

**MINUTES
CITY OF BRADENTON BEACH
COMMISSION MEETING
THURSDAY, MAY 1, 2014 @ 7:00PM
KATIE PIEROLA COMMISSION CHAMBERS**

**CALL TO ORDER – 7:00PM
PLEDGE TO THE FLAG
ROLL CALL**

PRESENT: Mayor William “Bill” Shearon; Vice Mayor Janie Robertson;
Commissioner Ed Straight; Commissioner Jack Clarke; Commissioner Jan
Vosburgh

ALSO PRESENT: Jamie Anderson, City Clerk; Ricinda Perry, City Attorney;
Tom Woodard, Public Works Director; Sheila Dalton, City Treasurer; Alan Garrett,
City Planner

PRESS: The Sun, The Islander

Mayor Shearon advised he would entertain a motion to add to the agenda an item regarding computer issues under the City Attorney’s report.

**MOTION BY VICE MAYOR ROBERTSON TO AMEND THE AGENDA.
MOTION SECONDED. VOTE: COMMISSIONER VOSBURGH NAY, VICE
MAYOR ROBERTSON YEA, COMMISSIONER STRAIGHT NAY,
COMMISSIONER CLARKE NAY, MAYOR SHEARON YEA. MOTION FAILS**

ORDER OF BUSINESS:

- 1. PRESENTATIONS:**
- 2. GENERAL PUBLIC COMMENTS (PER COMMENT CARDS)**
- 3. APPROVAL OF MINUTES:**
 - a. Approval of CIP/City Commission Meeting Minutes dated March 9, 2014
 - b. Approval of City Commission/Department Head Work Session Minutes dated April 10, 2014
 - c. Approval of City Commission Workshop Minutes dated April 15, 2014
 - d. Approval of City Commission Meeting Minutes dated April 17, 2014

**MOTION BY VICE MAYOR ROBERTSON TO APPROVE THE MINUTES
AS PRESENTED. MOTION SECONDED. VOTE: ALL AYE. MOTION
PASSES.**

4. CONSENT AGENDA: (NOTE: Items contained in the consent agenda are determined to be routine in nature and should be considered in a single motion. Items that may warrant discussion should be removed from the list prior to the motion to Adopt.)

- a. Approval of M.T. Causley invoice 0414-101
- ~~b. Approval of Special Event Application for the Anna Maria Privateers July 4th Parade~~

Commissioner Clarke requested to move Item b to New Business Item e.

MOTION BY VICE MAYOR ROBERTSON TO APPROVE THE CONSENT AGENDA AS AMENDED. MOTION SECONDED. VOTE: ALL AYES. MOTION PASSES

5. OLD BUSINESS:

- a. Second Reading-Public Hearing to hear, review and consider Ordinance 440-14, Commission Meeting Times.

City Attorney Perry read the title of the ordinance.

OPEN PUBLIC HEARING

None

CLOSE PUBLIC HEARING

MOTION BY COMMISSIONER CLARKE TO ADOPT ORDINANCE NO. 440-14, AN ORDINANCE OF THE CITY OF BRADENTON BEACH, FLORIDA AMENDING PART II, CODE OF ORDINANCES, CHAPTER 2, ADMINISTRATION, ARTICLE II, CITY COMMISSION, SECTION 2-31, REGULAR COMMISSION MEETINGS, ADOPTED BY ORDINANCE 97-299; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR REPEAL OF ORDINANCES AND RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. MOTION SECONDED. VOTE: ALL AYES. MOTION PASSES.

6. NEW BUSINESS:

- a. Request or a Conditional Use Permit application, #CUPS 2014-1, for United Park Service, Inc., for an amendment to the approved Master Sign Plan for the Coquina Beach Park.

Alan Garrett, City Planner gave the staff presentation. The amendment is requesting a maximum of four temporary 18" X 24" signs to be displayed on Friday, Saturday and Sunday nights, advertising live music at the Coquina Café.

Mike Sales spoke in favor of the CUP.

Vice Mayor Robinson questioned if the signs will be in the right-of-way, noting they will have to get permission from FDOT. Mr. Garrett stated they can be placed on the edge of the right-of-way.

MOTION BY COMMISSIONER CLARKE TO APPROVE CONDITIONAL USE PERMIT APPLICATION #CUPS 2014-1, FOR UNITED PARK SERVICE, INC., FOR AN AMENDMENT TO THE MASTER SIGN PLAN FOR THE COQUINA BEACH PARK ALLOWING FOR A MAXIMUM OF FOUR (4) 18" X 24" SIGNS FOR FRIDAY, SATURDAY AND SUNDAY, WHICH AMENDED MASTER SIGN PLAN COMPLIES WITH THE REVIEW CRITERIA OF SECTION 34-757(b) 1-4 OF THE CITY CODE OF ORDINANCES. MOTION SECONDED. VOTE: ALL AYES. MOTION PASSES

- b. Discussion regarding the advertising and public hearing processing for the new Land Development Code, Appendix A of the Code of Ordinances of the City of Bradenton Beach

Alan Garrett gave the staff presentation. This is simple discussion regarding the best way to tackle the Land Development Code. He is proposing for the P&Z to be given a copy of the ordinance at the next meeting, with a short discussion, they will then have a month to review it and then hold one public hearing. He is hoping to adopt it in its entirety to get it into books and then make any minor amendments as we move forward. He noted that portions were just amended a few months ago.

Discussion ensued.

The process will be to give the ordinance to the P&Z, hold a public hearing after they have reviewed it. There will have to be 2 public hearings at the Commission, so the first one can review Chapter 3 and the remaining Chapters at the 2nd hearing. If there is a need to continue the hearings if necessary.

