

**CITY OF COOPER CITY
CITY COMMISSION MEETING
June 19, 2012**

1. PLEDGE OF ALLEGIANCE

Mayor Eisinger called the meeting to order at 6:03 p.m. and led the assembly in the pledge of allegiance.

2. ROLL CALL

Present were Commissioners Green, Curran, Mallozzi and Mayor Eisinger. Commissioner Sims arrived at 6:56 p.m.

3. CHANGES TO AGENDA/EMERGENCY MATTERS

City Manager Loucks explained that the intended meeting date under Item 6F has been changed to Thursday, July 12th and described the requests to either add or remove the following Items:

- A.** Removal of Item 10 from the Agenda per Commissioner Sims' request.

- B.** Add Item 6-E-4 to the Consent Agenda

- C.** Removal of Item 7B from the Agenda per City Manager

MOTION: To approve the changes to the Agenda as described above.
Moved by Commissioner Mallozzi. Seconded by Commissioner Curran. Unanimous consensus was reached to approved the changes with Commissioner Sims absent. Motion passed.

4. ANNOUNCEMENTS/PRESENTATIONS

Mayor Eisinger made the following announcements:

- City Hall will be closed on Wednesday, July 4th in observance of Independence Day.
- The next Commission Meeting is scheduled for Tuesday, July 17th.
- The first Budget Workshop is scheduled for Wednesday, July 18th at 5:00 p.m. and the second Budget Workshop is scheduled for Thursday, July 19th at 5:00 p.m.
- There will be a Special Commission Meeting for Budget Items only on Monday, July 30th at 6:00 p.m.
- The August Commission Meeting will be held on August 21st at 6:00 p.m.

Mayor Eisinger extended personal happy birthday wishes to her son and daughter-in-law and announced that her aunt, uncle and cousin have recently become Cooper City residents, as they have relocated from New York.

Commissioner Mallozzi commended staff on the "Touch-A-Truck" event and asked for support for Girl Scout Troop #10765 as they gather items

for the Humane Society of Broward County by contacting Collette at 305-970-8284, and for military personnel stationed overseas by way of www.forgottensoldiers.org.

A. Teen Council

The City Commission and Recreation Director, Lynda Good presented the members of the 2011/2012 Teen Council with Certificates of Recognition for their service to the community.

B. Rebecca Hunter – Presentation by Tony Spadaccia of Waste Management

John Alpert and Tony Spadaccia, on behalf of Waste Management, Inc., presented Cooper City High School student Rebecca Hunter with five innovative and attractive recycling containers to encourage increased recycling throughout City parks. As Rebecca's community service project, she worked to procure the receptacles which Waste Management provided at her request.

Mr. Loucks announced that Waste Management has offered to begin a scholarship program for Cooper City students in lieu of the contracted Household Hazardous Waste Collection events since Broward County currently provides an event in Cooper City each March. He explained that the Green Advisory Board would be asked for their input on the subject.

C. Senior Advisory Board Report, Chair Gail Jaffee

Chair Gail Jaffee of the Senior Advisory Board provided a comprehensive report of the activities and accomplishments of the Board over the past year.

5. AGENDA CONCERNS

Raymond Villasnor, 12381 Natalie's Cove Road, asked for information regarding the appearance of a particular fence or wall along Stirling Road.

6. CONSENT AGENDA

A. Minutes

May 22, 2012 – Regular Commission Meeting

B. Home Local Business Tax Receipts

1. Marlene Lieberman Consulting, Inc., Marlene Lieberman, 10410 Panama St., Consulting/Educational Training
2. Rocaz Cleaning Corp., Andres Rodriguez, 10445 SW 52 St., Commercial and Residential Cleaning Service
3. Classic Painters, Inc., Dawn Bedgood, 9113 SW 52 St., Painting

