

**CITY OF COOPER CITY  
CITY COMMISSION MEETING  
AUGUST 20, 2013**

**1. PLEDGE OF ALLEGIANCE**

Mayor Ross called the meeting to order at 6:30 p.m. and led the assembly in the Pledge of Allegiance.

**2. ROLL CALL**

Present were Commissioners Green, Curran, Sims, Mallozzi and Mayor Ross.

**3. CHANGES TO AGENDA/EMERGENCY MATTERS**

City Manager Loucks requested that Item 6D4 from the Consent Agenda be tabled to allow for further clarification in the language.

**MOTION:** To table Item 6D4.

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

Mayor Ross to address recent allegations

Mayor Ross addressed the assembly and described his position as an attorney acting on behalf of his client during a recent traffic stop, which resulted in allegations by members of the Pembroke Pines Police Department. He apologized to the citizens of Cooper City, staff and the Commission for any negative impression they may have received from the Pembroke Pines Police Officers' description of the events.

Fellow Commission members were given the opportunity to address the event that was captured in the media.

Commissioner Curran made no comment.

Commissioner Sims commented regarding the safety risks of interfering with a traffic stop and expressed his respect for the Mayor's duty as an attorney for his client.

Commissioner Green expressed the need for all public officials to remain mindful of the perception of any of their actions that take place in the public.

Commissioner Mallozzi made no comment.

**4. ANNOUNCEMENTS/PRESENTATIONS**

Corruption Outreach Program Presentation by FBI Agent Kyle Scheatzle

Special Agents Kyle Scheatzle and Alex Galliano of the Miami Division of the FBI announced the kick-off of their new program entitled "COP" which stands for Corruption Outreach Program. They explained their goal is to reach out publicly to communities regarding corruption in the public sector and requested

that the City establish a workshop regarding this subject where their members can make a formal presentation.

## **ANNOUNCEMENTS**

Mayor Ross made the following announcements:

- The Community Flag Retirement Ceremony on September 7<sup>th</sup> will be offered by local Boy and Girl Scouts troops from 5:00 p.m. to 7:00 p.m. at the Community Center.
- An old fashioned ice-cream party will be offered in celebration of Grandparents' Day at the Pool and Tennis Center on Sunday, September 8<sup>th</sup> from 2:00 p.m. to 4:00 p.m.
- Mom and Son Night of Fun will be held on Friday, September 20<sup>th</sup> from 6:30 to 9:30 p.m. at the Community Center.
- The Fall Community Garage Sale will be held on Saturday, October 5<sup>th</sup> at the Sports Complex from 7:00 a.m. to noon.
- The Community Book Swap will be held on Friday, October 11<sup>th</sup> at the Community Center. Receive details through the Community Center.
- The upcoming Commission Schedule will be as follows:
  - City offices will be closed on Monday, September 2<sup>nd</sup> in observance of Labor Day.
  - The First Budget Hearing is scheduled for Thursday, September 12<sup>th</sup> at 6:30 p.m.
  - The Final Budget Hearing is scheduled for Wednesday September 18<sup>th</sup> at 6:30 p.m.
  - The next regular Commission Meeting is scheduled for Tuesday, October 8<sup>th</sup> at 6:30 p.m.

Commissioner Mallozzi made the following announcements:

- Girl Scout Troop #10765 continues to collect household linens and bedding materials for the Humane Society of Broward County. Contact Collette at 305-970-8284.
- Support military personnel stationed overseas through [www.forgottensoldier.org](http://www.forgottensoldier.org)

## **5. AGENDA CONCERNS**

Gladys Wilson, 5155 SW 90<sup>th</sup> Avenue, announced that the Wal-Mart item should not be on the Agenda when there are senior citizens in the City who cannot afford meals and need the Meals on Wheels program reinstated.

Valorie Shaw, 8774 NW 37<sup>th</sup> Place, spoke against the development of the Davie Wal-Mart and addressed the possibility of school boundary changes.

Natalie Paez, 3948 NW 85<sup>th</sup> Avenue, spoke in opposition of the Davie Wal-Mart development to be constructed near Monterra.

Peter Rost, 3633 NW 83<sup>rd</sup> Way, spoke in support of the proposed Wal-Mart development in nearby Davie, and referenced the potential for school boundary changes if additional residential homes are added in its place.

Paul Colin, 3122 NW 82<sup>nd</sup> Way, spoke in support of the Davie Wal-Mart development.

Robert Janzer, 8735 SW 57<sup>th</sup> Place, spoke in opposition to the Wal-Mart development.

Sheri Pollock, 8730 SW 56<sup>th</sup> Place, spoke in opposition to the Davie Wal-Mart development.

