

**CITY OF COOPER CITY
CITY COMMISSION MEETING
JANUARY 22, 2013**

1. PLEDGE OF ALLEGIANCE

Mayor Ross called the meeting to order at 6:00 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

A. Add Item #6D, approval to schedule Special Magistrate Interviews.

MOTION: To approve the addition of Item 6D to the Agenda.

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

B. Include in Item #8 a discussion relative to allowing back and forth dialog and increasing public participation beyond three minutes during Commission Meetings.

MOTION: To approve the addition of Item 8 to the Agenda.

Moved by Commissioner Sims.

Motion died for lack of a second.

C. Add a new Item #10 and renumber the remaining Agenda Items appropriately.

MOTION: To approve the addition of Item 10 to the Agenda and renumber the items that follow appropriately.

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

4. ANNOUNCEMENTS/PRESENTATIONS

Mayor Ross made the following announcements:

- The "Say 'I do' Again" vow renewal ceremony will take place on February 14th at 6:30 p.m.
- The Cooper City Community Cabaret will be held in the Community Center on Friday, February 22nd at 6:30 p.m. Audition request forms are available in the Community Center.
- The City Storage Facilities Workshop will be held on Thursday, January 24th at 6:00 p.m.
- The City Commission Meeting will be held on Tuesday, February 12, 2013.

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
 - A fund called "Kicking Cancer for Calvin" has been established to assist with medical expenses for a young Cooper City resident. Please visit www.giveforward.com/Calvincooper.com
- A.** Recognition for 30 Years of Service – Patrick "Pat" Conlon
Utility Director Mike Bailey joined the Commission to present Patrick Conlon with an award in recognition of his 30 years of dedicated service to Cooper City.
- B.** Recognition for 20 Years of Service – George Garba
Utility Director Mike Bailey joined the Commission to present George Garba with an award in recognition of his 20 years of dedicated service to Cooper City.

5. AGENDA CONCERNS

Rick Dronsky, 10863 Denver Drive, addressed Item 7 and implored the Commission to avoid the 64 gallon recycle cart altogether and purchase the 96 gallon recycle carts with the option of requesting the 32 gallon cart.

Bonnie Simpkin, 5022 SW 93rd Avenue, expressed her disappointment in the events that led to the need for Item 10 to be placed on the Agenda. She commented on the lack of a response from Commissioner Mallozzi to an email she sent her on behalf of her 14-year-old daughter, who was offended by Commissioner Mallozzi's comment to Ms. Wilson.

Susan C. Pruss, 5012 SW 123rd Avenue, addressed Item 7 and requested the Commission consider the limited space of many Cooper City homes and of her townhome community, which will not allow for the extremely large 96 gallon recycle bin.

Dan Schatz, 10570 Buenos Aires Street, spoke regarding Item 7 and suggested that the largest container will serve the families of Cooper City best and will encourage more families to move to the City.

Ilene Shatkin, 10570 Buenos Aires Street, addressed Item 7 and spoke in support of the largest cart.

Gladys Wilson, 5155 SW 90th Avenue, commented regarding Item 7, spoke against the largest carts and requested the Commission allow the residents to choose the size of the cart they are issued.

6. CONSENT AGENDA

A. Minutes

January 8, 2012 – Commission Meeting

B. Financial Matters

Approval to release Performance Bond No. 105381300 TR #7795 for Wal-Mart Store, 4700 S. Flamingo Road

C. Resolutions

Designating and appointing Paul Megna to the Recreation Advisory Board – **Res. No. 13-1-5**

D. Approval to schedule the Special Magistrate Interviews at 1:00 p.m. on Wednesday, February 6, 2013.

MOTION: To approve the Consent Agenda.

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

7. FINANCIAL MATTER

Approval to purchase 64 and 96 gallon roll-out carts to be distributed for residential recycling materials disposal.

MOTION: To approve the purchase of roll-out carts for residential recycling.

Moved by Commissioner Green. Seconded by Commissioner Curran.