C. Proclamations

Building Department - Code Awareness and Safety Month, July 2012

D. Resolutions

1. Approving the First Amendment to the Site Lease with T-Mobile South to extend the option period for one year on the cell tower located at 9070 SW 51 Street – **Res. No. 12-6-1**
2. Appointing and designating Gregory Butler to the Firefighters Pension Board – **Res. No. 12-6-2**

E. Financial Matters

1. Approval of Task Order #2012-1 to C3TS, PA for engineering inspection and testing services associated with the City's 27-acre park property at Flamingo and Stirling Roads.
2. Awarding a contract to DuroLast Roofing, Inc. in the amount of \$127,753 for the re-roofing of City Hall.
3. Awarding a contract to Kemira Water Solutions, Inc. for the purchase of liquid Ferrous Sulfate and lease of chemical storage and dosing equipment – Bid #2012-3
4. Approval of Change Order 8 to ABC Construction, Inc. for the replacement of Wastewater Lift Station #1 – **at no additional cost to the City**

F. Special Meeting Schedule

Approval to schedule a Special Commission Meeting for Thursday, July 12, 2012 at 5:00 p.m. regarding the status of the Renaissance Charter School.

MOTION: To approve the Consent Agenda

Moved by Commissioner Green. Seconded by Commissioner Mallozzi. All aye on roll call vote with Commission Sims absent. Motion passed.

7. TRAFFIC SAFETY STUDY REPORTS

City Engineer/Utilities Director Mike Bailey introduced Jeff Maxwell of Calvin Giordano & Associates who provided the comprehensive findings of the studies they have completed for the City. Based on those findings, speed humps or similar devices are not warranted for the specific areas named in the executive summary. Mr. Maxwell detailed the recommendations for curtailing future accidents in these areas, where necessary.

Traffic Safety Studies were conducted on the following areas:

- A.** SW 49 Street/SW 88 Terrace, between SW 90 Avenue and SW 52 Street; SW 87 Avenue between Griffin Road and SW 87 Terrace (Timberlake Subdivision); NW 89 Avenue between NW 34 Street and NW 41 Street (Diamond Head Subdivision)

MOTION: To approve the Traffic Safety Study Reports and results as presented.

Moved by Commissioner Green. Seconded by Commissioner Mallozzi. All aye on roll call vote with Commissioner Sims absent. Motion passed.

- B.** Stirling Road and SW 122nd Avenue
The options provided as a result of the Traffic Safety Study Report.
Previously removed.

8. LAND DEVELOPMENT MATTERS

A. Dunkin' Donuts – Sign Waiver Petition #SW 4-1-12 Located at 9740 Griffin Road

Mayor Eisinger opened the Public Hearing and administered an oath relative to Items A, B1, B2 and C to the following people wishing to speak:

Matt Wood: City Staff **Charles Cutler:** Dunkin Donuts
Jeannette Wofford: City Staff **Mike Isaac:** Apollo Signs
Mary Meltzan: for Jefferson Apartments
Joe Hanley: Craven Thompson **Hope Calhoun:** Greenspoon
Marder **Andy Rodriguez:** Architectural Design Collaborative
Chad Edwards: Craven Thompson

Ex-parte' Disclosure for Item A- Dunkin Donuts

Commissioner Green:	Charles Cutler
Commissioner Curran:	Charles Cutler
Commissioner Mallozzi:	Edward and Charles Cutler
Commissioner Sims:	None
Mayor Eisinger:	None

Matt Wood read the staff report relative to the sign waiver petition, including recommendations for approval from the Business Advisory and Planning & Zoning Boards.

MOTION: To approve Sign Waiver Petition #SW 4-1-12 for Dunkin' Donuts, pursuant to the stipulations contained in the staff report.

Moved by Commissioner Curran. Seconded by Commissioner Green. All aye on roll call vote. Motion passed.