Dwayne L. Dickerson, 2915 NW 84<sup>th</sup> Terrace, spoke in support of the Wal-Mart development and in opposition of the tactic employed by the vocal opposition to the project.

Nectaria Chakas, 1401 E. Broward Boulevard, Suite 200, spoke as a representative of the developer for the Wal-Mart project.

Susan Motley, 100 W. Cypress Creek Road, spoke as counsel for Wal-Mart.

**MOTION:** To extend the aggregate time period for Agenda Concerns beyond the allotted 30 minutes.

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

Michelle Belaire, 7725 NW 48<sup>th</sup> Street, Suite 150, spoke as a representative of Wal-Mart.

Morton Friedrich, 5191 SW 88<sup>th</sup> Terrace, spoke in opposition of the Wal-Mart project, but also in recognition of the fact that Cooper City officials will have no authority over this development as it lies outside of the city limits.

Bobby Bennet, 3821 N. W. 3<sup>rd</sup> Drive, spoke as a Monterra resident and employee of Gatlin Development in support of the Wal-Mart project.

Stephen Buell, 4700 S. Flamingo Road, spoke as a representative of Wal-Mart.

Bill McCarty, 18862 N. Golden Hawk Trail, spoke as a representative of Wal-Mart.

Michael Heithaus, 3160 NW 84<sup>th</sup> Way, spoke in opposition of the Wal-Mart development.

Lily Whitney, 3761 NW 88<sup>th</sup> Terrace, spoke in opposition of the Wal-Mart development.

Ian Ballard, 8711 NW 41<sup>st</sup> Street, spoke in opposition of the Wal-Mart development.

Edward Werbin, 3827 NW 88<sup>th</sup> Terrace, spoke in opposition of the Wal-Mart development.

## **6. CONSENT AGENDA**

### **A. Minutes**

1. July 16, 2013 – Regular Meeting
2. July 17, 2013 – Budget Workshop
3. July 23, 2013 – Commission/Business Advisory Board Workshop
4. July 29, 2013 – Special Budget Meeting

### **B. Proclamation**

Florida Water and Land Conservation Amendment

### **C. Home Local Business Tax Receipts**

1. Demeo Services, Inc., Roxanne Demeo, 5701 SW 117 Terrace, Clerical/Billing/Construction Contracts
2. Guardian Modular, Inc., James D'Andrea, 10131 SW 49 Court, Dealer/Distributor for Manufacturer of Products
3. Quintech Pest Control, LLC, Ernesto Quintano, 5232 SW 94 Avenue, General Household Pest Control

### **D. Resolutions**

1. Approval of a Lease Amendment with American Tower Asset Sub, LLC for the cell tower located at the Utilities Plant - **Res. No. 13-8-1**
2. Approving an increase in the Communication Services Tax to 5.22% - **Res. No. 13-8-2**
3. Designating and appointing Gladys Wilson and Howard Meltzer to the Senior Advisory Board – **Res. No. 13-8-3**
4. Authorizing the Mayor and City Clerk to execute an Agreement with Broward County for Participation in the Consolidated Regional E-911 Communications System and a Regional Interlocal Agreement for Cooperative Participation in a Regional Public Safety Intranet– **Res. No. 13-8-4**

### **E. Financial Matters**

1. Approval to extend the agreement with Imperial Lighting for 12 months effective October 25, 2013 through October 24, 2014
2. Approval to extend the agreement with T&M Lawn Service for 12 months effective August 21, 2013 through August 20, 2014

**MOTION:** To approve the Consent Agenda with the exception of Item 6D4, previously tabled.

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

## **7. DISCUSSION AND DIRECTION**

- ### **A.**
- Recommendation for legally defensible regulations and enforcement strategies for "Sober Houses"

**Consensus was reached to create an ordinance that addresses these regulations specifically.**

- ### **B.**
- Monterra Commercial vs. Residential Development (photos) – **Commissioner Mallozzi**

Commissioner Mallozzi addressed the potential for commercial development and the impact that increased residential development would have on this area. She recommended an increase in residential development for this area.

Commissioner Sims agreed and suggested the developer provide a compatibility study to support their request for residential development as well as additional impact fees to replace the lost revenue that would result from the lack of commercial development.

Commissioner Curran expressed his continued support for the development of a town center in Monterra, as originally intended.

Commissioner Green reiterated his support for the development of a town center in Monterra and explained that any commercial development in Davie is out of the jurisdiction of the Cooper City Commission.

Mayor Ross expressed his interest in keeping Cooper City students in Cooper City schools and for commercial development within Monterra. He additionally commented regarding the Wal-Mart development.

Each Commission member expressed their opposition to the School Board moving Cooper City students out of Cooper City schools as this subject was introduced during the discussion.

