

**CITY OF COOPER CITY
CITY COMMISSION MEETING
APRIL 12, 2011**

1. PLEDGE OF ALLEGIANCE

Mayor Eisinger opened the meeting at 6:02 P.M. and led the assembly in the Pledge of Allegiance.

2. ROLL CALL

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

3. CHANGES TO AGENDA/EMERGENCY MATTERS

None.

4. ANNOUNCEMENTS/PRESENTATIONS

Mayor Eisinger made the following announcements:

- Kudos to Cooper City and Mike Bailey for winning the "Best Tasting Water" contest in the Broward and Palm Beach region held by the American Water Works Association.
- Autism Awareness Day will be held on Saturday, April 16th at Cooper City High School from 11:00 a.m. to 2:00 p.m.
- Deputies from the Broward County Property Appraiser's office will assist with tax exemption applications in the Community Center from 10:00 a.m. to 11:30 a.m. on Tuesday, April 19th.
- A Twilight Teen Egg Hunt will take place on Thursday, April 21st from 7:00 – 9:00 p.m. at the Community Center.
- The annual "Egg-Citing" Egg Hunt event will be hosted at the Cooper City Sports Complex on April 23rd. The event begins at 10:00 a.m. sharp for children in 5th grade and younger.
- Founder's Day Festivities will take place on Saturday, April 30th beginning with the pancake breakfast at 7:30 a.m. and the Family Run/Walk/Stroll at 8:00 a.m. Afternoon events begin at 1:00 p.m. at Brian Piccolo Park and fireworks will go off at 9:00 p.m.
- The Cooper City Optimist Club will host their Annual Founder's Day Golf Classic Tournament on Sunday, May 1st. For information call 305-970-4818.
- The next City Commission Meeting will be held on Tuesday, April 26, 2011 at 6:00 p.m. in the auditorium of City Hall.
- The Law Office of Weiss, Serota, Helfman, Pastoriza, Cole & Boniske are hosting an essay contest in honor of having served as the City Attorney for Cooper City for the past three years with a winning prize of \$1000.00 for high school seniors who live in Cooper City. The essay theme is "Why Cooper City is Someplace Special."
- The U.S. Postal Service has advised that they plan to consolidate their Ft. Lauderdale Processing and Distribution Center to their

Miami center and they are asking for community input. This information will be posted on the City's website.

Commissioner Mallozzi commented on the Best Tasting Water Award.

Commissioner Curran reported that Cooper City High School Key Club sold 1,000 "Autism Speaks" puzzle pieces for Autism Awareness.

The following presentations were made:

- A. Bridget Schneiderman, President of the Broward Victim Rights Coalition received the Cooper City Proclamation acknowledging the week of April 10-16, 2011 as "Crime Victims' Rights Week" in Cooper City.
- B. Holocaust Days of Remembrance – This presentation will be held at a future date when a recipient may be present.

5. AGENDA CONCERNS

None.

6. CONSENT AGENDA

A. Minutes

March 22, 2011 – Regular Meeting

B. Proclamations

- 1. Earth Day
- 2. Crime Victims' Rights Week
- 3. Holocaust Days of Remembrance

C. Home Local Business Tax Receipts

- 1. Delgado Del Franco, Ivette Delgado, 5049 SW 89th Avenue, Internet Retail Sales
- 2. Bonnie Simpkin Pet Grooming, Bonnie Simpkin, 5022 SW 93 Avenue, Pet Grooming
- 3. Dalia Kantor, 5452 SW 88th Terrace, Artist
- 4. 911 Educational Consultants, Inc., Jodi Osman-Arno, 10797 Charleston Place, On-site Service/Education

D. Resolutions

- 1. Acceptance of a Utility Easement and Bill of Sale for Water and Sewer Utilities from the Living Word Open Bible, Inc., located at 8900 Stirling Road – **Res. No. 11-4-1**
- 2. Authorizing the Mayor and City Clerk to execute a Water & Sewer Developer's Agreement for Kiernan Michael Gulas at 9711 NW 26 Court – **Res. No. 11-4-2**
- 3. Authorizing the Mayor and City Clerk to execute a Water & Sewer Developer's Agreement for Joseph Harbaugh and Barbara Britzke at 9801 NW 35 Street – **Res. No. 11-4-3**

