

CITY OF BRADENTON
CITY COUNCIL MEETING
MINUTES June 10, 2020
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, June 10, 2020.

Present: Mayor Wayne Poston; Vice Mayor/Councilman Ward I Gene Gallo; 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; Charles Edwards, Fire Chief; Melanie Bevan, Police Chief, and Scott Rudacille, City Attorney.

The pre-meeting invocation was led by Dr. Paul McLaughlin, Assistant Pastor at Bible 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.

Mayor Poston announced his veto of Ordinance 3064 then read a letter for the record regarding the reasons for vetoing the ordinance, which proposed a charter amendment revising the powers of the office of the mayor. This letter can be read in its entirety in Exhibit "A".

A discussion ensued regarding past discussions of a citizens review committee, city charter consultants, and oversight of the Police Department.

Councilman Byrd requested direction from **Scott Rudacille, City Attorney** regarding overriding the veto of Ordinance 3064. According to the City Charter, Mr. Rudacille explained, if an ordinance is vetoed and returned to Council at the next regular meeting, Council shall immediately proceed to reconsider and vote on the ordinance at that meeting. Mr. Rudacille advised the next step would be for Council to reconsider the ordinance to ascertain if there is a supermajority with four votes to override the veto.

MOTION FOR COUNCIL TO RECONSIDER ORDINANCE 3064 AND OVERTURN THE VETO was made by Councilman Byrd and seconded by Councilman Roff. Motion failed with a vote of 3-2 due to the lack of the super majority vote necessary to overturn the veto. Councilman Gene Brown and Vice Mayor Gallo voted no.

PROCLAMATIONS: None.

PRESENTATIONS: None.

CITIZEN COMMENTS:

Sharon Beauchamp, City Clerk & Treasurer explained the City Clerk's Office received one citizen comment via voicemail from Wiley Green. However, Mr. Green would rather speak in person during citizen comments. Ms. Beauchamp added the City Clerk's Office did not receive any citizen comments via email prior to the meeting.

After a request from Councilman Byrd, Mayor Poston agreed to allow Mr. Jones an extra two minutes to speak during citizen comments.

Rodney Jones, 213 16th Avenue West. Mr. Jones voiced his concerns with law enforcement across the country and his history with the Bradenton Police Department.

Wiley Green, 2015 25th Avenue West. Mr. Green requested road repairs be completed on 8th Avenue East between 12th Street East and 10th Street East. Ms. Beauchamp announced that she had received a message from **Jim McLellan, Public Works & Utilities Director**, stating that road repairs were delayed because of inclement weather and the work is rescheduled for this week.

CONSENT AGENDA

- a) Award of Construction Contract: Fire Station 3
- b) Budget Adjustment BA-20-28: LECOM Park Press Box Renovations
- c) Minutes: May 5, 2020
- d) Renewal of School Resource Officer Contract for 2020-2021
- e) Resolution 20-44: Adopting 2018 Update to the Manatee County CEMP

At the request of **Councilman Roff**, Consent Agenda Item B was removed for further discussion.

MOTION TO APPROVE CONSENT AGENDA ITEMS A, C, D, AND E was made by Councilman Roff and seconded by Councilman Byrd. Motion passed 5-0.

Councilman Roff requested more information regarding the box renovations at LECOM Park. **Carl Callahan, City Administrator/Economic Development Director** explained the renovations at LECOM Park are for the box used by the press. He said the renovations are for cooling equipment for electronics used to operate the score and video boards.

MOTION TO APPROVE CONSENT AGENDA ITEM B was made by Councilman Roff and seconded by Councilman Brown. Motion passed 5-0.

BUSINESS/ADVERTISING, PETITIONS, HEARINGS & COMMUNICATIONS: None.

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

UNFINISHED BUSINESS: None.

COUNCIL REPORTS:

Vice Mayor/Councilman Ward I Gene Gallo: Nothing to report.

Councilman Ward II Gene Brown: Councilman Brown announced today is his 31st wedding anniversary with his high school sweetheart, Gina.

Councilman Ward III Patrick Roff: Councilman Roff announced he and his wife would be celebrating their 38th wedding anniversary by traveling to Colorado and will return before the next City Council Meeting.

Councilman Bill Sanders, Ward IV: Councilman Sanders expressed his concerns with an article in the Bradenton Herald regarding a sewage spill in Sarasota Bay. In his opinion, he said, the article is misleading because the headline insinuates the City was responsible when, in fact, it was Manatee County Utilities.

