

**CITY OF COOPER CITY
CITY COMMISSION MEETING AND
FINAL BUDGET HEARING MINUTES
SEPTEMBER 19, 2012
6:00 PM**

1. PLEDGE OF ALLEGIANCE

Commissioner Mallozzi opened the Meeting at 6:02 p.m. and led the assembly in the Pledge of Allegiance.

2. ROLL CALL

Present were Commissioners Mallozzi, Sims, Curran, and Green. Mayor Eisinger was absent.

3. CHANGES TO AGENDA/EMERGENCY MATTERS

City Manager Loucks – Providing information regarding filling a chief electrical inspector position. No objection was made by the Commission.

4. ANNOUNCEMENTS/PRESENTATIONS

Commissioner Mallozzi made the following announcements:

- The 20th Annual Tree & Plant Care Workshop will be held on Saturday, September 22nd, in the City Hall Auditorium, from 8:00 AM until 3:00 PM.
- The Annual Community Garage Sale will be held on Saturday, October 6th at the Cooper City Sports Complex, 10300 Stirling Road from 7AM until Noon.
- Cooper City residents are invited to exchange books at the upcoming Community Book Swap on Friday, October 12th from 6:00 – 7:30 PM at the Community Center.
- The Davie/Cooper City Chamber of Commerce is hosting a Candidates Forum for the Cooper City Commission Candidates running for the November 6th Election in the Cooper City Hall Auditorium on Thursday, October 18th from 7:00 – 9:00 PM.
- The Education Advisory Board is hosting a Candidates Forum for Broward County School Board At Large Candidates representing Cooper City in the Cooper City Hall Auditorium on Thursday, October 25th from 7:00 – 9:00 PM.
- The Recreation Department, in cooperation with Countryside Shops, is hosting the Annual Trick or Treat Shop to Shop on Saturday, October 27th from 10:00 AM – Noon for children Fifth Grade and Under.
- Commission Meetings are scheduled as follows: Workshop Meeting, Monday, September 24th @ 5:00 PM; Commission Meeting, Tuesday, October 9th @ 6PM; Commission Meeting, Tuesday, October 23rd @ 6PM.

- A yard sale will be held on Saturday, September 22nd at 4979 SW 90 Way to benefit residents in the community who have fallen on hard times.
- 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.
- She commended the Recreation Staff for the Mom and Son Night of Fun Event.

5. AGENDA CONCERNS Presentations will be limited to three minutes. Comments may address any issue on this agenda, provided that if a person wishes to speak on an item designated for public hearing, their comments should be held until the public hearing is opened by the Mayor. There will be a thirty-minute aggregate time limit for this item. Other public discussion will be permitted under "Open Public Meeting." Public input during Public Hearings shall be limited to three minutes per person.

(NOTE: Further, please be advised that at the designated time of 8:30 p.m. during this Commission meeting, the Open Public Meeting portion shall be conducted for a time period of 30 minutes, during which time any individual may speak for up to 3 minutes duration on any matters which are pertinent to the City, whether or not the matter pertains to any item that is listed on the meeting agenda. In the event that the meeting would adjourn prior to the 8:30 p.m. time slot scheduled for the Open Public Meeting portion, the Open Public Meeting portion shall be held prior to the adjournment of the Commission meeting.)

Dan Barrett, 5704 SW 116 Avenue, asked that the City Commission reconsider the millage/tax increase and suggested that other options, such as negotiating decreases in BSO and other contracts and establishing an incentive program for City employees who find ways to save or cut costs, be reviewed.

Skip Klauber, 10241 Guatemala Street, expressed concern regarding the extension of Greg Ross's term as Special Magistrate while running for Mayor, opined that there are several attorneys in the City who may qualify for the Special Magistrate positions, suggested that it was problematic to have Mr. Ross serve as Chair of the Charter Review Board while at the same time he was an announced candidate for Mayor, and suggested that it might be good to look for other citizens to serve on advisory boards.

6. CONSENT AGENDA

A. Minutes

September 12, 2012 – First Budget Hearing

B. Resolutions

1. Designating and appointing Eddie Rogacki and Bob Nichols to the Recreation Advisory Board – **Res. No. 12-9-2**
2. Designating and appointing Janice Malkoff to the Green Advisory Board – **Res. No. 12-9-3**
3. Appointing Greg Ross as Special Magistrate through November 6, 2012 and M. Scott Kleiman as Alternate through August 18, 2013 – **Res. No. 12-9-4**
4. Designating and appointing members to the Teen Council – **Res. No. 12-9-5**
5. Recognizing “Together We Serve Week” during October 21-27, 2012 – **Res. No. 12-9-6**

Commissioner Green removed Item 6-B-3 from the Consent Agenda.

MOTION: To approve the Consent Agenda excluding Item 6-B-3.
Moved by Commissioner Curran. Seconded by Commissioner Green. All aye on roll call. Motion passed.

Item 6-B-3 Appointing Greg Ross as Special Magistrate through November 6, 2012 and M. Scott Kleiman as Alternate through August 18, 2013 – **Res. No. 12-9-4**

MOTION: To approve Item 6-B-3.
Moved by Commissioner Green. Seconded by Commissioner Curran.