B. Bank of America Remote ATM at Cooper City Plaza, Located at 9670 Griffin Road

1. Sign Waiver Petition #SW 11-2-11

Ex-parte' Disclosure - Items B1 and 2 – Bank of America

Commissioner Green:	None
Commissioner Curran:	None
Commissioner Mallozzi:	None
Commissioner Sims:	None
Mayor Eisinger:	None

Matt Wood read the staff report relative to the sign waiver petition, including recommendations for approval from the Business Advisory and Planning & Zoning Boards.

Deputy Jay Greear, DRC Committee member was sworn in and testified as to the sufficient, crime deterrent lighting for the site.

MOTION: To approve Sign Waiver Petition #SW 11-2-11 for Bank of America, pursuant to the stipulations contained in the staff report.

**Moved by Commissioner Green. Seconded by Commissioner Mallozzi. All aye on roll call vote.
Motion passed.**

2. **Site Plan Amendment Petition #SPA 11-1-11 – Res. No. 12-6-3**

City Atty. Wolpin read, "A RESOLUTION OF THE CITY OF COOPER CITY, FLORIDA, ISSUING DEVELOPMENT ORDER NO. 12-3R TO BANK OF AMERICA, FOR SITE PLAN AMENDMENT #SPA 11-1-11, SUBJECT TO THE STIPULATIONS CONTAINED WITHIN THE STAFF REPORT; AND PROVIDING FOR AN EFFECTIVE DATE," by title only.

Matt Wood read the staff report relative to the site plan amendment petition, including recommendations for approval from the DRC and the Planning & Zoning Board.

MOTION: To approve the Resolution granting Development Order No. 12-3R to Bank of America, pursuant to the stipulations contained in the staff report.

**Moved by Commissioner Curran. Seconded by Commissioner Mallozzi. All aye on roll call vote.
Motion passed.**

C. **Jefferson Apartments at Monterra – Site Plan Petition #SP 2-1-12, Located at Monterra Parcel 2F-2 – Res. No. 12-6-4**

City Atty. Wolpin read, "A RESOLUTION OF THE CITY OF COOPER CITY, FLORIDA, ISSUING DEVELOPMENT ORDER NO. 12-4 TO JEFFERSON APARTMENTS AT MONTERRA, FOR SITE PLAN #SP 2-1-12, SUBJECT TO THE STIPULATIONS CONTAINED WITHIN THE STAFF REPORT; AND PROVIDING FOR AN EFFECTIVE DATE," by title only.

Ex-parte' Disclosure - Item C – Jefferson Apartments

Commissioner Green:	Hope Calhoun and Christina Webb
Commissioner Curran:	Hope Calhoun and Christina Webb
Commissioner Mallozzi:	Hope Calhoun and Christina Webb
Commissioner Sims:	Hope Calhoun and Christina Webb
Mayor Eisinger:	Hope Calhoun and Christina Webb

Matt Wood read the staff report relative to the site plan petition, including recommendations for approval from the DRC and the Planning & Zoning Board.

Christina Lathrop, Landscape Architect for Dix Lathrop and Associates was sworn in and testified as to the length of delay for resident/guest access gates.

MOTION: To approve the Resolution granting Development Order No. 12-4 to Jefferson Apartments at Monterra, pursuant to the stipulations contained in the staff report.

Moved by Commissioner Green. Seconded by Commissioner Mallozzi. All aye on roll call vote. Motion passed.

9. DISCUSSION AND DIRECTION

Requesting Commission direction regarding the issuance of an ordinance prohibiting the sale and display of herbal incense products.

Commissioner Curran introduced the subject and explained that he has seen these products displayed and sold in local stores and would like to see the City adopt some restrictions to stop local stores from selling these products. All of the Commission contributed to a discussion on the subject.

Unanimous consensus was reached to direct the City Attorney to draft an ordinance banning the sale of synthetic herbal products within the City limits.

10. SIGN CODE

Relative to free speech. (prior sign code); (current sign code)
Item previously removed.

