

**CITY OF COOPER CITY  
CITY COMMISSION MEETING  
APRIL 22, 2014**

**1. PLEDGE OF ALLEGIANCE**

Mayor Ross called the meeting to order at 6:30 p.m. and Embassy Creek Elementary School Student, and School Secretary, Lucy Gates, 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**

None.

**4. ANNOUNCEMENTS/PRESENTATIONS**

Mayor Ross made the following announcements:

- The 55<sup>th</sup> Cooper City Founders' Day will be celebrated on Saturday, April 26<sup>th</sup> with activities scheduled throughout the day beginning at 7:30 a.m. with a pancake breakfast at the Community Center and closing with a fireworks display at Brian Piccolo Park at 9:00 p.m.
- The Founders' Day Golf Classic will be hosted by the Optimist Club on April 27<sup>th</sup> at the Pembroke Lakes Golf Course. (305)970-4818
- The annual Mother & Daughter Tea will be held on Saturday, May 10<sup>th</sup> at 11:00 a.m. in the Community Center
- A Commission Workshop regarding the Cooper City Optimists will be held on Thursday, May 8<sup>th</sup> at 6:30 p.m.
- City offices are closed on Monday, May 26<sup>th</sup> in observance of Memorial Day.
- The May Commission Meetings will be Tuesday, May 13<sup>th</sup> and Tuesday, May 27<sup>th</sup>, consecutively.

Commissioner Mallozzi commended Izzy Munkin, Broward League of Cities scholarship recipient and 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)

Commissioner Curran congratulated Cooper City Girls' Softball Team, who will be playing in the regional championship competition and the Boy's Baseball Team, who are currently in first place and is hoping to play for the district title. He complimented the Recreation Department for their execution of the Senior "Egg-Stravaganza" Event for the seniors.

Mayor Ross additionally complimented all of the "Egg-related" events hosted by the Recreation Department during the past weekend and Cooper City High School on their receipt of a Proclamation from the Nancy J. Cotterman Sexual Assault Treatment Center.

## **5. AGENDA CONCERNS**

Ed Wooley, 11038 Nashville Drive, spoke regarding Item 9A.

## **6. CONSENT AGENDA**

### **A. Minutes**

April 8, 2014 – Regular Meeting

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

Swell Cleaning Services, LLC, Christine Bedard, 5614 SW 103 Avenue, Pressure Cleaning

### **C. Proclamation**

1. Building Safety Month – May, 2014
2. Civility Month – May, 2014

### **D. Financial Matters**

1. Approving the purchase of a crane truck and a utility-body truck to replace two existing trucks.
2. Approving the purchase of sludge hauling and disposal services from H & H Liquid Sludge Disposal Inc.

### **E. Resolutions**

1. Approving the 2014 Amendments to the Interlocal Agreements with Broward County for Local Option Gas Tax – **Res. No. 14-4-3**
2. Approving the Fifth Amendment to the Collection Services Contract with Waste Management Inc. – **Res. No. 14-4-5**

**MOTION:** To approve the consent agenda with the exception of Item E1.

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

- E. 1. Approving the 2014 Amendments to the Interlocal Agreements with Broward County for Local Option Gas Tax – **Res. No. 14-4-3**  
City Atty. Wolpin read, "A RESOLUTION OF THE CITY OF COOPER CITY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE 2014 AMENDMENTS TO THE INTERLOCAL AGREEMENTS WITH BROWARD COUNTY FOR THE DIVISION AND DISTRIBUTION OF THE LOCAL OPTION GAS TAX, THE ADDITIONAL LOCAL OPTION GAS TAX ON MOTOR FUEL, AND THE FIFTH CENT ADDITIONAL LOCAL OPTION GAS TAX ON MOTOR FUEL FOR TRANSIT; AND PROVIDING FOR AN EFFECTIVE DATE."

**MOTION:** To approve Resolution 14-4-3 amending the Interlocal Agreements with Broward County for Local Option Gas Tax

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

## **7. ORDINANCE NO. P14-8 FOR FINAL READING AND PUBLIC HEARING**

Attorney Wolpin read, "AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA, AMENDING THE CODE OF ORDINANCES BY AMENDING SECTION 23-90 "FENCES, WALLS AND HEDGES" OF ARTICLE V "SUPPLEMENTARY REGULATIONS" OF CHAPTER 23 "BUILDINGS AND BUILDING REGULATIONS," IN ORDER TO PROVIDE FOR AN INCREASE IN MAXIMUM HEIGHT FOR CERTAIN WALLS AND FENCES ABUTTING RESIDENTIAL PROPERTIES; PROVIDING FOR A REPEALER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE."

**MOTION:** To approve Ordinance P14-8 amending Section 23-90 of the Cooper City Code of Ordinances.

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

**MOTION:** To incorporate Item 9B into the discussion of this ordinance.

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

**MOTION:** To amend the ordinance by placing an exemption clause waiving permit fees and eliminating any need for engineering specifications for residents who are rebuilding existing fences where the height of the fence was affected by the County's altering of the adjacent or abutting street.

**Moved by Commissioner Sims. Seconded by Commissioner Mallozzi.**

**MOTION:** Friendly amendment to the motion eliminating the waiving of the permit fees and the engineering specifications, and instead, directing the City Manager to approach the County with a request for them to cover the cost of the permit fees and to provide engineering specifications for the replacement of the current 6-foot shadowbox fences with new 8-foot shadowbox fencing on behalf of the affected residents.