- c. Approval of Christopher, Smith, Leonard, Bristow & Stanell Invoice 071LRCD

MOTION BY TO APPROVE CHRISTOPHER, SMITH, LEONARD, BRISTOW & STANELL INVOICE 071lcd IN THE AMOUNT OF \$3,015.00. MOTION SECONDED. VOTE: ALL AYES. MOTION PASSES

- d. 2014 Annual Conference – Florida Government Finance Officer's Association

Treasurer Dalton advised of the courses offered.

MOTION BY COMMISSIONER CLARKE TO APPROVE THE CITY TREASURER'S ATTENDANCE AT THE 2014 FGFOA ANNUAL CONFERENCE. MOTION SECONDED. VOTE: ALL AYES. MOTION PASSES.

e. Approval of Special Event Application for the Anna Maria Privateers July 4th Parade

Commissioner Clarke questioned if it was usual practice to waive the fees for the parade.

Tim Thompson, Privateer, advised they put the parade on for the community and anyone can participate without having to pay anything. They pick up any required costs.

MOTION BY COMMISSIONER CLARKE TO APPROVE THE SPECIAL EVENT ANNA MARIA ISLAND PRIVATEERS PARADE THROUGH THE CITY OF BRADENTON BEACH ON FRIDAY, JULY 4, 2014, 8:00 A.M. TO 12:00 P.M. AND APPROVE TO WAIVE THE PARADE FEES. MOTION SECONDED. VOTE: ALL AYES. MOTION PASSES.

7. ATTORNEY BUSINESS:

Attorney Perry gave an update on the litigation advising that Judge Gilbert Smith recused himself because he knew Mr. Chiles. She added it may have to be moved to Sarasota County to find a judge.

Attorney Perry questioned if the status update she sent to the Commission satisfied their concerns.

Commission discussion ensued.

7:40 p.m. MOTION BY COMMISSIONER STRAIGHT TO RECESS THE MEETING TO REVIEW CALENDARS. MOTION SECONDED. VOTE: ALL AYE. Meeting reconvened at 7:50 p.m.

Upon discussion, Commission consensus was to schedule a special meeting on Tuesday, May 6, 2014 at 10:00 a.m. to discuss the City Attorney's responsibility and legal work.

8. COMMISSIONER'S REPORTS AND ACTIVITIES:

Commissioner Vosburgh – No Reports

Commissioner Robertson – EXHIBIT A

- She attended the Tree City USA celebration in the Roundabout on behalf of the Mayor and gave a speech
- She requested and received a RLS from the Mayor on April 23rd giving her permission to speak to Attorney Johnson regarding what she felt was inappropriate action/communication by Opposing Attorney Lincoln.

Attorney Johnson stated she was correct in her understanding that Mr. Lincoln should not be directly contacting an opposing attorney's client.

Commissioner Straight

- He met with the Police Chief , it looks like the cell tower will be breaking ground the end of May or 1st part of June, and we will be receiving our first payment of \$320,000, and there will be 8 pods available.
- The Police Department will be getting a new boat motor soon.

Commissioner Clarke – EXHIBIT B

- He will be attending the governor's hurricane conference with Mayor Shearon, Lt. Cosby and Public Works Director Woodard the week of May 12th.
- The Budget Committee met on April 24th.
- The Pier bid opening took place on April 21st.
- The AMI Community Center Board met on April 25th. They are taking a hard look at their financial options going forward.

9. MAYOR'S REPORT AND ACTIVITIES:

- He is working with BBC who offered a donation in the amount of \$5,000 to help clean up and take care of Chappie Park. The main concern is that invasive vegetation has to be removed before permits can be issued. Acceptance of the donation will be on the next agenda.
- There is a need for an official CRS Committee which will consist of Wendy Chabot, Lt. Cosby and Steve Gilbert. Wendy will be the leader and they will meet quarterly to keep the plan updated.
- He was notified yesterday afternoon that Steve Gilbert was not going to be here for a week so we have a Building Official filling in for him. Now the CRS is going to be behind. He thanked the County for physically bringing documents to the City.
- Library and CRA fund adjustments will be coming from Treasurer Dalton who is trying to get caught up through April 30th.
- Public Works Director Woodard has been meeting with the Sarasota Bay Estuary who would like to clean up their area at Herb Dolan Park
- Had a very productive Sidewalk meeting today with all area FDOT representatives in attendance.
- We were on Bay News 9 and Fox 13 discussing our proactive approach trying to get the boats in the anchorage moved.
- He commented regarding issues with e-mails, stating staff needs the authority to get this issue resolved. He suggested the City Attorney be asked to make a formal request to have Mr. Gatehouse transfer the domain name to the City, cooperate with taking the e-mails out and concentrate his time and effort working on the website.

Discussion ensued

MOTION BY VICE MAYOR ROBERTSON TO HAVE THE CITY ATTORNEY DRAFT A LETTER TO MR. GATEHOUSE REQUIRING HIM TO TRANSFER OWNERSHIP OF THE DOMAIN NAMES TO THE CITY, ASK HIS COOPERATION TO GET HIS E-MAILS OVER TO THE PROGRAM AND ASK HIM TO FOCUS ON REPAIRING THE WEBSITE. MOTION DIES FOR LACK OF A SECOND.

Mayor Shearon commented he has worked 7 days a week trying to get the operations of the city fixed, and had the Commission's full support to get things done. Now his hands are tied and he can't do anymore without the Commission's support. He can no longer be proactive.

10. ADJOURNMENT

There being no further business, the meeting was adjourned at 8:52 p.m.

**William "Bill" Shearon
Mayor**

ATTEST:

Jamie Anderson, City Clerk

NOTE: This is not a verbatim record.