11. POLICE CHIEF'S REPORT

Lieutenant Cates reported that his department has visited local stores and asked them to remove the products from their shelves. The store owners agreed to comply, although there is no law in effect as of yet. He also explained that alcohol and tobacco stings are conducted on a regular basis and that he would later report on the outcome of the next operation. He described the recent apprehension of criminals who were observed stealing mail. He cautioned pedestrian safety, bicycle safety and water safety throughout the summer.

12. FIRE CHIEF'S REPORT

Chief Sievers explained that his station will host a technical rescue class for the Broward Fire Academy. He cautioned that everyone make their hurricane preparations if they have not already.

13. CITY MANAGER REPORT

City Manager Loucks asked for direction regarding the City's properties that are currently being used at storage lots. He explained that additional revenue could be earned by raising the current below market rates, and questioned whether there was interest by the Commission for him to investigate the profitability of the sale of these properties.

14. OPEN PUBLIC MEETING

Gladys Wilson, 5155 SW 90th Avenue, stated that the parking lots are City services that should be managed separately if the workload is too much for the City, but not sold. She warned against the danger of unpainted speed humps and thanked the City Manager for the improvements around City Hall.

Susan M. Kerns, 12105 Paseo Way, apologized to Commissioner Green for including him in a previous statement, she commented regarding the public presentation relative to 122nd Way that was held at the Pool & Tennis Center on May 21st. She presented a petition representing opposition to the closure of the southbound left-turn lane out of Countryside Shops on to Stirling Road and explained her reasons for submitting the petition.

Skip Klauber, 10241 Guatemala Street, directed comments to Commissioner Mallozzi regarding past Charter changes.

Jay Greear, [address protected], announced that he chose to forego qualifying to run for the Commission District 3. He criticized the conduct of some citizens who attend meetings of the Commission and various boards and speak to staff and members of the Commission in a disrespectful fashion.

Peter Daversa, 5712 SW 118th Avenue, commented on previously removed Item 7B and suggested a "safety triangle" be used in this area. He also suggested that the public storage lots remain managed by the City as a service to its residents.

15. COMMISSIONERS' CONCERNS/REPORTS

Commissioner Green thanked Waste Management for their scholarship proposal and commended the Sheriff's Office District 16.

Commissioner Curran explained that he had been approached regarding the sale and operation of the storage facilities and believes that the City may benefit from not having to manage them. He asked for funding to maintain the trees, sidewalks, roadsides and signage of the City to a higher standard.

Commissioner Sims commented regarding the tree-trimming procedures practiced in the City, the condition of sidewalks, budgetary

concerns, signage, vacant lots, City codes, rodents, taxes and the rights of citizens to speak at public meetings.

Commissioner Mallozzi commented regarding a previous resident's statement and suggested that the sign code be revised so that businesses no longer have to go through the variance process for approval of their recognizable logos.

Mayor Eisinger commented that the aesthetics of the City have suffered severe budget cuts in recent years so that public safety could be increased, while the state of the overall economy was in a downturn allowing the Commission to continue to lower the millage rate for its residents and maintain fiscal responsibility. She reported on a grant program for seniors offered by the Community Foundation of Broward program called "Re-engage for Good."

16. ADJOURNMENT

The meeting was adjourned at 8:51 p.m.

NOTICE: This meeting is open to the public. In accordance with the Americans with Disabilities Act of 1990, all persons who are disabled and who need special accommodations to participate in this meeting because of that disability should contact the Office of the City Clerk, 954-434-4300 ext. 220, not later than two days prior to such proceeding. One or more members of the City of Cooper City Advisory Boards may be in attendance and may participate at the meeting. Anyone wishing to appeal any decision made by the Cooper City Commission with respect to any matter considered at such meeting or hearing will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Agenda items may be viewed online at www.coopercityfl.org or at the Office of the City Clerk, City of Cooper City, 9090 SW 50 Place, Cooper City, Florida, 33328, 954-434-4300.