

**CITY OF BRADENTON**  
**CITY COUNCIL**  
**&**  
**COMMUNITY REDEVELOPMENT AGENCY MEETING**  
**MINUTES**  
**January 9, 2019**  
**8:30 A.M.**

The City of Bradenton City Council met in the City Hall Council Chamber, 101 Old Main Street, Bradenton, Florida, at 8:30 a.m. on Wednesday, January 9, 2019.

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

**City Officials:** Carl Callahan, City Administrator/Economic Development Director; Sharon Beauchamp, City Clerk & Treasurer; Catherine Hartley, Planning & Community Development Director; Chuck Edwards, Fire Chief; Melanie Bevan, Police Chief, Jim McLellan, Public Works & Utilities Director, and Bill Lisch, City Attorney.

The pre-meeting invocation was led by **Bishop Lawrence Livingston, Eternity Temple First Born Church.**  
*(The City does not endorse the religious beliefs of any speaker.)*

**Mayor Wayne Poston** led the Pledge of Allegiance and the meeting was opened.

**PROCLAMATIONS:** None.

**PRESENTATIONS:** None.

Sharon Beauchamp administered the oath to anyone wishing to speak on any non-agenda items or during the public hearings.

**CITIZEN COMMENTS**

**Manatee County Commissioner Carol Whitmore** reported that the Palma Sola Boat Ramp repairs have begun. The parking lot will be open, but the ramp will be closed until repairs are complete. The County will place a sign east of 75<sup>th</sup> Street to inform the public that the ramp is closed. The next project will be to repair Kingfish Boat Ramp and the County will use the Gulf Coast Consortium funds for that project. Mayor informed Council that the drawings haven't been finalized for the repairs on Kingfish Boat Ramp. **Councilman Roff** had questions on the City, County and DOT jurisdiction for cleanup efforts at the Palma Sola Boat Ramp and the jurisdictions were explained by **Carl Callahan**.

Commissioner Whitmore wanted to thank the City of Bradenton for its quick response for a major fish kill clean up after being notified by Captain Scott Moore.

**CONSENT AGENDA**

- a) Amended Agreement: Verizon Wireless Water Tank Lease
- b) Award of Contract: FY 2019 Water Main Improvements
- c) Budget Adjustment BA19-16: HLMP Program Funds
- d) Budget Adjustment BA19-17: CDBG Program Funds
- e) Budget Adjustment BA19-18: SHIP Program Funds
- f) Forfeiture Funds Expenditure: Police Department
- g) Minutes: December 12, 2018 - City Council Meeting
- h) Public Event: Public Art Sculpture Unveiling, January 18-January 19, 2019
- i) Resolution #19-01: Appointing George Kruse to the Affordable Housing Advisory Board
- j) Resolution #19-02: Re-appointing Jed Heap, Ben Bakker and Bruce Winter to the Affordable Housing Advisory Board
- k) Resolution #19-03: Mileage rate increase
- l) Resolution #19-04: Joint meeting, Council of Governments
- m) Vehicle for Hire Permit: Lexi Medical Transport, LLC
- n) Vehicle for Hire Permit: Maggie's Transport, LLC

**MOTION TO APPROVE CONSENT AGENDA ITEMS A-N was made by Councilman Roff, seconded by Councilman Byrd, and approved 5:0**

**BUSINESS/ADVERTISING, PETITIONS, HEARINGS & COMMUNICATIONS**

**ORDINANCE #3038 – SECOND READING AND PUBLIC HEARING**

AN ORDINANCE BY 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 8, DISABILITY; AMENDING SECTION 17, MISCELLANEOUS PROVISIONS; AMENDING SECTION 28, REEMPLOYMENT AFTER RETIREMENT; AMENDING SECTION 29, DEFERRED RETIREMENT OPTION PLAN; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE.

**Scott Christianson, Attorney for the Firefighters' Pension Plan**, explained his history with the Firefighter's Pension Plan. Mr. Callahan explained that Mr. Christianson being there was for a meet and greet to Council members and for him to explain the changes in Ordinance #3038. There was a case in Ft. Myers that was similar to Bradenton's and the language in the Firefighters' Pension Plan needed to be re-worded to cover assorted disability claims.

