

**CITY OF COOPER CITY  
CITY COMMISSION MEETING AND  
FIRST BUDGET HEARING  
SEPTEMBER 15, 2014**

**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 Mayor Ross and Commissioners Green, Curran, Sims and Mallozzi.

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

None.

**4. ANNOUNCEMENTS/PRESENTATIONS**

Mayor Ross made the following announcements:

- Mom and Son Night of Fun will be held in the Community Center on Friday, September 19<sup>th</sup> at 6:30 p.m.
- The Fall Community Garage Sale will be held on Saturday, October 11, 2014 from 7: 00 a.m. until noon at the Sports Complex.
- The Community Book Swap will be held on Friday, October 17<sup>th</sup> in the Community Center from 6:00 PM to 7:30 PM with a "Kids Only" time at 5:30 p.m.
- Trick-or-Treat Shop-to-Shop will be held on Saturday, October 25<sup>th</sup> at Countryside Shops from 10:00 a.m. until noon.
- City Hall/Commission schedule:
  - Monday, September 22<sup>nd</sup> at 6:30 p.m. Final Budget Hearing
  - Monday, October 13<sup>th</sup> – City Office Closed
  - Tuesday, October 14<sup>th</sup> at 6:30 p.m. Regular Commission Meeting.
  - Tuesday, October 28<sup>th</sup> at 6:30 p.m. Regular Commission Meeting.

Mayor Ross announced that he mistakenly quoted the date of the upcoming election as November 5<sup>th</sup> in his DRW Magazine article. The correct date is November 4<sup>th</sup>.

Commissioner Mallozzi made the following announcements:

- Support military personnel stationed overseas through [www.forgottensoldier.org](http://www.forgottensoldier.org)

## **5. AGENDA CONCERNS**

Curtis Gravett, 5201 SW 101<sup>st</sup> Avenue, suggested that the left-turn lane on Palm Avenue be reopened as it is causing an inordinate amount of traffic down an otherwise quiet, residential street.

Margi Valuikas, 5300 SW 101<sup>st</sup> Avenue, described many traffic issues on her street and suggested the no left-turn from SW 53<sup>rd</sup> Street on to Palm Avenue remain in place.

Bruce Dubin, 10238 SW 53<sup>rd</sup> Court, suggested the left-turn lane be reopened.

Ronald Morris, 10400 SW 52<sup>nd</sup> Street, commented regarding various traffic concerns and suggested adding speed humps, a stop sign and increasing police presence as a means of traffic control.

Tony Sotomayor, 5523 SW 103<sup>rd</sup> Avenue, commented regarding traffic issues and suggested a traffic study.

James DuBocq, 10183 SW 55<sup>th</sup> Lane, suggested that the burden of SW 53<sup>rd</sup> Street should not be shifted to other streets, and therefore the left-turn lane should be reopened.

Martin Gardner, 5221 SW 101<sup>st</sup> Terrace, suggested that the idea of closing the left-turn from SW 53<sup>rd</sup> Street is the wrong answer and would add to traffic safety issues.

Miriam Shapiro, 10401 SW 52<sup>nd</sup> Street, explained that the closing of the left-turn lane has caused an increased inconvenience to the residents of the affected area and the residents of neighboring streets who now have to bear the impact of the increased traffic.

Cheryl Smith, 10527 SW 53<sup>rd</sup> Street, commented regarding the left-turn closure and thanked the Commission for prompting this closure.

Ana Troonin, 5140 SW 101<sup>st</sup> Terrace, spoke in protest of the left-turn lane closure.

Vincent Owoc, 10293 SW 55<sup>th</sup> Lane, explained that he has seen an increase in traffic and in the speed of traffic since the left-turn closure has been in place. He suggested that the turn be reopened.

Steven Smith, 10527 SW 53<sup>rd</sup> Street, spoke in support of the left-turn closure.

Robert Coulson, 10305 SW 53<sup>rd</sup> Street, spoke in support of the current left-turn closure as it has aided in traffic control on this street.

Natalie Cooke, 10537 SW 53<sup>rd</sup> Street, spoke in support of the left-turn closure.

Michael Simonson, 10467 SW 53<sup>rd</sup> Street, explained that several previous meetings and many discussions have resulted in the closure of this turn lane as the best solution for traffic control in this area.

Don Giesler, 5231 SW 101<sup>st</sup> Avenue, explained that the closure of the left lane was a poor solution resulting in increased traffic and safety issues.

