

CITY OF BRADENTON
CITY COUNCIL MEETING
MINUTES July 22, 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, July 22, 2020.

Present: Mayor Wayne Poston; Vice Mayor/Councilman Ward I Gene Gallo; Councilwoman Ward II Marianne Barnebey; 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; Jim McLellan, Public Works & Utilities Director; Melanie Bevan, Police Chief, and Scott Rudacille, City Attorney.

The pre-meeting invocation was led by Councilman Harold Byrd.

(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.

CITIZEN COMMENTS:

Sharon Beauchamp, City Clerk & Treasurer explained the City Clerk's Office did not receive any citizen comments via voicemail or email prior to the meeting.

Susie Copeland, 1010 27th Street East congratulated Patricia Johnson on her seat on the CCRA board and requested more descriptive notices for zoning changes in the future.

CONSENT AGENDA

- a) Budget Adjustment BA20-33: 3rd Quarter Adjustments for Fiscal Year 2020
- b) Construction Award: 13th Avenue East Streetscape and Infrastructure Improvements
- c) Forfeiture Funds Request: Community Support and Furniture for the Police Department Breakroom
- d) Minutes: July 1, 2020
- e) Minutes: July 8, 2020
- f) Piggyback Agreement: Curry Controls Company
- g) Quitclaim Deed from LTC Signature Homes, LLC
- h) Resolution 20-55: Nuisance Abatement Board Reappointments
- i) Resolution 20-56: Planning Commission Reappointments
- j) Resolution 20-58: Adopt the Manatee County Local Mitigation Strategy

- k) Resolution 20-59: CCRA Reappointment
- l) Resolution 20-60: Written Decision for Promenade Associates, LP
- m) Sanitary Sewer and Force Main Easement Agreement with South Florida Museum Real Estate, Inc.

The Mayor asked to have Consent Agenda Item l temporarily pulled and Councilman Bill Sanders asked to have Items h & i temporarily pulled.

MOTION TO APPROVE CONSENT AGENDA ITEMS A-G, J, K & M was made by Councilman Roff and seconded by Councilman Byrd. Motion passed 5-0.

Mr. Sanders requested more information on the board appointment process. After a brief discussion, Ms. Beauchamp volunteered to send a summary of the rules for board appointments to Council.

MOTION TO APPROVE CONSENT AGENDA ITEM H WITH ADDITIONAL INFORMATION TO BE PROVIDED TO COUNCIL ABOUT QUALIFICATIONS was made by Councilwoman Barnebey and seconded by Councilman Roff. Motion passed 4-1; Councilman Sanders voted no.

Mr. Rudacille announced to qualify for a Planning Commission Board seat, the citizen must live, work or have interest in the City of Bradenton. A discussion ensued regarding the qualifications of one appointment to the Planning Commission.

MOTION TO TABLE ITEM I was made by Councilwoman Barnebey and seconded by Councilman Byrd. Motion passed 5-0.

Mayor Poston invited **Todd Mathes, 7978 Cooper Creek Boulevard, Representative for the Applicant**, to speak regarding consent agenda item l. Mr. Mathes requested Council reconsider the Special Magistrate's Recommendation regarding Promenade Associates, LP (Kawha Coffee), which was denied at the July 8, 2020 City Council Meeting.

Vice Mayor Gallo reiterated his public safety concerns and after a brief discussion, the remainder of Council agreed to request staff meet with the applicant then present the outcome to Council.

MOTION TO RECONSIDER ACTION TAKEN AT THE JULY 8TH CITY COUNCIL MEETING REGARDING ITEM L was made by Councilman Byrd and seconded by Councilwoman Barnebey and. Motion passed 4-1; Vice Mayor Gallo voted no.

BUSINESS/ADVERTISING, PETITIONS, HEARINGS & COMMUNICATIONS:

Department of Planning and Community Development

Resolution 20-54

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA, APPROVING HLMP WIND MITIGATION LOAN #667 FOR \$12,660.00; AND PROVIDING AN EFFECTIVE DATE. The property is located at 917 21st Street Court East, Bradenton.

MOTION TO APPROVE RESOLUTION 20-54 was made by Councilman Sanders and seconded by Councilman Byrd. Motion passed 5-0.

Resolution 20-57

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADENTON, FLORIDA, APPROVING HOUSING REHABILITATION GRANT #693 FOR \$3,012.00; AND PROVIDING AN EFFECTIVE DATE. The property is located at 917 21st Street Court East, Bradenton.

MOTION TO APPROVE RESOLUTION 20-57 was made by Councilman Sanders and seconded by Councilman Byrd. Motion passed 5-0.