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

**MOTION TO APPROVE ORDINANCE #3038 was made by Councilman Roff, seconded by Councilman Brown, and approved 5:0.**

**ORDINANCE #3042- SECOND READING AND PUBLIC HEARING**

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA, REPEALING ORDINANCE 3022, RELATING TO UNLICENSED CONTRACTING, TO ADOPT BY REFERENCE SUBSECTIONS 489.127(1), 489.132(1), AND 489.531(1), FLORIDA STATUTES, AS AMENDED, PROHIBITING UNLICENSED CONTRACTING, TO PROVIDE FOR ENFORCEMENT OF VIOLATIONS, CIVIL PENALTIES FOR VIOLATIONS, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

**Volker Reiss, Compliance Manager** explained that Ordinance #3042 was mislabeled when originally passed due to a Scrivener's error. No other language has changed.

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

**MOTION TO APPROVE ORDINANCE #3042 was made by Councilman Byrd, seconded by Vice Mayor Brown, and approved 5:0.**

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

**Chuck Edwards, Fire Chief**

Memorandum of Understanding between Manatee County and Fire Agencies of Manatee County. Defining the roles and responsibilities of Manatee County EMS and the ten fire agencies within Manatee County as they pertain to emergency medical response, patient care, and patient care reporting.

**Chief Edwards** explained that this document just formalizes the procedures between the County and City.

**Councilman Gallo** asked for specifics on the procedures for cell calls vs. landline calls between the County and City dispatch centers. **Chief Edwards** explained the procedures more in depth and the technology that is in place. **Chief Bevan** explained that the technology exists to ping cell phones and the City does use this technology. The County still receives all

911 calls from a mobile device because the City borders are jagged. **Councilman Gallo** described a tragic 911 call incident with County dispatch because he used his cell phone instead of a landline. He stresses that the communication system needs to be fixed before any other tragedies happen. **Chief Bevan** explained that they have been working with the County since the accident occurred and it's one of their goals this year to have the situation resolved.

**Mayor Poston** explained they have been working for 2 ½ years to fix the issues with the technology and it is very complex. He believes that the first responders should be dispatched to the scene immediately and then the questions should be asked to the caller when they're on the way to the accident. **Ms. Beauchamp** explained that the City's I.T. department and County's I.T. department have been working tirelessly on the technology trying to resolve the issue. The other side of the issue is resolving protocol concerns, which is also being worked on.

**MOTION TO APPROVE MAYOR POSTON TO EXECUTE THE MEMORANDUM OF UNDERSTANDING BETWEEN MANATEE COUNTY AND FIRE AGENCIES OF MANATEE COUNTY was made by Vice Mayor Brown, seconded by Councilman Roff, and approved 5:0.**

**BUSINESS BY APPOINTMENT** – None.

***THE CITY COUNCIL MEETING WAS TEMPORARILY RECESSED AT 9:09 A.M. BY MAYOR POSTON AND THE CRA MEETING WAS CALLED TO ORDER.***

*(Separate Minutes Maintained and Available.)*

***THE CRA MEETING ADJOURNED AT 10:02 A.M. AND THE CITY COUNCIL MEETING WAS RECONVENED BY MAYOR POSTON.***

### **COUNCIL & DEPARTMENT HEAD REPORTS**

**Councilman Gene Gallo, Ward I:** Nothing to report.

**Vice Mayor Brown, Ward II:** Announced that it is Law Enforcement Appreciation Day and wanted to thank law enforcement. He attended the South Florida Museum's reception for the pre-opening of the Backyard Universe last night and encouraged everyone to go to the museum. He asked **Jim McLellan** about the directional boring issues and traffic concerns from the public. **Mr. McLellan** stated that the company doing the work is contracted through the FDOT using the Right of Way Use Permit. The company hit the sewer line and the lines are clearly marked. **Vice Mayor Brown** also mentioned that the Regatta is coming 2/9/19. He requested the public be patient with parking and it's a great event for our town.

**Councilman Patrick Roff, Ward III:** Nominated **Councilman Harold Byrd** for Vice Mayor of the City of Bradenton for 2019.

**MOTION TO APPROVE COUNCILMAN BYRD FOR VICE MAYOR FOR 2019 was made by Councilman Roff, seconded by Councilman Gallo, and approved 5:0.**

**Councilman Bill Sanders, Ward IV:** Wished everyone a Happy New Year and spoke about football bowl games. He thanked Council members for their warm welcome and he has been meeting with several City employees since the swearing-in ceremony. He addressed **Councilman Gallo** on the loss of his wife because he also had a similar experience when he lost his own wife 20 years ago in a boating accident.