MOTION: To table the Item to allow for additional work-shopping on the issue.

Moved by Commissioner Sims. Seconded by Commissioner Green. Motion failed on roll call vote 4-1 with Commissioner Sims voting yes.

MOTION: To approve the purchase of 96 gallon carts and a 2% inventory of 34 gallon carts, above the fulfillment of this size cart to the Flamingo Gardens Townhomes area, in blue and containing a hot stamp on the lid.

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

8. RESOLUTIONS

Amending the Administrative Procedures and Policies for the Conduct of Commission Business to change the Commission Meeting start time to 6:30 p.m. – **Res. 13-1-6**

City Atty. Wolpin read, "A RESOLUTION OF THE CITY OF COOPER CITY, FLORIDA, AMENDING THE ADMINISTRATIVE PROCEDURES AND POLICIES FOR THE CONDUCT OF CITY COMMISSION BUSINESS; AND PROVIDING FOR AN EFFECTIVE DATE," by title only.

MOTION: To approve the Resolution amending the Administrative Procedures and Policies.

Moved by Commissioner Green. Seconded by Commissioner Curran. Motion passed on roll call vote 4-1, with Commissioner Curran dissenting.

9. ORDINANCE FOR FIRST READING

A. Amending Chapter 2 of the Municipal Code of Ordinances by amending Section 2-202, Sale of Property in City's Possession Generally – **Ord. No. P13-1**

City Atty. Wolpin read, "AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA, AMENDING CHAPTER 2 "ADMINISTRATION", AT ARTICLE VII "FINANCE", OF THE CITY OF COOPER CITY MUNICIPAL CODE OF ORDINANCES, BY AMENDING SECTION 2-202, "SALE OF PROPERTY IN CITY'S POSSESSION GENERALLY"; PROVIDING DEFINITIONS AND PROVIDING FOR REVISED PROCEDURES FOR THE HANDLING OF LOST OR ABANDONED PROPERTY, AND THE DISPOSAL OF SURPLUS PERSONAL OR REAL PROPERTY OF THE CITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE," by title only.

MOTION: To approve the Ordinance amending Section 2-202 of the Municipal Code of Ordinances.

Moved by Commissioner Green. Seconded by Commissioner Curran.

MOTION: To table the Item until the procedure for deeming property as surplus is clarified in writing and to remove Section 2C from the proposed ordinance for first reading.

Moved by Commissioner Mallozzi. Motion died for lack of a second.

MOTION: To workshop the proposed ordinance to establish definitions of surplus property.

Moved by Commissioner Sims. Seconded by Commissioner Mallozzi. Motion failed 3-2 with Commissioners Sims and Mallozzi voting yes.

MOTION: To include definitions of the various types of surplus property in the ordinance for second reading.

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

B. Creating Article IX "Cost Recovery" of Chapter 2 "Administration", in order to establish administrative cost recovery fees and procedures, in order to provide for cost recovery of City costs related to application review and processing – **Ord. No. P13-2**

City Atty. Wolpin read, "AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA, AMENDING THE CODE OF ORDINANCES BY CREATING ARTICLE IX "COST RECOVERY" OF CHAPTER 2 "ADMINISTRATION", IN ORDER TO ESTABLISH ADMINISTRATIVE

COST RECOVERY FEES AND PROCEDURES, IN ORDER TO PROVIDE FOR COST RECOVERY OF CITY COSTS RELATED TO APPLICATION REVIEW AND PROCESSING; PROVIDING FOR A REPEALER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE, by title only.

MOTION: To approve the Ordinance creating Article IX of Chapter 2 of the Municipal Code of Ordinances.

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

10. OTHER CITY BUSINESS

Discussion regarding Commissioner Mallozzi's comment made at the January 8, 2013 Commission Meeting

Commissioner Mallozzi deferred speaking on her own behalf to allow Mayor Ross to address the Item, as he requested it be placed on the Agenda.