Linda McGarry, 10321 SW 51<sup>st</sup> Street, explained that the left-turn closure has created increased traffic and speeding on SW 51<sup>st</sup> Street and suggested putting stop signs on SW 53<sup>rd</sup> Street.

**MOTION:** To extend the Agenda Concerns period to all in attendance wishing to speak as the 30 minute aggregate time period had expired.  
**Moved by Commissioner Mallozzi. Seconded by Commissioner Sims. All aye on roll call vote. Motion passed.**

George Sheffield, 10215 SW 53<sup>rd</sup> Street, spoke in support of the left-turn lane closure.

Carmen Ruiz, 5121 SW 101<sup>st</sup> Terrace, spoke in opposition to the closure of the left-turn lane.

Steve Sutton, 10200 SW 51<sup>st</sup> Street, spoke in opposition to the closure of left-turn lane.

Howard Meltzer, 9770 55<sup>th</sup> Court, spoke in opposition to the left-turn lane closure as it has caused increased traffic problems in other areas.

Gabriel Balint, 10547 SW 53<sup>rd</sup> Street, spoke in support of the left-turn lane closure.

## **6. CONSENT AGENDA**

### **A. Minutes for Approval**

August 19, 2014 – Regular Commission Meeting

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

Atlas Optima Consulting, LLC, Dr. Arnold S. Fariello, 3133 NW 83 Way, Government Consulting

### **C. Financial Matters**

Award of Bid #2014-5-PW for Swale Tree Purchase and Installation to Elan Lawn and Landscape Services

### **D. Resolutions**

1. Approving a Water & Sewer Developer's Agreement for Senior Lifestyle Development Company, LLC – **Res. No. 14-9-3**

2. Designating and appointing Al Scotti to the Planning & Zoning Board – **Res. No. 14-9-7**

**E. Proclamation**

National School Lunch Week – October 13-17, 2014

**MOTION:** To approve the consent agenda.

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

**7. TRAFFIC ISSUES ASSOCIATED WITH PIONEER MIDDLE SCHOOL**

Cristof Devasti of Calvin, Giordano and Associates explained the data collection process employed by the firm and presented the results of the Pioneer Middle School Traffic Mitigation Study.

BSO Sergeant Saredy offered his suggestions for aiding with school drop-off/pick-up traffic.

Principal Consaul from Pioneer Middle School also contributed to the discussion and offered suggestions as to how to curtail the long-term stacking of traffic on SW 90<sup>th</sup> Avenue.

**8. FINANCIAL MATTERS (Public Hearings)**

**Fiscal Year 2014/2015 Budget and Taxes**

**A. First Public Hearing on Adoption of Fiscal Year 2014/2015 Millage Rate – Ord. No. 14-9-1**

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

City Attorney Wolpin explained that the proposed Millage Rate for the 2014/2015 Cooper City Fiscal Year is 5.7202 mils, the Rollback Millage Rate is 5.4665 mils with the proposed millage rate being 4.64% above the Rollback Rate of 5.4665 mils. He explained that the Voted Debt Service Rate is 0.1570 mils and 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 2014/2015; AND PROVIDING FOR AN EFFECTIVE DATE," by title.

**MOTION:** To approve the Ordinance adopting the Millage Levy for Fiscal Year 2014/2015.

**Moved by Commissioner Green. Seconded by Commissioner Curran.**

Brad Hartman, 4042 Trenton Avenue, requested a budget item be established on behalf of the Business Advisory Board to fund business outreach events totaling \$5,000.00.

**All aye on roll call vote. Motion passed.**

**B. First Public Hearing on Adoption of Fiscal Year 2014/2015 Budget – Ord. No. 14-9-2**

City Atty. Wolpin read, "AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA, OFFICIALLY ADOPTING AND APPROVING THE ANNUAL BUDGET FOR THE FISCAL YEAR 2014/2015 AND APPROPRIATING THE FUNDS REQUIRED FOR THE OPERATION OF THE CITY; AND PROVIDING FOR AN EFFECTIVE DATE, by "

**MOTION:** To approve the Ordinance adopting and approving the Annual Budget for Fiscal Year 2014/2015 and appropriating the funds required for the operation of the City.

**Moved by Commissioner Sims. Seconded by Commissioner Green.**

Pete D'Aversa, 5712 SW 18<sup>th</sup> Avenue, suggested that any money budgeted to supply computers to local schools be redirected to City employees' computers and the employees' existing computers be given to students. He further suggested that any Commission salary increase should be limited to a lesser percent.

City Manager Loucks provided an overview of the previously workshopped and/or discussed changes and additions to the Proposed Budget. He requested that those amendments be considered at the final budget hearing.

