



# MEMORANDUM

FROM: Tina Hudson

TO: Mayor Eisinger  
Commissioner Mallozzi  
Commissioner Sims  
Commissioner Green  
Commissioner Curran

DATE: February 28, 2011

SUBJECT: Commission Meeting Minutes

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Attached for your review are the minutes from the following Commission Meetings:

February 22, 2011                      Regular Commission Meeting

Approval of these minutes has been placed on the Agenda for the Commission Meeting of March 8, 2011

Thanks!

*Tina*

**CITY OF COOPER CITY  
CITY COMMISSION MEETING AGENDA  
FEBRUARY 22, 2011  
6:00 PM**

**1. PLEDGE OF ALLEGIANCE**

**2. ROLL CALL**

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

**4. ANNOUNCEMENTS/PRESENTATIONS**

- A. Frederick Druckerman, Eagle Scout
- B. Teacher/Non-Instructional Support Staff of the Year Awards
- C. Cooper City High School Cowboys Football Team

**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.)

**6. CONSENT AGENDA**

- A. Minutes**
  - January 27, 2011 – Retreat/Goal Setting Meeting
  - February 8, 2011 – Regular Meeting
- B. Proclamations**
  - Rae Carole Armstrong Day
- C. Home Local Business Tax Receipts**
  - National Property Inspections, James Foster, 9610 NW 39<sup>th</sup> Court,
  - Home Inspections
- D. Resolutions**

1. Designating and appointing members to the Senior Citizen Advisory Board – Res. No. 11-2-3
2. Designating and appointing Helen Cohen to the Planning & Zoning Board – Res. No. 11-2-4
3. Designating and appointing Elizabeth Losey to the Education Advisory Board – Res. No. 11-2-5
4. Reappointing Orlando Piedra to the Police Pension Board – Res. No. 11-2-6

## **7. RESOLUTION**

**(Public Hearing) Amending Schedule C (Water and Waste Water Deposits) of Chapter 19 of the Municipal Code of Ordinances – Res. No. 11-2-7**

**MOTION:** To approve/reject the Resolution amending the Water and Waste Water Deposit Rates.

## **8. LAND DEVELOPMENT MATTERS**

(Florida court rulings now require all land development matters to be considered by the City Commission in a quasi-judicial process. All persons who wish to give testimony or present evidence must be sworn in. Copies of the complete procedure are available in the Office of the City Clerk).

**A. Quasi-Judicial Hearing for Site Plan Amendment #SPA 10-2-10 – Havana’s Cuban Cuisine, Outdoor Seating - Located at 8600 Griffin Road – Res. No. 11-2-8**

**MOTION:** To approve/reject the Resolution granting Development Order No. 11-5R to Havana’s Cuban Cuisine, pursuant to the stipulations contained in the staff report.

**B. Sign Waiver Petition #SW 10-1-10, Havana’s Cuban Cuisine.**

**MOTION:** To approve/reject the sign waiver, pursuant to the stipulations contained in the staff report.

## **9. ORDINANCE FOR FIRST READING**

**Amending Chapter 24, Section 65 and Section 66 of the Municipal Code of Ordinances Relative to Site Plan and Site Plan Amendment Advertising – Ord. No. 11-2**

**MOTION:** To approve/reject the Ordinance amending Chapter 24, Section 65 and 66 of the Municipal Code of Ordinances.

## **10. ORDINANCE FOR FINAL READING AND PUBLIC HEARING**

**Comprehensive Plan – Ordinance for Public Hearing to Amend the Text of the Capital Improvement Element – Ord. No. P11-1**

**MOTION:** To approve/reject the Ordinance updating the Capital Improvement Element of the Comprehensive Plan.

**11. SUPPORTING OUTREACH TO THE U.S. ENVIRONMENTAL PROTECTION AGENCY REGARDING PROPOSED RULEMAKING—**

**Mayor Eisinger**

**MOTION:** To approve/reject supporting Florida Representative Joe Gibbons' efforts to persuade the EPA to continue the current practice of allowing cooling water technology to be based on site-specific characteristics and cost-benefit analyses.