**Councilman Harold Byrd, Ward V:** Thanked everyone for the appointment to Vice Mayor. He also brought up CRA chair rules and Council concluded that **Councilman Roff** would continue to be chair.

**Mayor Poston:** Wished everyone a Happy New Year and said 2018 was a great year. Discussed football bowl games and is looking forward to a great 2019. Reminded Council to sign the Code of Conduct and return to Ms. **Beauchamp**.

**Sharon Beauchamp, City Clerk and Treasurer:** Invited everyone to meet the new Deputy Clerk, Tamara Melton. Tamara will be taking over City Council Meeting minutes from Rene Raymond, who will be retiring on February 14, 2019. **Councilman Roff** brought up the Legislative Assistant position and would like to fill the slot as soon as possible. Council members spoke to Rene's unique talents and then discussed what qualities they would like in Rene's replacement. It was

decided that **Ms. Beauchamp** would meet with all Councilmen individually to discuss what skillset the new Legislative Assistant should possess and volunteered to take whatever role Council would like her to assume in this process.

**Catherine Hartley, Planning and Community Development Director:** Lucky's signed its lease around Thanksgiving and will begin demolition and construction in March. WaWa has a site improvement permit in, but has not turned in building permits yet.

There will be a Small Developer Workshop/Sunshine Meeting and it will be \$179 to register. The meeting will be on February 21, 2019 at the Manatee Performing Arts Center. There will also be meet and greet lectures on January 24<sup>th</sup> from 12:00 pm to 1:00 pm and another from 6:00 pm to 7:00 pm. These free lectures will help those considering attending the workshop to decide whether they want to sign up for the workshop.

The Planning Department has submitted an application for a Planning Study to the Metropolitan Planning Organization for cleaning up 14<sup>th</sup> Street and making it more pedestrian friendly. The MPO's recommendation is to complete the Planning Study with the Long Range Transportation Plan.

**Chuck Edwards, Fire Chief:** Nothing to report

**Melanie Bevan, Police Chief:** Thanked Councilman Brown for speaking about Law Enforcement Appreciation Day. Reminding everyone that law enforcement deaths are up 6% from last year and law enforcement officer suicides went up exponentially. At the last Police Chief Conference she attended, one of the main topics was how to help officers and first responders who are having a hard time coping. Another topic at the conference was public records. Marsy's Law will be changing the way the Police Department handles victims and discloses records. Watch Commander Reports have to be more restrictive until the law is through the legislature. **Chief Bevan** announced the Police Department should have an arrest for the Beall's Outlet robbery very soon because of social media outreach.

**Jim McLellan, Public Works and Utilities Director:** The contractor that is in charge of the Streetscape Project will be pouring a sample 10 x 10 pad of concrete at the Wastewater Treatment Plant and by the end of this week, it should be finished. Public Works is in the final stage of completing the exercise pad at the Riverwalk. The shade structures should be completed by the end of the week so we can schedule a ribbon cutting ceremony.

The City had a force main break this week at around 10:00 pm. **Mr. McLellan** commended his staff for having it under control in 2 – 3 hours and announced the road should be back open by the end of the week. It was a 64-year-old cast iron pipe and unfortunately, there was a large clump of rags that went through the lift station just before the pipe failed. **Councilman Roff** mentioned that he's watched the laborious task of the workers trying to cut and remove rags and wipes from the lift station. **Mr. McLellan** said the crews are pulling pumps on a regular basis to remove all the rags and wipes. Even with all that effort, they still have to remove them at the Wastewater Treatment Plant. The work on Manatee Avenue and 14<sup>th</sup> Street that is being done by Woodruff and Sons should be completed by the end of the week.

**Carl Callahan, City Administrator/Economic Development Director:** Because of Marsy's Law, staffing may become an issue. The Police Department's plan is to review staffing and bring a recommendation to council if new employees need to be hired. Ongoing projects: Garage, hotel, museum, Tot Park projects are all on schedule. The easement request on Powers property to Shoreline Apartments is also being worked on.

**Bill Lisch, City Attorney:** Nothing to report.

The City Council meeting adjourned at 11:01 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.*