Discussion ensued to grandfather the existing oversized vehicles until a study could be performed for expansion.

Further discussion determined that the current rates would be reduced as previously agreed.

**MOTION:** To grandfather in any oversized vehicles that are currently occupying spots that are too small.

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

**All aye on roll call vote as to the adoption of the Fiscal Year 2014/2015 Budget. Motion passed.**

**C. Public Hearing on Final Adoption of Fire Assessment – Res. No. 14-9-1**

City Atty. Wolpin read, "A RESOLUTION OF THE CITY OF COOPER CITY, FLORIDA, RELATING TO THE PROVISION OF FIRE SERVICES, FACILITIES AND PROGRAMS IN THE CITY OF COOPER CITY, FLORIDA; ESTABLISHING THE RATE OF ASSESSMENT; IMPOSING FIRE ASSESSMENTS AGAINST ASSESSED PROPERTY LOCATED WITHIN THE CITY OF COOPER CITY; APPROVING THE ASSESSMENT ROLL;

PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; AND PROVIDING FOR AN EFFECTIVE DATE," by title only.

**MOTION:** To approve the Resolution relating to the provision of fire services, facilities and programs in the City and imposing a fire assessment.

**Moved by Commissioner Green. Seconded by Commissioner Curran.**

**There were no speakers present for the Public Hearing.**

**Motion passed 4-1 with Commissioner Sims dissenting.**

**D. 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. 14-9-2**

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 Sims. Seconded by Commissioner Green.**

**There were no speakers present for the Public Hearing.**

**All aye on roll call vote. Motion passed.**

**MOTION:** To consider previously scheduled Item 10 on the Agenda prior to Item 9 after Open Public Meeting, as the hour was past 8:30 p.m. and members of the public are in attendance for this item.

**Moved by Commissioner Green. Seconded by Commissioner Sims. All aye in call for verbal consensus. Motion passed.**

**14. OPEN PUBLIC MEETING**

Pete D'Aversa, 5712 SW 18<sup>th</sup> Avenue, commented on the testimony of the residents on and near SW 53<sup>rd</sup> Street and suggested that members of staff spend time in the area in question to gain perspective.

Margi Valuikas, 5300 SW 101<sup>st</sup> Avenue, detailed her reasons for concern with reopening the left-hand turn option.

Steven Smith, 10527 SW 53<sup>rd</sup> Street, reiterated his stance in support of keeping the left-hand turn closed.

Ronald Morris, 10400 SW 52<sup>nd</sup> Street, spoke in opposition to the closure of the left-turn and suggested a stop sign and/or speed humps as a means of traffic control.

Cheryl Smith, 10527 SW 53<sup>rd</sup> Street, restated her position and explained that the County originally designed the road with no left-hand in with good reason.

Howard Meltzer, 9770 55<sup>th</sup> Court, commented regarding the lack of parking availability for the park at the corner of SW 55<sup>th</sup> Court and Palm Avenue.

## **10. DISCUSSION AND DIRECTION/ACTION**

Traffic Control on Palm Avenue and 53<sup>rd</sup> Street

**MOTION:** To the City Manager to request to a Traffic Study to support stop-sign installation.

**Moved by Commissioner Sims. Seconded by Commissioner Green.  
Motion failed unanimously.**

**MOTION:** To reopen the left-hand turn ability for a period of 30 days and request a Traffic Study at that time to support stop sign installation.

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

**MOTION:** To have a study done to support the installation of a crosswalk from the park to SW 55<sup>th</sup> Street.

**Moved by Commissioner Curran. Seconded by Commissioner Sims.**

**MOTION:** To extend the Commission Meeting past the hour of 9:30 PM to hear the remaining agenda items.

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

**All aye on roll call vote as to the crosswalk study. Motion passed.**

## **9. LAND DEVELOPMENT MATTERS**

**Senior Lifestyle Development Company, LLC, located north of Sheridan Street, west of Pine Island Road**

**Mayor Ross opened the quasi-judicial portion of the item and administered an oath to all intended speakers in attendance.**

**City Atty. Wolpin explained that Items 9A, 9B and 9C would be consolidated in this Public Hearing with separate votes on each component. He read the following items by title:**

"A RESOLUTION OF THE CITY OF COOPER CITY, FLORIDA, ISSUING DEVELOPMENT ORDER NO. 14-8 TO SENIOR LIFESTYLE DEVELOPMENT COMPANY, LLC FOR SITE PLAN PETITION #SP 4-1-14, SUBJECT TO THE STIPULATIONS CONTAINED WITHIN THE STAFF REPORT; AND PROVIDING FOR AN EFFECTIVE DATE."