City Atty. Wolpin read “A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA APPOINTING CODE ENFORCEMENT SPECIAL MAGISTRATES; AND PROVIDING FOR IMPLEMENTATION” by title only.

Discussion ensued regarding the purpose, function and procedures of the Special Magistrate Program, the basis for the extension of Mr. Ross’s term and Mr. Kleiman’s renewal term, information on the initial process for appointing the Special Magistrate and Alternate, and the need to initiate a search for other potential magistrate candidates.

The Commission gave direction to the City Manager to schedule a workshop in November to proceed with the subsequent filling of the Primary Special Magistrate position.

All aye on roll call vote.

7. PUBLIC HEARINGS

Fiscal Year 2012/2013 Budget and Taxes

A. Final Public Hearing on Adoption of Fiscal Year 2012/2013 Millage Rate – Ord. No. 12-9-1

(NOTE: Pursuant to the Florida TRIM Bill, the Millage Rate must be discussed and adopted prior to the adoption of the annual budget).

City Atty. Wolpin advised that this item provides for a proposed millage rate of 5.6866 mils, which is 15.04% above the rollback rate of 4.9430 mils and also for a voted debt service millage rate of 0.1906 mils.

City Atty. Wolpin read "AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA, ADOPTING THE FINAL LEVY OF AD VALOREM TAXES FOR COOPER CITY FOR THE FISCAL YEAR 2012/2013; AND PROVIDING FOR AN EFFECTIVE DATE" by title only.

MOTION: To approve the Ordinance adopting the Millage Levy for Fiscal Year 2012/2013.

Moved by Commissioner Curran. Seconded by Commissioner Green.

Commissioner Mallozzi opened the Public Hearing.

Susan Kerns, 12105 Paseo Way, spoke in opposition to a millage/tax increase and the proposed flyer/mailler regarding the Charter Questions.

Gladys Wilson, 5155 SW 90th Avenue, spoke in opposition to a tax increase and sending out the flyer/mailler.

Greg Ross, 3777 Bimini Avenue, spoke in opposition to sending out the flyer/mailler, suggested posting the information to the City's website and utilizing the backs of water bills to inform the residents.

Commissioner Mallozzi closed the Public Hearing.

Commission members explained that the proposed millage increase would be used to maintain the City, restore safety and reinvest in the City. Questions and concerns were raised regarding the cost and procedures used in the tree-trimming process/contract.

Roll Call Vote

Commissioner Green: Yes

Commissioner Curran: Yes

Commissioner Sims: No

Commissioner Mallozzi: Yes

Motion passed.

B. Final Public Hearing on Adoption of Fiscal Year 2012/2013 Budget – Ord. No. 12-9-2

City Atty. Wolpin read "AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA, OFFICIALLY ADOPTING AND APPROVING THE ANNUAL BUDGET FOR THE FISCAL YEAR 2012/2013 AND APPROPRIATING THE FUNDS REQUIRED FOR THE OPERATION OF THE CITY; AND PROVIDING FOR AN EFFECTIVE DATE" by title only.

MOTION: To approve the Ordinance adopting and approving the Annual Budget for Fiscal Year 2012/2013 and appropriating the funds required for the operation of the City.

Moved by Commissioner Green. Seconded by Commissioner Curran.

City Atty. Wolpin advised that the adoption of the budget as presented includes the revisions set forth in the City Manager's memo dated September 14, 2012 where all the changes are broken down by various funds and line items.

Commissioner Mallozzi opened the Public Hearing.

Gladys Wilson, 5155 SW 90th Avenue, urged the Commission to look for ways to reduce the budget.

Commissioner Mallozzi closed the Public Hearing.

MOTION: To put the two laptop computers back in the budget that were previously removed.

Moved by Commissioner Curran. Seconded by Commissioner Green. Motion was withdrawn by maker.

Commissioner Mallozzi was on the prevailing side of a decision made at the September 12, 2012 Budget Hearing to send out an informational mailer to the City residents. Commissioner Mallozzi passed the gavel to Commissioner Sims.

MOTION: To reconsider the expenditure on the Charter mailer provision.

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

MOTION: To revoke use of the Charter mailer.

Moved by Commissioner Mallozzi. Seconded by Commissioner Green.

City Manager Loucks advised that the final cost of the mailer had been reduced to \$4,500, that the mailer information is already on the City's

website under Municipal Election, and that photocopies can be made available at City facilities for interested residents.

All aye on roll call vote.

MOTION: To include in the budget funds to purchase laptop computers for the City Manager and City Clerk.

Moved by Commissioner Curran. Seconded by Commissioner Sims. All aye on roll call vote.

Roll Call on original motion which includes the City Manager's memo dated September 14, 2012 and the amendments:

Commissioner Green: Yes

Commissioner Curran: Yes

Commissioner Sims: No

Commissioner Mallozzi: Yes

Motion passed.