**12. POLICE CHIEF'S REPORT**

**13. FIRE CHIEF'S REPORT**

**14. CITY MANAGER REPORT**

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

**16. COMMISSIONERS' CONCERNS/REPORTS**

**17. ADJOURNMENT**

**CITY OF COOPER CITY  
CITY COMMISSION MEETING  
FEBRUARY 22, 2011**

**1. PLEDGE OF ALLEGIANCE**

Mayor Eisinger opened the meeting at 6:06 P.M. and Eagle Scout, Friedrick Druckerman 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**

Commissioner Mallozzi made the following announcements:

- Cooper City High School will host a Faculty vs. Students Basketball Game on Friday, February 25<sup>th</sup> at 7:00 p.m.
- BSO will participate in "Tip-A-Cop" at Beef O' Brady's on Thursday, March 3<sup>rd</sup> from 6:00 p.m. to 9:00 p.m. at 8655 Stirling Road.
- BSO will conduct a "Fraud Awareness Presentation" on Wednesday, March 9<sup>th</sup> at 7:00 p.m. in the Cooper City District Office at 10580 Stirling Road.
- BSO's "Operation Medicine Cabinet" will be conducted on Saturday, March 12<sup>th</sup> from 9:00 a.m. to 12:00 p.m. at 10580 Stirling Road.
- BSO will host a "Shred-A-Thon" also on March 12<sup>th</sup> from 9:00 a.m. until noon at the District 16 location at 10580 Stirling Road.
- The annual Household Hazardous Waste Drop-Off will be held on March 27<sup>th</sup> at the Cooper Sports Complex from 8:00 a.m. to 3:30 p.m.
- The City Commission will conduct a Commission Workshop on Thursday, February 24<sup>th</sup> at 6:00 p.m. at City Hall.
- The next City Commission Meeting will be held on Tuesday, March 8, 2011 at 6:00 p.m. in the auditorium of City Hall.
- The Cooper City Cabaret will be held in the Community Center on Friday, February 25<sup>th</sup>, at 6:30 p.m. Auditions are ongoing for this event.

Commissioner Mallozzi encouraged the community to attend the Fraud Awareness Presentation offered by BSO on March 9<sup>th</sup> and complimented the "Say, 'I do' Again" event and marriage vow renewals which were held on Valentine's Day.

Commissioner Sims announced his next Town Hall Meeting is to be held on Monday, March 14<sup>th</sup> at 7:00 p.m.

The Commission presented a Certificate of Recognition to Frederick Druckerman for achieving the rank of Eagle Scout.

Principals from the Cooper City schools joined the Mayor and Commission to present Certificates of Recognition to Teachers and Non-Instructional Support Staff who earned "Teacher of the Year" and "Non-Instructional Staff of the Year" Awards this year from their respective schools.

The Commission was joined by Cooper City High School Administration and football coaches to recognize each member of the Cooper City High School Cowboys Varsity Football Team who recently won the District Football Championship.

## **5. AGENDA CONCERNS**

Gladys Wilson, 5155 SW 90<sup>th</sup> Avenue, announced that she attended a Fire Services accreditation meeting this afternoon, and expressed her disappointment in the lack of community turnout.

## **6. CONSENT AGENDA**

### **A. Minutes**

January 27, 2011 – Retreat/Goal Setting Meeting

February 8, 2011 – Regular Meeting

### **B. Proclamations**

Rae Carole Armstrong Day

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

National Property Inspections, James Foster, 9610 NW 39<sup>th</sup> Court, Home Inspections

### **D. Resolutions**

1. Designating and appointing members to the Senior Citizen Advisory Board – Res. No. 11-2-3
2. Designating and appointing Helen Cohen to the Planning & Zoning Board – Res. No. 11-2-4
3. Designating and appointing Elizabeth Losey to the Education Advisory Board – Res. No. 11-2-5
4. Reappointing Orlando Piedra to the Police Pension Board – Res. No. 11-2-6