"A RESOLUTION OF THE CITY OF COOPER CITY, FLORIDA, ISSUING DEVELOPMENT ORDER NO. 14-9R TO SENIOR LIFESTYLE DEVELOPMENT COMPANY, LLC FOR SITE PLAN AMENDMENT PETITION #SP 4-1-14, SUBJECT TO THE STIPULATIONS CONTAINED WITHIN THE STAFF REPORT; AND PROVIDING FOR AN EFFECTIVE DATE."

"A RESOLUTION OF THE CITY OF COOPER CITY, FLORIDA, ISSUING DEVELOPMENT ORDER NO. 14-10R TO SENIOR LIFESTYLE DEVELOPMENT COMPANY, LLC FOR PLAT AMENDMENT PETITION #PA 4-1-14, SUBJECT TO THE STIPULATIONS CONTAINED WITHIN THE STAFF REPORT; AND PROVIDING FOR AN EFFECTIVE DATE."

**Ex-Parte' Disclosure**

Commissioner Mallozzi:	Dennis Mele
Commissioner Sims:	Dennis Mele
Commissioner Curran:	Dennis Mele
Commissioner Green:	None
Mayor Ross:	Dennis Mele

**MOTION:** To waive the reading of the staff report as it has been entered into the record for the following three items.

**Moved by Commissioner Sims. Motion died for lack of a second.**

**Matt Wood read an abbreviated version of the staff report relating to the following three items.**

**A. Quasi-judicial hearing on Site Plan Petition #SP 4-1-14 – Res. No. 14-9-4**

**MOTION:** To approve Site Plan Petition #SP 4-1-14

**Moved by Commissioner Sims. Seconded by Commissioner Green.**

**Mayor Ross opened the public hearing, and seeing no one wishing to speak, closed the public hearing.**

**Motion passed 4-1 with Commissioner Mallozzi dissenting.**

**B. Quasi-judicial hearing on Site Plan Amendment Petition #SPA 4-1-14 – Res. No. 14-9-5**

**MOTION:** To approve Site Plan Amendment Petition #SPA 4-1-14

**Moved by Commissioner Sims. Seconded by Commissioner Green.**

**Motion passed 4-1 with Commissioner Mallozzi dissenting.**

**C. Quasi-judicial hearing on Plat Amendment Petition #PA 4-1-14 – Res. No. 14-9-6**

**MOTION:** To approve Plat Amendment Petition #PA 4-1-14

**Motion passed 4-1 with Commissioner Mallozzi dissenting.**

**11. POLICE CHIEF’S REPORT**

Chief Cates reported the following:

- Calls for service in Cooper City have doubled from 14,000 in 2007 to 28,000 this year.
- Deputies wrote 800 citations and warnings in the month of August, one-third of which were regarding speeding.
- Code Enforcement Officers wrote almost 300 Code Violations in August.
- Deputies maintain a high visibility in the area of SW 53<sup>rd</sup> Street and will conduct a traffic count in the area in the next 7 days.
- The District is conducting a business survey to ascertain the level of confidence the businesses have in their service.

**12. FIRE CHIEF’S REPORT**

Chief Caruso explained that the City’s modest Fire/Rescue resources which include one (1) rescue vehicle, one (1) ladder truck and one (1) fire engine with nine (9) personnel per shift are limited and the City should consider adding an additional rescue vehicle to the station in the future. He reported that Cooper City has received a CERT grant for \$5,459.00, which may fund CERT training for residents within Cooper City.

**13. CITY MANAGER REPORT**

City Manager Loucks reminded the Commission about the upcoming Final Budget Hearing on Monday, September 22<sup>nd</sup>.

**15. COMMISSIONERS’ CONCERNS/REPORTS**

Commissioner Mallozzi requested a report of the number of citations that were issued to Cooper City residents of the 800 written.

Commissioner Sims acknowledged the need for additional rescue services.

Commissioner Curran stated that any additional resources that the Police and/or Fire Districts feel they need, should be requested without hesitation as their services are essential.

Commissioner Green explained that he was recently portrayed in a blog as having compared the job of a City Commissioner to those of safety and rescue personnel as community servants and clarified that he does not feel

that there is any comparison between these jobs. He apologized for any misunderstanding this may have caused.

Mayor Ross commended the District 16 and 28 Chiefs for their efforts to work within the budgets provided to them.

## **16. ADJOURNMENT**

**The meeting was adjourned at 10:09 PM**

**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.