**Consensus was reached to continue the Commission Meeting and the discussion items as the time was past 8:30 p.m.**

- C.** Authorizing the issuance of a letter opposing the development of a Wal-Mart Neighborhood Market in Davie – **Commissioner Mallozzi**

City Manager Loucks provided an overview of the Compatibility Review Cooper City requested and the process employed by the developer through the Town of Davie and Broward County to petition for this project.

Commissioner Mallozzi expressed her opposition to the development of the Davie Wal-Mart supermarket.

Commissioner Sims expressed his desire to represent the best interests of the residents and the Commission.

Commissioner Curran expressed his wish for the Town of Davie to allow Matt Wood to have a say in the oversight of the Planning and Zoning process for this project and that he cannot support a letter at this time.

Mayor Ross expressed his feeling that there is not enough data yet provided to support the issuance of a letter.

**Consensus was reached to refrain from sending a letter at this time.**

## **11. OPEN PUBLIC MEETING**

Noreen Gilman, 11771 SW 52<sup>nd</sup> Court, expressed her concern for the lack of senior support in the City.

Gladys Wilson, 5155 SW 90<sup>th</sup> Avenue, encouraged the reinstatement of the "Meals on Wheels" program and the shuttle bus.

Ed Wooley, 10038 Nashville Drive, complimented Chiefs Cates and Sievers, thanked the District 28 Firefighter/Paramedics for their expertise, questioned the E-911 Resolution, commented on land use restrictions in Monterra and suggested the Budget be reduced by 2% to 3% from the prior year.

Maria Toro commented regarding the commercial development in Monterra.

Wendy Burton, 8925 SW 49<sup>th</sup> Court, requested that the City provide medical transportation services.

Pete D'Aversa, 5712 SW 118<sup>th</sup> Avenue, extended his support to the police officers who responded to the recent call in Rock Creek and the officer-involved shooting, which resulted in the death of a gun-wielding woman, supported the request for "Meals on Wheels," criticized the content of the Commission Meeting Agenda and complimented Wal-Mart.

Jennifer Kavoukles, commented regarding the Davie Wal-Mart and commercial development.

Walt Jolliff, 11095 Bismarck Place, commented regarding the E-911 resolution and expressed concerns about the backup to the resolution and its placement on the Agenda.

Ian Ballard, 5711 NW 41<sup>st</sup> Street, questioned Monterra commercial development and the Commission's position regarding the Wal-Mart development in Davie.

**MOTION:** To extend the Commission Meeting beyond the regular adjournment time of 9:30 p.m.

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

Valorie Shaw restated her opinions about the Wal-Mart development and asked about school related issues.

## **8. POLICE CHIEF'S REPORT**

Chief Cates reported that the traffic congestion which is traditional during the first two weeks of school, should wane over time and that there will be a gun-

safety class offered through BSO at the District 16 station on Wednesday, October 22<sup>nd</sup> from 6:30 p.m. to 8:30 p.m. Call 954-432-9000.

## **9. FIRE CHIEF'S REPORT**

Chief Sievers announced that Firefighter/Paramedic Joel Armas has recently earned his Medical Doctorate and is a great asset to District 28.

## **10. CITY MANAGER REPORT**

City Manager Loucks explained that additional traffic patrol has been assigned to school traffic, specifically at Pioneer Middle School and suggested that a traffic evaluation be conducted at this location to find a solution to the congestion caused by the bottle-neck at the bridge.

## **12. COMMISSIONERS' CONCERNS/REPORTS**

Commissioner Mallozzi commented regarding the "Meals on Wheels" program and on school traffic.

Commissioner Sims suggested that the EAB and the School Liaison should be involved in any discussions with the School Board on school boundaries as they apply to Cooper City schools and Cooper City students. He requested that the Palm Avenue Construction project be placed on the next Agenda. He requested that the City Manager make a firm statement to outside utility providers that cable locators are required prior to digging.

Commissioner Curran requested that a bus route be posted that clearly shows where the City transportation service goes on a daily basis. He asked that the "Meals on Wheels" program be placed on the next Agenda and that local churches be asked to participate in the effort to fund the program. He extended his sympathy to the family of the person who was shot by the police officer and to the officer who was forced to use his weapon.

Commissioner Green complimented Chief Cates, extended sympathies to everyone involved in the Rock Creek shooting incident, and thanked Howard Meltzer for joining the Senior Advisory Board.

Mayor Ross commented on the school traffic and the traffic patrol presence and extended his condolences to the families of everyone involved in the police shooting in Rock Creek.

## **13. ADJOURNMENT**

The meeting was adjourned at 9:53 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](http://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.