Ordinance 3058 – FIRST READING – PUBLIC HEARING

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, PROVIDING FOR AMENDMENT TO THE CITY OF BRADENTON COMPREHENSIVE PLAN FUTURE LAND USE MAP; CHANGING THE FUTURE LAND USE DESIGNATION FROM LOW DENSITY RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL FOR PORTIONS OF PROPERTY LOCATED AT 420 SALT MEADOW CIRCLE AND MORE PARTICULARLY DESCRIBED IN THE ATTACHED "EXHIBIT A"; PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Carl Callahan, City Administrator/Economic Development Director explained the First Reading of Ordinance 3058 requires a public hearing because, according to State Statute, the request is a large scale Future Land Use Map amendment. If the request is approved, he continued, Ordinance 3058 will be transmitted to the State of Florida for review then ultimately come back to the Council for a second hearing and final approval at a later date.

Marshall McCrary, Senior Planner presented on Ordinance 3058 and explained the Planning Commission considered this item in Regular Session on June 17, 2020 and issued a recommendation of Approval by a vote of 6-1. He concluded staff's recommendation is to approve the amendment and all public comments received prior to the meeting were forwarded to Council via email.

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

Steven Thompson, Attorney with Najmy Thompson and Representative for the Applicant, thanked staff for the analysis and review of the application. He said in his opinion, the property is perfect for increasing density in the area because of the proximity to commercial properties. He explained there is adequate utilities in place and requested Council approve the transmittal to the State.

Councilman Sanders asked if the applicant would be willing to build single family residences on the property versus multi-family residences. Mr. Thompson said because of environmental issues, it makes more sense to cluster buildings on the site, but would be willing to research building single family residences.

Because of residents' traffic concerns, Councilman Roff inquired if County roads could be accessed from the property. Mr. Thompson said the way the site is configured; it would be virtually impossible to access the roads in question.

Those in opposition were asked to come forward.

Those in who spoke in opposition:

Joseph Sarnowski, 177 Americas Cup Blvd.

Ernest Emrick, 4830 San Palermo Drive

Dan Donnelly, 201 Americas Cup Blvd.

Keenan Wooten, 1915 11th Avenue East

Susie Copeland, 1010 27th Street East

Nathan Butrum, 5008 San Palermo Drive

Fredy Ordonez, 5335 San Palermo Drive

The Public Hearing was closed.

MOTION TO DENY THE FIRST READING AND TRANSMITTAL TO THE STATE OF ORDINANCE 3058 was made by Councilman Sanders and seconded by Councilman Byrd.

Councilman Byrd voiced his concerns with traffic and transportation issues.

Councilman Sanders said although he is in favor of development, he believes approval would be pushing too much density into the neighborhood. He also voiced his concerns with traffic.

Vice Mayor Gallo said he does not believe sufficient infrastructure was put in place when the area was in the beginning stages of development to support the growth in that area.

Councilman Roff spoke on the history of development in the area and echoed Vice Mayor Gallo's concerns with infrastructure.

Councilwoman Barnebey recommended an updated traffic study prior to approving higher density in the area.

Councilwoman Barnebey inquired if the motion was sufficient or should be amended to include Council's concerns with increasing density. **Scott Rudacille, City Attorney**, recommended amending the motion to include Council's concerns.

AMENDED MOTION TO DENY THE FIRST READING AND TRANSMITTAL TO THE STATE OF ORDINANCE 3058 FOR REVIEW BASED ON CONCERNS WITH TRAFFIC, INFRASTRUCTURE AND INCREASING DENSITY IN THAT COMMUNITY was made by Councilman Sanders and seconded by Councilman Byrd. Motion passed 5-0.

Ordinance 3059 – FIRST READING

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, PROVIDING FOR AMENDMENT TO THE CITY OF BRADENTON ZONING ATLAS; CHANGING THE ZONING DESIGNATION FROM R-2, TWO-FAMILY RESIDENTIAL, TO R-3, MULTI –FAMILY RESIDENTIAL FOR THE PROPERTY LOCATED AT 1201 27TH STREET EAST AND MORE PARTICULARLY DESCRIBED IN THE ATTACHED "EXHIBIT A"; PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION TO APPROVE THE FIRST READING OF ORDINANCE 3059 AND SET THE SECOND READING AND PUBLIC HEARING FOR AUGUST 12, 2020 was made by Councilman Byrd and seconded by Councilman Roff.

Mr. Rudacille recommended moving forward, no vote be taken on First Readings and that Ordinances simply be read into the record and a date for Public Hearing be set at that time.

Councilman Byrd subsequently withdrew his motion and the Public Hearing for Ordinance 3059 was set for August 12, 2020.