Councilman Harold Byrd, Ward V: Councilman Byrd announced he had extended an invitation to the Executive Director of the Bradenton Housing Authority to come before Council. He said the meeting went well.

Councilman Byrd requested an update on when City Hall would reopen to the public. Mr. Callahan announced once protective orders are in place in the lobby, a reopening plan would be brought before Council. He added a Planning Commission Meeting is scheduled for June 17, 2020 so the planning process is not held up and on-line payments seem to be working well for the public.

Due to the current climate around the county regarding policing, Councilman Byrd suggested the Mayor consider a citizen review board for the Police Department. **Mayor Poston** announced **Melanie Bevan, Police Chief** is in the process of researching review board models around the state to find the best fit for the City.

Chief Bevan said she is in discussions with the local NAACP President and other groups regarding a citizens review board and said she is actively researching citizen review board models around the state. She added the Use of Force Policy was updated last week to cover concerns voiced throughout the country. Councilman Byrd stressed the importance of communication with the community.

A discussion ensued regarding body cameras and policies for the Police Department.

Mayor Poston: Mayor Poston recognized Officer Jason Nuttall for rescuing a distressed dog that fell into the Manatee River yesterday. Officer Nuttall received a standing ovation.

Sharon Beauchamp, City Clerk & Treasurer: Ms. Beauchamp announced staff is continuing to work on processes to reopen City Hall and said any feedback from Council is welcome.

Carl Callahan, City Administrator/Economic Development Director: Mr. Callahan announced the 60% drawings are complete for the Riverwalk East Expansion and representatives from Kimley Horn are planning to present the drawings at the June 24, 2020 City Council Meeting.

Mr. Callahan announced four firms responded to the RFP for Construction Manager at Risk for the Riverwalk East Expansion and staff will be scheduling presentations to Council sometime during the week of July 8, 2020.

Mr. Callahan announced the City received several qualified applications for the Planning Director position. After a brief discussion, Mr. Callahan volunteered to provide Council with applications for review.

Melanie Bevan, Police Chief: Nothing to report.

Charles Edwards, Fire Chief: Nothing to report.

Councilman Roff requested Scott Rudacille, City Attorney provide his total fees for the City Charter update. Ms. Beauchamp volunteered to send out a spreadsheet to Council reflecting legal fees broken down by project to Council.

The City Council meeting adjourned at 10:14 a.m.

NOTE: This is not a verbatim record. An audio CD or DVD recording of the meeting is available upon request.

Exhibit A

June 9, 2020

City Council
City of Bradenton
101 Old Main Street West
Bradenton, Florida 34205

Dear Honorable Councilmembers:

By the authority vested in me as Mayor of the City of Bradenton, under the provisions of Section 14 of the City of Bradenton Charter, I do hereby veto and transmit my objections to Ordinance No. 3064, which is attached hereto.

I don't agree with the Charter changes proposed in Ordinance No. 3064 for a number of reasons.

First, I do not believe that our citizens have had the opportunity to weigh in on the proposed Charter changes. The way to change a charter is with a Charter Review Committee, on the front end, composed of citizens from each ward. They evaluate the Charter, decide what, if anything, needs to be changed, and why, and report their deliberations to the Mayor and Council. Then the Council can take those recommendations to the voters.

The Council did the citizen's work, without informing them that the Charter was being changed. I don't think what happened is transparent. I believe citizens will be disappointed in their Council for doing that.

Second, the Bradenton Police Department is, like all police departments, a para-military organization. It operates most efficiently like the military, with clear and singular leadership at the top. You cannot run a military or para-military organization with a group of people leading the organization. There are simply too many decisions that have to be made quickly; there is not time to gather the Council every time a critical decision needs to be made. I know it is hard for this Council to understand that, but I see it because I am the only military veteran in our group, and I see it clearly.

The Mayor hiring the Chief and the Chief working at the clear direction of the Mayor has worked well for the nearly 20 years that I have been here. I have not seen or heard any reasons why that change in the Charter should be made.

Finally, the age of a Charter should not be the determining factor for change. The determining factor should be the content and viability of the document, and how well it works for the community. Bradenton has been very successful for a number of years - a long time. Our citizens have been well served by the existing Charter, and the Charter has been added to on a number of times to better serve changing times.

The suggested changes are not in the best interest of Bradenton or its citizens. The changes were conceived by too few people. We should be a government of all the people, not just those elected who close the door behind them when they come into office.

For the reasons stated above, I withhold my approval of Ordinance No. 3064 and do hereby veto the same.

Sincerely,

Wayne H. Poston
Mayor