4. Adopting a Temporary Moratorium on Enforcement of Regulations Applicable to Certain Temporary Free Standing Signs – **Res. No. 11-4-4**

E. Financial Matters

1. Approval of a contract with Allied Universal Corporation for the purchase of sodium hydroxide – Bid #2011-4 - per the Utilities Director
2. Approval of a contract with Youngquist Brothers, Inc. for rehabilitation and mechanical integrity testing of the City's deep injection well – Bid #2011-5 - per the Utilities Director
3. Approval of a contract with Craig A. Smith & Associates, Inc. for underground utility locating/marketing services – Bid #2011-2 - per the Utilities Director

MOTION: To approve the Consent Agenda.

Moved by Commissioner Sims, seconded by Commissioner Green.

All aye on roll call vote. Motion passed.

7. RESOLUTION

Approval of a resolution urging the School Board of Broward County to amend the Reciprocal Use Agreement to allow for the provision of volunteer time and services – **Res. 11-4-5**

City Atty. Wolpin read, A RESOLUTION OF THE CITY OF COOPER CITY, FLORIDA, URGING THE SCHOOL BOARD OF BROWARD COUNTY TO AMEND THE RECIPROCAL USE AGREEMENT TO ALLOW FOR THE PROVISION OF VOLUNTEER TIME AND SERVICES; PROVIDING FOR EXECUTION OF FIRST AMENDMENT TO AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE, by title only.

MOTION: To approve the Resolution amending the Reciprocal Use Agreement.

Moved by Commissioner Curran, seconded by Commissioner Mallozzi. All aye on roll call vote. Motion passed.

8. LAND DEVELOPMENT MATTERS

T-Mobile Cell Tower at Public Works Facility, 9070 SW 51 Street

1. Quasi-Judicial Hearing for Site Plan Amendment #SPA 1-2-11, T-Mobile FB 1324C Cell Tower - Located at Public Works at 9070 SW 51 Street – **Res. No. 11-4-6**

Mayor Eisinger opened the quasi-judicial hearing.

City Atty. Wolpin read, "A RESOLUTION OF THE CITY OF COOPER CITY, FLORIDA, ISSUING DEVELOPMENT ORDER NO. 11-6R TO T-MOBILE SOUTH, LLC SUBJECT TO THE STIPULATIONS CONTAINED WITHIN THE STAFF REPORT AND PROVIDING FOR AN EFFECTIVE DATE," by title only.

Ex-Parte' Disclosure

None.

Mayor Eisinger and administered an oath to the following participants:

Matt Wood	City Staff
Milana Meshenberg	T-Mobile Zoning Specialist
David Mackel	T-Mobile Construction Manager
Mike Summitz	Radio Engineer

Matt Wood read the staff report applicable to the petition including recommendations for approval of the petition from both DRC and the P&Z Board.

Upon the conclusion of quasi-judicial inquires by the Commission, and with no members of the public wishing to speak Mayor Eisinger closed the quasi-judicial hearing.

MOTION: To approve the Resolution granting Development Order No. 11-6R to T-Mobile South, LLC, 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.

2. Approving the Site Lease Agreement with T-Mobile on the Cell Tower at 9070 SW 51 Street – **Res. No. 11-4-7**
City Atty. Wolpin read, "A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA, APPROVING THE SITE LEASE WITH OPTION AGREEMENT BETWEEN THE CITY OF COOPER CITY AND T-MOBILE SOUTH L.L.C., A DELAWARE COMPANY, TO COLLOCATE WIRELESS ANTENNAS ON THE TOWERCO TOWER AND PLACE GROUND EQUIPMENT ON CITY-OWNED PROPERTY LOCATED AT 9070 SW 51 STREET; AND PROVIDING FOR AN EFFECTIVE DATE," by title only.

MOTION: To approve the Site Lease Agreement with T-Mobile South, LLC.