Ordinance 3060 – FIRST READING

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, PROVIDING FOR AMENDMENT TO THE CITY OF BRADENTON LAND USE ATLAS, CHANGING THE ZONING DESIGNATION FROM T4-R, URBAN GENERAL – RESTRICTED, TO T4-O, URBAN GENERAL – OPEN, FOR THE PROPERTIES LOCATED AT 924 7TH AVENUE EAST AND 928 7TH AVENUE EAST AND MORE PARTICULARLY DESCRIBED IN "EXHIBIT A"; PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Ms. Beauchamp read Ordinance 3060 into the record and a Public Hearing was set for August 12, 2020.

NEW BUSINESS BY DEPARTMENT HEADS, CITY ATTORNEY AND COUNCIL:

Carl Callahan, City Administrator/Economic Development Director

Setting of the tentative millage rate and scheduling of budget hearings.

Mr. Callahan explained the state has not yet announced revenues and those numbers are critical to have prior to setting the millage rate. He added his inclination is to keep the millage rate the same, however, he would rather have the revenues from the state prior to deciding on a number. Mr. Callahan requested a Special Meeting be called for July 29, 2020 for the purpose of setting the tentative millage rate and dates for budget hearings.

Councilman Sanders recommended meeting every week over the next four weeks to discuss detailed budget line items. Mr. Callahan invited Council to meet with him to go over the budget in detail at any time. It was the decision of Council to set a Special Meeting on July 29, 2020 at 9:00 a.m.

UNFINISHED BUSINESS:

Due to arriving after Citizen Comment in the beginning of the meeting, Mayor Poston invited those citizens to comment under Unfinished Business.

Keenan Wooten, 1915 11th Avenue East, reiterated his parking concerns along 19th Street Court East. He then voiced his concerns regarding the Police Advisory Committee.

Rodney Jones, 213 16th Avenue West, voiced his concerns regarding the Police Advisory Committee and inquired if the Mayor or Council are authorized to order arrests.

A discussion ensued regarding powers of the Mayor and Council, past Police Officer disciplinary actions and the Body Camera Pilot Project.

COUNCIL REPORTS:

Vice Mayor/Councilman Ward I Gene Gallo: Vice Mayor Gallo announced he received calls regarding a suspected drug house and gave kudos to the Police Department for remedying the situation.

Due to Council voting to reconsider the action taken at the July 8, 2020 City Council Meeting regarding Consent Agenda Item I, Vice Mayor Gallo invited Council to drive the complex located at 6701 Manatee Avenue West. He then reiterated his public safety and traffic concerns.

Councilwoman Barnebey: Councilwoman Barnebey announced she drove the areas discussed by Mr. Wooten and believes there may be options for additional parking.

Councilwoman Barnebey said she has received complaints regarding a property in Ward II being used as an Airbnb. She announced she may request an agenda item be added for a future meeting after researching resolutions for the complaints. Councilman Roff suggested she reach out to the cities on the island regarding suggested remedies for short-term rentals. Mayor Poston then suggested she reach out to the Special Magistrate, Maggie Mooney, as a resource for short-term rental regulations.

Councilman Ward III Patrick Roff: Nothing to report.

Councilman Bill Sanders, Ward IV: Nothing to report.

Councilman Harold Byrd, Ward V: Councilman Byrd discussed parking options along 19th Street Court East and reiterated his desire to meet with the Bradenton Housing Authority.

As a resident, Councilman Byrd said he wants the Bradenton Police Department Citizen Advisory Committee to succeed and meet all objectives.

Councilman Byrd requested an update on speed deterrents in the Bradenton Village Area. **Jim McLellan, Public Works & Utilities Director** said staff is able to install rumble strips or a 3D crosswalk. Councilman Byrd said he would reach out to residents in the area for their input.

Sharon Beauchamp, City Clerk & Treasurer: Ms. Beauchamp announced staff has received many questions regarding the mask ordinance passed last week. She added the questions were for clarification purposes and she was not aware of any complaints.

Jim McLellan, Public Works & Utilities Director: Mr. McLellan announced more than half of the Solid Waste drivers are back to work and is optimistic recycling services will resume next week.

Melanie Bevan, Police Chief: Chief Bevan announced the Police Department was one of 44 agencies in the state awarded the COPS Grant. Since 2010, she added, the department has employed 120 officers and there is a need for increased staffing. Chief Bevan said she understands this is a difficult budget year and that there is a significant economic impact to the city for adding three new officers. She concluded by offering to send the grant packet to Council after the meeting.

Charles Edwards, Fire Chief: Nothing to report.

Scott Rudacille, City Attorney: Nothing to report.

Carl Callahan, City Administrator/Economic Development Director: Mr. Callahan announced a few of the air conditioning units in City Hall are scheduled to be replaced next week. As part of the replacement, he continued, part of the building will not have air conditioning.

Mr. Callahan announced the day after the mask ordinance was passed, a letter and examples of signs were sent to 1,300 businesses in the city at an approximate cost of \$600.

The City Council meeting adjourned at 11:31 a.m.

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