**Moved by Commissioner Curran. Accepted and seconded by Commissioner Sims. All aye on roll call vote. Motion passed.**

**All aye on roll call vote as to the adoption of the original ordinance. Motion passed.**

## **8. LAND DEVELOPMENT MATTERS**

**Mayor Ross opened the hearing and administered an oath to all those in attendance intending to give testimony on Items 8A and 8B.**

**A. Nur-Ul-Islam of South Florida, Inc., Modular Library/Technology Unit, located at 10600 Southwest 59<sup>th</sup> Avenue  
Quasi-Judicial Hearing for Site Plan Amendment #SPA 7-1-13 –  
Res. No. 14-4-4**

City Atty. Wolpin read, "A RESOLUTION OF THE CITY OF COOPER CITY, FLORIDA, ISSUING DEVELOPMENT ORDER NO. 14-4R TO NUR-UL-ISLAM OF SOUTH FLORIDA, INC., FOR SITE PLAN AMENDMENT #SPA 7-

1-13, SUBJECT TO THE STIPULATIONS CONTAINED WITHIN THE STAFF REPORT; AND PROVIDING FOR AN EFFECTIVE DATE.”

**Ex-parte’ Disclosure**

None.

**MOTION:** To approve the Resolution granting Development Order No. **14-4R** to Nur-Ul-Islam, pursuant to the stipulations contained in the staff report.

Ed Wooley, 11038 Nashville Drive, spoke in support of the approval of the application.

**Mayor Ross closed the public hearing.**

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

**B. Monterra/CC Broward Property (I thru VII), LLC**

Quasi-Judicial Hearing on First Reading of Ordinance Rezoning Parcel C-1 of the Monterra Master Plan in order to establish the Commercial Design Guidelines for that parcel- Petition #Z 10-1-13 – **Ord. No. P14-9**

**Mayor Ross opened the hearing.**

City Atty. Wolpin read, “AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA, APPROVING A REZONING TO AMEND THE MONTERRA PMUD MASTER PLAN AND DESIGN GUIDELINES OF THE MONTERRA DEVELOPMENT, AS APPROVED BY ORDINANCE 06-3-1 AND AMENDED BY ORDINANCES 10-1-1, 11-7-1, 11-10-5 AND 12-10-1; PROVIDING FOR A REPEALER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.”

**Ex-parte’ Disclosure**

**Commissioner Mallozzi  
Commissioner Sims  
Commissioner Green  
Commissioner Curran**

**Dennis Mele for the applicant  
Dennis Mele for the applicant  
Dennis Mele for the applicant  
Dennis Mele and Jimmy Wright for the applicant  
Dennis Mele for the applicant**

**Mayor Ross**

**MOTION:** To approve Ordinance P14-9.  
**Moved by Commissioner Green. Seconded by Commissioner Mallozzi.**

Matt Wood read a summary of the staff report previously read in full at a prior Commission Meeting and provided in the back up material, including a recommendation for approval from the Planning and Zoning Board.

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

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

## **9. DISCUSSION AND/OR ACTION**

- A.** Discussion on suspension of the rules and possible reconsideration of Commission action – **Commissioner Sims**

Commissioner Mallozzi requested that the back-up to the upcoming workshop include an accounting for all expenses incurred as a result of inquiries

**MOTION:** To allow back-and-forth dialogue between each Commissioner and members of the audience with a three-minute time limit imposed on each speaker and following specific Agenda points.

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

- B.** Previously incorporated into Item 7.

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

Executive Officer Brian Montgomery reported that the 2<sup>nd</sup> Chip-A-Pet event will be held on Founders' Day and 50 reservations have already been received. He credited the vigilance and community spirit of Cooper City residents for continuing to lower the crime rate and reported on the success of the Shred-a-Thon, Operation Medicine Cabinet.

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

Chief Caruso complimented the City's Easter events and explained that the department will be participating in the parade and will have units stationed at Brian Piccolo Park for Founder's Day. He reported that District 16 is partnering with Memorial Regional Hospital and Cooper City High School on May 8<sup>th</sup> for a project called "Prom Promise" which teaches teens about the deadly effects of texting while driving as well as underage drinking. He reported that atmospheric conditions and wind direction were the cause of brush fires this past weekend in the Everglades.

## **12. CITY MANAGER REPORT**

City Manager Loucks reported that a Town Hall Meeting will be held in the auditorium of City Hall on May 6<sup>th</sup> at 6:00 P.M. for Timberlake residents to receive information from the contractor in charge replacing the drainage pipe.

### **13. OPEN PUBLIC MEETING**

Ed Wooley, 11038 Nashville Drive, spoke in support of asking Broward County to cover the cost of raising the fence heights for the residents affected by the road construction and commented on the upcoming workshop.

Gladys Wilson, 5155 SW 90<sup>th</sup> Avenue, complimented the firefighters who assisted her with putting up the smoke detectors in her home and suggested that parents drop students off earlier at Pioneer Middle School and that the audio/video equipment in the auditorium be upgraded and maintained.

Walt Jolliff, 11095 Bismarck Place, commented regarding the upcoming workshop.

Jerry Christiansen, 5050 SW 101<sup>st</sup> Avenue, explained that the county caused damage to the fences along Palm Avenue and should bear the cost and the effort of repairing them.

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

Commissioner Mallozzi expressed her anticipation for the upcoming Founders' Day events and commented about the Palm Avenue construction project.

Commissioner Sims commented regarding the Palm Avenue construction project and Founders' Day.

Commissioner Curran commented regarding the status of the placement of the bus benches/shelters throughout the City and complimented the Fire Department on behalf of a resident.

Mayor Ross commented on the Fire Department, described some of services offered by the CERT team and complimented Operation Medicine Cabinet and the Shred-A-Thon.

### **15. ADJOURNMENT**

**The meeting was adjourned at 8:47 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.