**MOTION:** To approve the Consent Agenda.

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

## **7. RESOLUTION**

**(Public Hearing) Amending Schedule C (Water and Waste Water Deposits) of Chapter 19 of the Municipal Code of Ordinances – Res. No. 11-2-7**

Atty. Wolpin read "A RESOLUTION OF THE CITY OF COOPER CITY, FLORIDA, AMENDING SCHEDULE (C) OF ORDINANCE 85-10-1 RELATING TO (WATER AND WASTEWATER DEPOSITS) WITHIN THE CITY AND PROVIDING FOR AN EFFECTIVE DATE," by title only.

**MOTION:** To approve the Resolution amending the Water and Waste Water Deposit Rates.

**Moved by Commissioner Curran. Seconded by Commissioner Mallozzi.**

City Manager Loucks provided background on the issues and summarized previous department suggestions and Commission discussions that led to this change.

**All aye on roll call vote.**

## **8. LAND DEVELOPMENT MATTERS**

**A. Quasi-Judicial Hearing for Site Plan Amendment #SPA 10-2-10 – Havana’s Cuban Cuisine, Outdoor Seating - Located at 8600 Griffin Road – Res. No. 11-2-8**

**Mayor Eisinger opened the quasi-judicial hearing.**

City Atty. Wolpin read, "A RESOLUTION OF THE CITY OF COOPER CITY, FLORIDA, ISSUING DEVELOPMENT ORDER NO. 11-5R TO HAVANA’S CUBAN CUISINE, SUBJECT TO THE STIPULATIONS CONTAINED WITHIN THE STAFF REPORT; AND PROVIDING FOR AN EFFECTIVE DATE," by title only.

### **Ex Parte’ Communication as to Item A and B**

Commissioner Curran:	Business Owner, Mike Mellion
Commissioner Green:	Business Owner, Mike Mellion
Commissioner Sims:	Business Owner, Mike Mellion
Mayor Eisinger:	Business Owner, Mike Mellion

### **The following persons were sworn in:**

Matt Wood, City Staff  
Michael Mellion, Havana’s Cuban Cuisine

Matt Wood read the staff report relative to the petition including recommendations for approval by the DRC as well as the P & Z Board.

**Mayor Eisinger closed the quasi-judicial hearing.**

**MOTION:** To approve the Resolution granting Development Order No. 11-5R to Havana’s Cuban Cuisine, pursuant to the stipulations contained in the staff report.

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

**B. Sign Waiver Petition #SW 10-1-10, Havana's Cuban Cuisine.**

**MOTION:** To approve the sign waiver, pursuant to the stipulations contained in the staff report.

**Moved by Commissioner Mallozzi, seconded by Commissioner Sims.**

Matt Wood read the staff report relative to the petition including recommendations for approval by the P & Z Board.

**MOTION:** To Approve the petition with no stipulation that the sign lettering be 2/3 the size of the primary sign, but may be the same size.

**Moved by Commissioner Curran. Seconded by Commissioner Sims. Roll call vote 4-1 in favor of approval with Mayor Eisinger dissenting. Motion passed.**

**Roll call vote as to the original motion: 4-1 in favor with Mayor Eisinger dissenting. Motion passed.**

**9. ORDINANCE FOR FIRST READING**

**Amending Chapter 24, Section 65 and Section 66 of the Municipal Code of Ordinances Relative to Site Plan and Site Plan Amendment Advertising – Ord. No. 11-2**

City Atty. Wolpin read, "AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA AMENDING CHAPTER 24 "SUBDIVISION AND SITE PLAN REVIEW" AT SECTION 24-65 "PROCESSING AND EVALUATION" AND SECTION 24-66 "REVIEW BY CITY COMMISSION"; PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY, PROVIDING FOR INCLUSION IN THE CODE, AND PROVIDING FOR AN EFFECTIVE DATE, by title only.

