

**CITY OF BRADENTON
CITY COUNCIL
&
COMMUNITY REDEVELOPMENT AGENCY MEETING MINUTES
March 27, 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, March 27, 2019.

Present: Mayor Wayne Poston; Councilman Ward I Gene Gallo; Councilman Ward III Patrick Roff; Councilman Ward IV Bill Sanders; and Vice Mayor/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.

Councilman Ward II Gene Brown was out with an excused absence.

The pre-meeting invocation was led by **Dr. Rick Hardison, Lakewood Ranch Baptist 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:

Child Abuse Prevention Month: April 2019

The proclamation was accepted by **Todd Markel, Manatee Children's Services.** Mr. Markel announced that Manatee Children's Services is Manatee County's only child advocacy center, servicing over 15,000 children every year who are victims of abuse or children at risk of abuse. He added that April has been Child Abuse Prevention Month for the past 35 years and thanked Council for the proclamation.

Donate Life Month: April 2019

The proclamation was accepted by a representative of **Donate Life Florida**, who on behalf of donors and recipients, thanked Council for the proclamation.

National Public Health Week: April 1-7, 2019

The proclamation was accepted by **Jennifer Bencie, MD, Manatee County Health Department** along with the Health Department's Management Team. She announced that according to the Robert Wood Johnson Foundation, Manatee County ranked number 19 out of 67 counties for the healthiest in Florida. Dr. Bencie added that the Manatee County Health Department recently received a CDC grant to address local opioid overdose prevention and a large baby shower was recently given to expectant mothers at risk for little to no prenatal and postnatal care.

In turn, the Health Department's Management Team introduced themselves and highlighted a program they are responsible for.

PRESENTATIONS: None.

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

CITIZEN COMMENTS:

Brooke Errett, Florida Organizer, Food & Water Watch, 2655 6TH Avenue South, St. Petersburg, 33712, announced she is representing over 370 residents in the City of Bradenton who are concerned with the current proposed legislation regarding the controversial drilling process known as Fracking. Ms. Errett explained the process of Fracking, types of Fracking and potential health risks to the community. She concluded by requesting Council to support a Fracking ban in Florida.

Mayor Poston announced that communication between the Florida League of Cities and local municipality representatives occur regularly regarding Fracking and other bills being brought before state legislature.

Joseph Guarnierz, 7708 Plantation Circle, 34201, voiced his concerns regarding Fracking and the health problems that may occur if Fracking is permitted in Florida.

CONSENT AGENDA

- a) Approval of Temporary Staffing Agreements
- b) Authorization to Purchase: Police Communications and Backup Center Radio Consoles
- c) Budget Adjustment: BA 19-27
- d) Minutes: February 27, 2019 City Council Meeting
- e) Minutes: March 5, 2019 Special City Council Meeting
- f) Minutes: March 13, 2019 City Council Meeting
- g) Public Event: Community Egg Hunt April 20, 2019
- h) Public Event: Station of the Cross Procession April 19, 2019
- i) Resolution 19-13: Council of Governments Meeting Participation
- j) Resolution 19-14: Reappointing John Mantone to the Fire Pension Board
- k) Resolution 19-15: Local Funding Agreement and FDOT Maintenance Agreement

MOTION TO APPROVE CONSENT AGENDA ITEMS A-K was made by Councilman Gallo and seconded by Vice Mayor Byrd. Motion passed 4-0; Councilman Brown was absent.

BUSINESS/ADVERTISING, PETITIONS, HEARINGS & COMMUNICATIONS

ORDINANCE 3041 – FIRST READING

AN ORDINANCE BY THE CITY OF BRADENTON, FLORIDA, AMENDING THE CONSERVATION ELEMENT OF THE COMPREHENSIVE PLAN TO REMOVE AND/OR CORRECT ANY INTERNAL INCONSISTENCIES WITHIN THE ELEMENT OR OTHER ELEMENT IN THE PLAN, INCONSISTENCIES WITH FLORIDA ADMINISTRATIVE CODE OR STATUTE, OR INCONSISTENCIES WITH LAND USE COURT CASES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Catherine Hartley, Planning and Community Development Director, presented on Ordinance 3041. Ms. Hartley began the presentation by noting changes to Ordinance 3041 and Ordinance 3043 have been approved by staff and the Planning Commission. Ms. Hartley explained that verbiage has been removed or changed from the Ordinances with regards to any changes that have occurred after the 2010 Comprehensive Plan Amendment.

