urged continued conservation of this precious resource.

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:

Public Event: Lucky Ducky race for PACE on May 11 at Riverwalk.

MOTION TO APPROVE THE CONSENT AGENDA item was made by Councilman Byrd, seconded by Councilman Brown, and approved 5:0.

BUSINESS/ADVERTISING, PETITIONS, HEARINGS AND COMMUNICATIONS

SU.13.00100 WARD 3 NEIGHBORHOOD 1.01
Request of Matt Coates, agent for John DeLesline, owner, for special use approval of a lounge located at 436 12th Street West (zoned T5).

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

Matt Coates stepped forward to request approval from Council.

The Public Hearing was opened to those in opposition. None came forward.

Tim Polk gave the Staff and Planning Commission recommendation for approval with the following stipulations:

STAFF RECOMMENDATION:
APPROVAL of SU.13.00100 with the following stipulations:

1. Hours of operations: 11AM to 2AM daily.
2. No commercial cooking.
3. Outdoor seating area must be maintained and cleaned on a weekly basis.
4. Must meet all Life Safety codes and maintain minimum 6 feet clear access between building and outdoor tables/chairs on right of way.

PLANNING COMMISSION RECOMMENDATION (February 20, 2013):
APPROVAL (6 in favor, 1 opposed) of SU.13.00100 with the following stipulations:

1. Hours of operations: 11AM to 2AM daily.
2. No commercial cooking.
3. Outdoor seating area must be maintained and cleaned on a weekly basis.
4. Must meet all Life Safety codes and maintain minimum 6 feet clear access between building and outdoor tables/chairs on right of way.

MOTION TO APPROVE SU.13.00100 WARD 3 NEIGHBORHOOD 1.01 with the recommended stipulations was made by Councilman Roff, seconded by Councilman Smith, and approved 5:0.

AB.13.00024 WARD 3 NEIGHBORHOOD 1.01
Request of Matt Coates, agent for John DeLesline, owner, for a 4-COP alcohol beverage license to be used in conjunction with a lounge located at 436 12th Street West (zoned T5).

The Public Hearing was closed.

Councilman Roff expressed his opinion that the piano bar would be a nice addition to the area and would draw a different type of clientele.

MOTION TO APPROVE AB.13.00024 WARD 3 NEIGHBORHOOD 1.01 with the recommended stipulations was made by Councilman Roff, seconded by Councilman Smith, and approved 5:0.

ORDINANCE 2946 FIRST READING
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA, ADDING A SECTION 18-243 TO THE CODE OF ORDINANCES OF THE CITY OF BRADENTON BY PROVIDING FOR THE ADOPTION OF RULES AND REGULATIONS PERTAINING TO THE CLEAN UP AND ABATEMENT OF PUBLIC HEALTH HAZARDS RESULTING FROM CLANDESTINE DRUG LAB SITES OR ASSOCIATED DUMPSITE; PROVIDING FOR DEFINITIONS; PROVIDING FOR ADMINISTRATION; PROVIDING FOR OWNER'S RESPONSIBILITY AND COLLECTION OF COSTS; PROVIDING FOR CLEANUP STANDARDS; PROVIDING FOR CERTIFIED LABARATORY TESTING; PROVIDING FOR RECOVERY OF CITY COSTS; PROVIDING FOR DISCLOSURE; PROVIDING FOR APPEALS; PROVIDING AN EFFECTIVE DATE.

MOTION TO APPROVE THE FIRST READING OF ORDINANCE 2946 AND SET THE SECOND READING AND PUBLIC HEARING for March 27, 2013, was made by Councilman Byrd, seconded by Councilman Roff, and approved 5:0.

ORDINANCE 2947 FIRST READING
AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, CREATING A NEW SECTION 62-80, OF CHAPTER 62 OF THE CODE OF ORDINANCES OF THE CITY OF BRADENTON, FLORIDA, FOR THE PURPOSE OF ESTABLISHING REGULATIONS RELATING TO THE LOCATION AND DESIGN OF PRIVATE ROADS; ESTABLISHING MINIMUM STANDARDS AND SPECIFICATIONS TO CONSTRUCT PRIVATE ROADS; ESTABLISHING REVIEW AND APPROVAL PROCEDURES FOR PRIVATE ROADS; ESTABLISHING POLICIES FOR THE DEDICATION OF PRIVATE ROADS TO PUBLIC OWNERSHIP; PROVIDING FOR DEFINITIONS; PROVIDING FOR PROCEDURES; PROVIDING FOR VARIANCES; PROVIDING FOR PENALTY FOR VIOLATIONS; PROVIDING AN EFFECTIVE DATE.

MOTION TO APPROVE THE FIRST READING OF ORDINANCE 2947 AND SET THE SECOND READING AND PUBLIC HEARING for March 27, 2013, was made by Councilman Byrd, seconded by Councilman Brown, and approved 5:0.

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

BUSINESS BY APPOINTMENT - None scheduled.

COUNCIL REPORTS

Vice Mayor/Councilman Gene Gallo, Ward I: Offered condolences to the Dan Molter family in the loss of a son and to the family of Bradenton firefighter, Tim Geer, in the loss of his father.

Councilman Gene Brown, Ward II: Also offered his sympathies to the families.

Councilman Patrick Roff, Ward III: Reported that the trip to Washington D.C. with the Florida League of Cities had been primarily focused on two issues: (1.) In light of sequestration, request the legislature to leave municipal bonds alone and (2.) begin to collect online sales tax

Councilman Bemis Smith, Ward IV: Extended his condolences also.

Councilman Harold Byrd, Ward V: Offered his hope for comfort to the bereaved families. Also expressed his appreciation and thanks to the Bradenton Police Department for the excellent work in reducing crime in the 12th Ave. West area. The citizens have been very pleased.

Mayor Wayne Poston: Offered his thanks to Council for the teamwork and success that they have enjoyed in bringing the city forward in spite of a limping economy and he cited several success stories: McKechnie Field renovation, creation of Riverwalk, remodeling of the Pink Hotel, the new bus transfer station, and the dredging of Ware's Creek.

DEPARTMENT HEADS

Carl Callahan: Announced that the Utility Billing Department has been transitioned to MUNIS, the new software program. It has been a difficult situation and will continue to be for some time. He commended the staff for their hard work and persistence.

Deputy Chief Ezell: Said that the Fire Department would offer any support they could to the Tim Geer family.

Deputy Chief Davis: Also expressed sympathies to the families.

Claude Tankersley: Reminded everyone that the 12th Ave. bridge over Ware's Creek was now closed and would be for 5-6 months for reconstruction.

Tim Polk: Said that the progress in the City has been very impressive and more of the same would be coming. He introduced new GIS/Planner, Tatiana Gonzales who had been hired to fill the vacant position. Mr. Polk also said that interviews for a new Building Official were ongoing.

Bill Lisch: Nothing to report.

There being no further business, Mayor Poston adjourned the meeting at 9:05 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.