C. Public Hearing Amending Schedule A (Monthly Water Rates), Schedule B (Monthly Waste Water Rates), and Schedule D (Water and Waste Water Miscellaneous Charges) of Chapter 19 of the Municipal Code of Ordinances – Res. No. 12-9-7

City Atty. Wolpin read "A RESOLUTION OF THE CITY OF COOPER CITY, FLORIDA, AMENDING SCHEDULE (A), SCHEDULE (B), AND SCHEDULE (D) OF ORDINANCE NO. 85-10-1, RELATING TO (MONTHLY WATER RATES), (MONTHLY WASTE WATER RATES), AND (WATER AND WASTE WATER MISCELLANEOUS CHARGES) WITHIN THE CITY; AND PROVIDING FOR AN EFFECTIVE DATE" by title only.

MOTION: To approve the Resolution amending the Monthly Water Rates, Waste Water Rates, and Water and Waste Water Miscellaneous Charges.

Moved by Commissioner Green. Seconded by Commissioner Curran.

Commissioner Mallozzi opened the Public Hearing and invited anyone wishing to speak to come forward.

Gladys Wilson, 5155 SW 90th Avenue, spoke in opposition to the water rate increase.

Commissioner Mallozzi closed the Public Hearing.

All eye on roll call vote.

8. POLICE CHIEF'S REPORT

Chief Hale explained that he had just returned from a Broward Police Academy Graduation where Sean Reyka, son of Sgt. Chris Reyka who was murdered while on duty, graduated. He advised that a Crime Watch Observation Training Presentation was conducted last Friday and was well-attended by City employees of the Public Works Department, the Utilities Department, and Rock Creek and Embassy Lakes maintenance personnel. He further advised that a Tri-County Enforcement Operation will be conducted on October 9th to identify drivers who present fraudulent insurance cards, an offense for which the driver can be arrested.

9. FIRE CHIEF'S REPORT

Chief Sievers announced that the Annual Fire Rescue Open House will be held on October 13th from 11:00 a.m. to 2:00 p.m.

10. CITY MANAGER REPORT

City Manager Loucks reminded everyone that the Materials Recycling Facility Workshop will be held Monday, September 24th at 5:00 p.m.

11. OPEN PUBLIC MEETING (this portion is scheduled to commence at 8:30 P.M., except as provided in note at item #5, above)

Gladys Wilson, 5155 SW 90th Avenue, announced that the Cooper City Civic Group will hold a meeting on September 20th at 7:00 p.m. at the Cooper City Community Center and a Candidate's Night will be held on October 18th.

Pete Daversa, Flamingo Gardens, commended the way this meeting was conducted and suggested that public safety options be reviewed.

Skip Klauber, 10241 Guatemala Street, commented on the difference between the last meeting and this meeting. He spoke in opposition to and concern for the practice of providing action minutes of Commission meetings.

Susan Kerns, 12105 Paseo Way, spoke regarding the wall issue for the Paseo Way residents, the proposed closing of the 122nd Avenue intersection, and concern for the cost of traffic studies that were recently conducted.

Greg Ross, 3777 Bimini Avenue, thanked the Commission regarding their decision to extend his term as Special Magistrate and advised that as Chair of the Charter Review Board he was aware that minutes were being taken

but he was unaware that the minutes would be abridged, although accurate. He thanked the Commission for the behavior at tonight's meeting.

12. COMMISSIONERS' CONCERNS/REPORTS

Commissioner Curran advised that renegotiating the rate with BSO would result in the reduction of officers/BSO personnel in Cooper City and that of great concern is that the criminal element is vastly different than years ago. He commended the Commissioners for their decorum at this meeting. He reminded the residents of Paseo Way that he is still offering a safety option of a guardrail and hedge. He announced that Mayor Eisinger was absent from the meeting tonight because she was attending the swearing-in ceremony for her son, Gregory, who passed the bar. He congratulated the family.

Commissioner Green advised that he is still advocating for safety in relation to the 122nd Avenue intersection. Mr. Loucks advised that the City and County are working with the owner of Countryside Shops to implement suggested changes to the intersection, which at this time does not include closing that intersection. He thanked Mr. Deversa for his comments regarding this meeting and advised that elected officials should conduct themselves with professionalism and civility and apologized for any lack of decorum that may have happened at the last Commission meeting. He wished everyone a Happy Rosh Hashanah.

Commissioner Sims spoke regarding rules and potential changes to the policies and procedures of the Commission meetings after the November 6th Election. He apologized for any lack of decorum that may have happened at the last Commission meeting. He advised that he has asked for a breakdown in BSO costs and an appraisal of the Monterra property. He expressed concern that people who are not BSO personnel are riding in BSO vehicles. He spoke in support of purchasing a rescue vehicle instead of a fire truck with the funds resulting from the agreement with Monterra and commended Commissioner Mallozzi for a well-run meeting.

Commissioner Mallozzi advised that funds from Monterra can be used for an emergency/rescue vehicle, wished everyone a Happy Rosh Hashanah and congratulated the Mayor and family on her son's admittance to the bar.

13. ADJOURNMENT

The meeting was adjourned at 8:37 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.