**MOTION:** To approve the Ordinance amending Chapter 24, Section 65 and 66 of the Municipal Code of Ordinances.

**Moved by Commissioner Sims, seconded by Commissioner Mallozzi. All aye on roll call vote.**

**10. ORDINANCE FOR FINAL READING AND PUBLIC HEARING**

**Comprehensive Plan – Ordinance for Public Hearing to Amend the Text of the Capital Improvement Element – Ord. No. P11-1**

City Atty. Wolpin read, "AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA TO AMEND THE TEXT OF THE CAPITAL IMPROVEMENTS ELEMENT OF THE COMPREHENSIVE PLAN TO COMPLY WITH FLORIDA STATUTES AND THE FLORIDA ADMINISTRATIVE CODE AND TO ENABLE CONSISTENCY WITH FLORIDA ADMINISTRATIVE CODE AND TO ENABLE CONSISTENCY WITH STATE, REGIONAL AND LOCAL REGULATIONS; AND PROVIDING FOR AN EFFECTIVE DATE," by title only.

**Mayor Eisinger opened the public hearing and asked those wishing to be heard on the subject to come forward. Seeing none, Mayor Eisinger closed the public hearing.**

**MOTION:** To approve the Ordinance updating the Capital Improvement Element of the Comprehensive Plan.

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

**11. SUPPORTING OUTREACH TO THE U.S. ENVIRONMENTAL PROTECTION AGENCY REGARDING PROPOSED RULEMAKING--**

**Mayor Eisinger**

**MOTION:** To approve supporting Florida Representative Joe Gibbons' efforts to persuade the EPA to continue the current practice of allowing cooling water technology to be based on site-specific characteristics and cost-benefit analyses.

**Moved by Commissioner Sims, seconded by Commissioner Mallozzi. All aye on roll call vote.**

**12. POLICE CHIEF'S REPORT**

Chief Hale's report included the following:

- A CyberVisor alert was sent out regarding telephone calls which attempt to defraud residents by falsely claiming to be lottery officials and requesting advance funds to be provided by the residents.
- A traffic fatality occurred just after 5:00 a.m. on February 21<sup>st</sup>.

**13. FIRE CHIEF'S REPORT**

Chief Sievers reported on the Strategic Planning evaluation by external customers, which took place as part of the accreditation process. He explained that the next part of the process will be reviews by all of BSO's internal customers.

**14. CITY MANAGER REPORT**

Commissioner Loucks reported that the topic of the upcoming Commission Workshop scheduled for Thursday, February 24<sup>th</sup> at 6:00 p.m. will be the agreement between Cooper City and Southwest Ranches for Enhanced Rescue Services.

**15. OPEN PUBLIC MEETING**

Ed Wooley, 11038 Nashville Drive, asked that the City Manager and Finance Director provide reviews within the budget documents that compare the past year's budget with the current budget and to site each fund reservation instance with a legal explanation or statement of explanation for each instance.

Gladys Wilson, 5155 SW 90<sup>th</sup> Avenue, commented on the permitting procedures practiced by the Building Department and requested that barber poles be included as an accepted sign addition in general.

Diane Sori, 3794 Bimini Avenue, commented on the Commission's decision regarding Item 8B and opined regarding the struggles of the local business community.

Walt Jolliff, 11095 Bismarck Place, commented regarding public input and Commission Workshops and the importance of the issue to be discussed at the upcoming workshop.

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

Commissioner Sims declared that the following:

- Budget reviews and comparisons should have been provided proactively by staff.
- Any reserves in the budget need to be supported by ordinance and/or explanation.
- He supports barber poles by variance petition.
- The Commission voted their conscience on Item 8B with good reason.
- Public input is welcomed at all public meetings.

Commissioner Curran requested that the Commission workshop a solution to the empty stores in the community by inviting landlords' and potential tenants' input regarding filling these spaces.

Commissioner Mallozzi commented on the possibility of getting local landlords and realtors together for a workshop and offered her notes from a past attempt at this to Commissioner Curran.

## **17. ADJOURNMENT**

Mayor Eisinger adjourned the meeting at 8:33 p.m.