Ms. Hartley recommended updates to the following elements:

- Text Amendments to Coastal management and Conservation Element
- Policy Regulations
- Wetland Mitigation

MOTION TO APPROVE THE TRANSMITTAL OF ELEMENTS WITH CHANGES DESCRIBED IN

ORDINANCE #3041 TO THE STATE was made by Councilman Roff and seconded by Vice Mayor Byrd. Motion passed 4-0; Councilman Brown was absent.

ORDINANCE 3043 – FIRST READING

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, AMENDING THE FUTURE LAND USE AND TRANSPORTATION ELEMENTS TO CORRECT INTERNAL INCONSISTENCIES; RECOGNIZE EXISTING DENSITIES AND USES; UPDATING THE PROVISIONS FOR THE AREA DESCRIBED IN DOWNTOWN BY DESIGN; PROVIDING POLICIES THAT ADDRESS MISSING MIDDLE HOUSING AND DENSITY BONUSES; ADDING RESIDENTIAL USES TO THE PROFESSIONAL CATEGORY; PROVIDING FOR VISION ZERO POLICY; AND PROVIDING MULTIMODAL POLICIES TO SUPPORT A MOBILITY FEE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Ms. Hartley presented recommendations for changes in the Future Land Use Element.

Discussion: Clarification to auto oriented uses, eliminating automobile storage yards to be permitted in suburban commercial corridor only, grandfathering-in existing automobile storage businesses.

Ms. Hartley announced there is a developer ready to build at the old Checker's site. She added the proposal will be ground floor retail and the second floor will be mini-storage. Councilman Roff requested Council approval of plans for the building and Ms. Hartley confirmed that Council approval is included in the form-based code.

Councilman Gallo requested more information regarding the School Board's request to allow schools in all Future Land Use categories. Ms. Hartley explained the School Board is requesting the opportunity to build a school anywhere in the City. She added the proposed changes to zoning for schools will be to add Urban Commercial Corridor, Suburban Commercial Corridor, Professional District, and Industrial to the permissible building zones. Ms. Hartley announced she will review the Interlocal Agreement to confirm changes to the zoning verbiage is required. Councilman Roff voiced his concern with the proposed changes. Ms. Hartley recommended not changing the verbiage at this time and revisiting the request at a later date once she has met with the School Board representative and Council agreed.

Discussion: Floor area ratios, density ratios, form-based code exceptions, Council approval on future projects, housing trends.

Ms. Hartley presented proposed changes regarding Coastal High Hazard Areas, Downtown by Design Sub-districts, and Transportation Element.

Ms. Hartley announced the Planning Commission recommended adding Vision Zero Policies to the Future Land Use Element. She went on to explain that Vision Zero Policy is a transportation policy that seeks to reduce traffic fatalities to zero by 2040.

MOTION TO APPROVE THE TRANSMITTAL OF ELEMENTS WITH CHANGES DESCRIBED IN ORDINANCE #3043 TO THE STATE was made by Councilman Roff and seconded by Vice Mayor Byrd. Motion passed 4-0; Councilman Brown was absent.

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

BUSINESS BY APPOINTMENT – None.

THE CITY COUNCIL MEETING WAS TEMPORARILY RECESSED AT 10:03 A.M. BY MAYOR POSTON AND THE CRA MEETING WAS CALLED TO ORDER.

(Separate Minutes Maintained and Available.)

THE CRA MEETING ADJOURNED AT 10:22 A.M. AND THE CITY COUNCIL MEETING WAS RECONVENED BY MAYOR POSTON.

COUNCIL & DEPARTMENT HEAD REPORTS

Councilman Gene Gallo, Ward I: Councilman Gallo would like to give kudos to Dexter Johnson, Public Works Department. He explained that a resident in Ward I passed along the compliment that Mr. Johnson is a great ambassador for the City of Bradenton.

Councilman Gallo announced long time School Board Member, Walter Miller passed away and would like to offer his condolences to the Miller family.

Councilman Patrick Roff, Ward III: Councilman Roff would like to give kudos to Bill Ackles for representing the City during a meeting on March 21, 2019 with Britney Jenkins, Special Assistant to the Principal at Ballard Elementary and Mack Lacey, University of Florida IFAS Extension Service. He added the meeting resulted in an agreement with Ballard Elementary that during students' STEM Class, they will actively work on the garden plots located at John & Rebecca Neal Park. Councilman Roff announced the public garden is now at 100% capacity; which is ahead of schedule.

Councilman Roff reported the Administrative Assistant candidate that was chosen didn't complete the application process and was therefore disqualified. He recommended hiring the first applicant that was interviewed.

Councilman Gallo agreed the first applicant would have been a good choice, but is concerned about priorities in her personal life. He continued that he believes the position should be part-time and would be a cost savings to the taxpayers.