Moved by Commissioner Sims, seconded by Commissioner Curran. All aye on roll call vote. Motion passed.

9. ORDINANCE FOR FIRST READING

Amending Chapter 23, Section 83 of the Municipal Code of Ordinances Relative to Pool Fencing Requirements – Ord. No. 11-3

City Atty. Wolpin read, "AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA, AMENDING ARTICLE V "SUPPLEMENTARY REGULATIONS" OF CITY CODE CHAPTER 23 "ZONING DISTRICTS", AT SECTION 23-83

"SETBACK REQUIREMENTS – SWIMMING POOLS"; REVISING PROVISIONS CONCERNING SWIMMING POOL FENCES AND PROVIDING FOR ENFORCEMENT OF SECTION 23-83; PROVIDING FOR SEVERABILITY, PROVIDING FOR INCLUSION IN THE CODE, AND PROVIDING FOR AN EFFECTIVE DATE," by title only.

Matt Wood read the staff report pertinent to the proposed ordinance, including the recommendation of the Planning and Zoning Board to approve the code change.

MOTION: To approve the Ordinance amending Chapter 23, Section 83 of the Municipal Code of Ordinances.

Moved by Commissioner Sims, seconded by Commissioner Mallozzi. All on roll call vote. Motion passed.

10. DISCUSSION AND APPROVAL

Approval to schedule the May 24, 2011 Commission Meeting to begin at 4:00 p.m. to allow residents and Commission Members the opportunity to attend the Cooper City High School Awards Ceremony.

Unanimous consensus was reached to begin the Commission Meeting of May 24th at 4:00 p.m.

11. POLICE CHIEF'S REPORT

Commander Stoner reported on the following:

- Compliments to CSIA Susan McCarthy on her abilities and accomplishments in the capacity of her job.
- Various recent crimes within the City that have resulted in arrests and the methods residents and deputies have employed to achieve the apprehension and/or arrest of the suspects.
- The diligence of residents in reporting suspicious activity.

12. FIRE CHIEF'S REPORT

Chief Sievers reported on the following:

- The apparatus set-up at the Autism Awareness Day event and the participation by The Town of Davie with the event.
- Details of the events at Autism Awareness Day and the efforts of City and BSO employees.

13. CITY MANAGER REPORT

The City Manager reported that the Quality Cities periodical contains a full page article recognizing the Cooper City Water Conservation Program. He recognized the Utilities Department and Environmental P.R. Group for their efforts in developing and maintaining this program.

14. OPEN PUBLIC MEETING

Gladys Wilson, 5155 SW 90th Avenue, reported that May is Older American's Month, the next meeting of the Senior Advisory Board will be held on Thursday, April 14th and the Cooper City Civic Group will meet Thursday, April 21st at 7:00 p.m. at the Community Center. She further advised residents as to how to apply for an appointment to a City board and asked for volunteers to join the upcoming BSO program, "Seniors Vs. Crime." She asked for the Open Public Meeting time to be increased to five minutes per speaker.

Diane Obal, 5050 SW 90th Avenue, introduced herself as the proprietor of the restaurant at the Cooper Colony Golf Course, Tin Cup. She further announced special programs that are offered at the driving range.

15. COMMISSIONERS' CONCERNS/REPORTS

Commissioner Sims commended Ms. Obal on the renovations of her restaurant.

Commissioner Curran commended BSO for their efforts in minimizing crime in the community.

Commissioner Mallozzi commended Commander Stoner and Chief Sievers. She asked that an additional set of plans be made available for the Commission and Matt Wood advised that a left-over set of plans that are provided to Planning and Zoning Board members will be available for Commission use. She further announced the Mother-Daughter Tea and encouraged mothers to register for their tickets.

Mayor Eisinger commented on legislative issues at the federal, state and county level. She reported on federal funding to cities, state sanctioned unfunded mandates, and the Broward County Code of Ethics as well as the Solid Waste Disposal ILA. She wished a Happy Passover to the constituency.

16. ADJOURNMENT

Mayor Eisinger adjourned the meeting at 7:09 p.m.