Mayor Ross explained his motivation for requesting the placement of the Item on the Agenda and explained that Commissioner Mallozzi should have the opportunity to apologize for her use of a vulgar comment at the last Commission Meeting.

Commissioner Curran expressed his intolerance of fellow Commission members failing to conduct themselves with decorum while conducting City business and in the public eye. He requested that Commissioner Mallozzi apologize to the public.

Commissioner Green explained that elected officials must be held to a higher standard. He encouraged respectful disagreements and expressed his forgiveness to Commissioner Mallozzi.

Commissioner Mallozzi explained that she had been too ill to respond to several calls and emails and confirmed with Ms. Wilson that they had a personal conversation in private regarding the incident. She indicated that she considered the exchange to be amicable.

11. POLICE CHIEF'S REPORT

Chief Hale demonstrated the new BSO uniform for sworn deputy sheriffs. He reported that the recently reported burglary on Forest Hill Drive in Rock Creek where the offender accidentally dropped his wallet at the scene has resulted in discovering that the criminal was on supervised release and wearing a traceable GPS bracelet at the time of the crime. He explained that this information may allow them to link the perpetrator to other burglaries.

12. FIRE CHIEF'S REPORT

Chief Sievers was unavailable.

13. CITY MANAGER REPORT

City Manager Loucks described the progress of the Broward League of Cities Task Force regarding SRO review. He explained that they are 1 to 2 weeks away from compiling their report on SRD and SRO units. He explained that Senator Sobel has presented a bill to the Broward Delegation that supports a special taxing district in Broward County for the funding of School Resource Officers.

14. OPEN PUBLIC MEETING

Gladys Wilson, 5155 SW 90th Avenue, chastised Commissioner Mallozzi for her comment at the last Commission Meeting and the conduct of the entire Commission on the dais in general.

Asgar Ally, 5731 SW 88th Terrace, expressed his thoughts regarding a school academy and mosque in Cooper City and their land use.

David Nall, 3620 NW 89th Way, criticized the length of time spent on discussing Agenda Items, the length of Commission meetings, the conduct of the Commission and of Commissioner Mallozzi, specifically.

Noreen Gilman, 11771 SW 52nd Court, spoke on behalf of the Attorney General/BSO project which places volunteers as consumer advocates. They may be contacted at (954) 441-8339.

Bob Sands, 10582 Grove Place, expressed his disappointment in Commissioner Mallozzi for her failure to publicly apologize for her comment at the last Commission Meeting.

15. COMMISSIONERS' CONCERNS/REPORTS

Commissioner Sims expressed his distaste for Commissioner Mallozzi's previous comment and her failure to apologize and criticized the Commission's failure to increase the speaking increments during Agenda Concerns and Open Public Meeting. He requested forgiveness on behalf of the Commissioner for any missteps a Commissioner may make in their public conduct.

Commissioner Mallozzi reiterated that she and Ms. Wilson had an amicable conversation where they apologized and she felt the subject was closed. She clarified that there will be future discussions of open dialogue during the citizen speaking portions of the meetings.

Commissioner Curran apologized to Ms. Wilson and to the residents for Commissioner Mallozzi's slip of the tongue at the last Commission Meeting. He expressed his disappointment that she did not take the opportunity to show the community how dedicated she is to its betterment by publicly expressing her true intent regarding her slip and toward Ms. Wilson.

Commissioner Green apologized to the community on behalf of their elected officials. He expressed the value of deeds over words and his concern over how Ms. Simpkin and her 14 year old daughter feel about the Commission.

Mayor Ross echoed the sentiments of Commissioners Sims, Curran and Green regarding Commission conduct and apologized to the Ms. Wilson on behalf of the entire Commission. He further expressed disappointment that Commissioner Mallozzi did not apologize publicly for a comment that which was made publicly. He invited the community to read his contribution in the most recent DRW circular regarding Commission conduct and decorum and confirmed that there will be future discussions regarding public input at Commission Meetings.

16. ADJOURNMENT

Mayor Ross adjourned the meeting at 8:45 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.