Councilman Byrd voiced his concerns with the applicant selected and would like to discuss reorganizing the position. He suggested the City's Human Resources Department take over the hiring process moving forward.

Councilman Sanders maintained the need for a full time assistant and agreed with Councilman Roff regarding hiring the first applicant interviewed.

MOTION TO HIRE THE FIRST CANDIDATE INTERVIEWED FOR THE ADMINISTRATIVE ASSISTANT

POSITION was made by Councilman Sanders and seconded by Councilman Roff. Motion failed 3-2; Councilman Sanders and Councilman Roff voted yes; Councilman Gallo and Vice Mayor Byrd voted no. In Councilman Brown's absence, Mayor Poston broke the tie and voted no.

Mayor Poston explained he believes that the City's Human Resources Department should have managed the hiring process from the beginning and to expedite the matter, he feels the process should go through Human Resources moving forward.

Sharon Beauchamp offered to provide a proposed hiring plan to include the reorganizational ideas previously discussed by Council.

Carl Callahan advised Council he believes the job description for the position should encompass essential functions only. He added five people supervising an employee is difficult and believes the employee chosen for the position should report to another department. Mr. Callahan announced the Clerk's Office will assist Council with any administrative assistance they may need until the position is filled. He then suggested the position be discussed further at the next Council Workshop on April 3, 2019.

Councilman Bill Sanders, Ward IV: Councilman Sanders requested more information regarding the Council of Governments meeting and the Accord. Mayor Poston announced he would be attending the meeting and added he spoke with the acting County Administrator, Cheri Coryea, regarding scheduling a separate transportation meeting between Manatee County, City of Palmetto and City of Bradenton. Mayor Poston stated the subject "Scheduling of a Transportation Planning Meeting" was added to the April 2, 2019 Council of Governments agenda.

Councilman Sanders announced Council will need to provide 30 days written notice if it is decided the City will withdraw from the Accord. Mr. Callahan explained that the Interlocal Agreement with the County that set up the Accord would need to be dissolved first. He added that the Accord can be discussed at the Council of Governments meeting with all entities present.

Councilman Sanders voiced his frustration about reading in the Bradenton Herald that the Department of Transportation presented a study during the County Commission Meeting regarding 11 different bridge options for the Bradenton-Palmetto Connector. He then questioned why Council had not been briefed on the study as well. Councilman Roff acknowledged that he attended the Metropolitan Planning Organization meeting on Monday and there wasn't a representative from the Department of Transportation there either.

Mayor Poston recommended Councilman Sanders reach out to the Department of Transportation directly.

Vice Mayor Harold Byrd, Ward V: Vice Mayor Byrd would like to also offer his condolences and prayers to the Miller family.

Mayor Poston: Mayor Poston announced the Marauders will play the first game of the team's 10th season on April 6, 2019 and Ms. Coryea, will throw the first pitch. He advised Council they are invited to watch the game in the Mayor's Box as long as it has been publicly noticed.

Sharon Beauchamp, City Clerk and Treasurer: Ms. Beauchamp advised Council she will be contacting them to set up a meeting to discuss the new website.

Catherine Hartley, Planning and Community Development Director: Ms. Hartley announced Lucky's representatives still haven't submitted a demolition permit but WaWa's site improvement was completed and building permits have been submitted.

Chuck Edwards, Fire Chief: Nothing to Report.

Paul McWade, Assistant Police Chief: Assistant Chief McWade announced more arrests have been made this week off 14th Street. He added approximately 10 arrests had been made this week alone.

Assistant Chief McWade advised Council the Police Department has been issuing search warrants this week and 9 guns, 3 pounds of marijuana and cocaine have been confiscated.

Mayor Poston announced that **Melanie Bevan, Chief of Police**, exited the Council Meeting early because she is travelling today to Tallahassee to meet with Governor DeSantis.

Jim McLellan, Public Works and Utilities Director: Mr. McLellan advised Council that Public Works received phone calls from two residents with taste complaints related to the City's drinking water. He went on to explain that this time of year it isn't uncommon to have miniscule amounts of algae in the water, so the amount of activated carbon dosage has been increased at the Water Treatment Plant.

Carl Callahan, City Administrator/Economic Development Director: Nothing to report.

Bill Lisch, City Attorney: Nothing to report.

Councilman Roff requested an update from Mr. Lisch regarding any developments with the Snyder case. Mr. Lisch advised there is a hearing in May and the interim City Attorney is up to speed on the case.

The City Council meeting adjourned at 11:06 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.