

**CITY OF COOPER CITY  
CITY COMMISSION MEETING  
OCTOBER 14, 2014  
6:30 PM**

**1. PLEDGE OF ALLEGIANCE**

Mayor Ross opened the meeting at 6:30 PM and Cooper City student, Reyanna 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 Education Advisory Board will host a Candidates Forum on October 15<sup>th</sup> from 7:00 PM until 9:00 PM at City Hall. League of Women Voters will moderate. Meet and Greet at 6:30 PM.
- 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 PM
- The Property Appraiser's office will conduct an outreach event at the Community Center on Tuesday, October 21<sup>st</sup> from 10:00 AM until 11:30 AM.
- Trick-or-Treat Shop-to-Shop will be held on Saturday, October 25<sup>th</sup> at Countryside Shops from 10:00 AM until noon.
- Cooper City High School, in conjunction with Allstate Insurance, is participating in the "Celebrate My Drive" contest. Please register at [www.celebratemydrive.com](http://www.celebratemydrive.com)
- City Hall/Commission schedule:
  - Tuesday, October 28<sup>th</sup> at 6:30 PM - Regular Commission Meeting.
  - Tuesday, November 18<sup>th</sup> at 6:30 PM - Regular Commission Meeting
  - Tuesday, November 25<sup>th</sup> at 6:00 PM - Swearing in Ceremony
  - Thursday, December 4<sup>th</sup> at 6:30 PM - Workshop on Dogs in Parks and Flamingo Road Park

Commissioner Mallozzi made the following announcement:

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

Commissioner Sims announced that he will host a Town Hall Meeting on Monday, October 20<sup>th</sup> at 7:00 PM.

Commissioner Curran announced that Cooper City's I-Zone will host informational presentation on October 21<sup>st</sup> at 6:30 PM in the Cooper City High School auditorium regarding the General Obligation Bond Referendum on the November 4<sup>th</sup> ballot.

The Davie/Cooper City Autism Awareness Day event will be held on Sunday, November 23<sup>rd</sup> from 2:00 to 4:00 PM at the BSO District 28 Fire Rescue facility at 10550 Stirling Road.

- A.** National School Lunch Week Proclamation - Darlene Moppert  
The Proclamation was presented to Carol and Mary from Cooper City High School.
- B.** Cooper City High School Senior, Taylor Cook was presented with a Certificate of Achievement in recognition of her success as a member of the Cooper City Cyclones Swim Team.
- C.** Mayor Ross conducted the Swearing-in of Marla Joi Federici Ferguson on her induction to the Florida Bar.
- D.** Joe D'Alessandro, from the Broward County Supervisor of Elections Office provided an election update presentation.

## **5. AGENDA CONCERNS**

Mike Blackstock, 9464 SW 51<sup>st</sup> Place, addressed the Commission regarding Code Enforcement sweeps and the challenges of cleaning shingle roofs.

Steven Smith, 10527 SW 53<sup>rd</sup> Street, addressed the Commission regarding SW 53<sup>rd</sup> Street and spoke in favor of closing the median.

Margi Valulkas, 5300 SW 101<sup>st</sup> Avenue, suggested the Commission increase their pay by small percentage increments and asked for an increased study area to be included in the traffic studies surrounding SW 53<sup>rd</sup> Street.

Gabriel Balint, 10547 SW 53<sup>rd</sup> Street, addressed the median at SW 53<sup>rd</sup> Street and suggested it be closed.

George Sheffield, 10215 SW 53<sup>rd</sup> Street, spoke in favor of leaving the median closed.

Natalie Cooke, 10537 SW 53<sup>rd</sup> Street, spoke in favor of a closed median on Palm in the area of SW 53<sup>rd</sup> Street.

Ed Wooley, 11038 Nashville Drive, spoke regarding Item 9C and suggested that City Code Enforcement fines are exorbitant and nonobjective.

## **6. CONSENT AGENDA**

### **A. Minutes**

1. September 15, 2014 – First Budget Hearing/Commission Meeting
2. September 22, 2014 – Final Budget Hearing/Commission Meeting

**B. Home Local Business Tax Receipts**

The Giving Basket Boutique, Annie Ruth Hammett Ingraham, 2825 Poinciana Circle, Online Store

**C. Resolutions**

Accepting a Public Utility Easement and Bill of Sale from Franklin Academy-Flamingo – **Res. No. 14-10-1**

**A RESOLUTION OF THE CITY OF COOPER CITY, FLORIDA, ACCEPTING AND APPROVING FOR RECORD WATER, SANITARY AND SEWER UTILITIES CONSTRUCTED IN ASSOCIATION WITH CA MIAMI 6271 SFR LLC, FRANKLIN ACADEMY – FLAMINGO; AND PROVIDING FOR AN EFFECTIVE DATE.**

**D. Financial Matters**

1. Approving Task Order #15 to AECOM Technical Services, Inc. for engineering assistance with the Renewal of the Deep Injection Well Operating Permit.
2. Approving the award of RFP #2014-3-UTL for Rehabilitation of Wastewater Treatment Unit Number 3 to Close Construction.
3. Approving the Purchase of two single-sided, electronic radar message boards from K&K Systems.
4. Approve the contract to provide court resurfacing and repair to Fast Dry Courts.
5. Approving the purchase and installation of two new playground units for Ted Ferone and Natalie’s Cove Parks.
6. Approval of the purchase and installation of new sports field lighting fixtures on Fields 3 and 4.
7. Approving the purchase and installation of a prefabricated restroom building for Field 7 at the Cooper City Sports Complex.

**E. Meeting Schedule**

Approval to schedule a workshop for Thursday, December 4, 2014 regarding dogs in parks and the Flamingo Road Park.

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

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

**7. ORDINANCES FOR FIRST READING**

- A.** Voluntary Annexation of Metropolitan Baptist Church Property, located at 8701 Sheridan Street – Ord. No. P14-12

City Atty. Wolpin read, **“AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA, ANNEXING TO THE CITY OF COOPER CITY A PARCEL OF LAND GENERALLY LOCATED ON THE NORTH SIDE OF SHERIDAN STREET, EAST OF PINE ISLAND ROAD, DESCRIBED AS A PORTION OF TRACT 53, OF THE EVERGLADES SUGAR AND LAND CO. SUBDIVISION OF SECTION 4, TOWNSHIP 51 SOUTH, RANGE 41 EAST, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 75 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA (NOW WITHIN BROWARD COUNTY, FLORIDA); AND PROVIDING FOR AN EFFECTIVE DATE,”** by title.

**Motion:** To approve the Ordinance No. P14-12.

**Moved by Commissioner Sims. Seconded by Commissioner Green. All aye on roll call vote with Commissioner Curran absent from the dais. Motion passed.**

- B.** Creating Section 2-24 of Chapter 2 of the Code of Ordinances – Ord. No. 14-13

City Atty. Wolpin read, **“AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA, AMENDING THE CODE OF ORDINANCES BY CREATING SECTION 2-24 “MAYOR AND COMMISSIONERS’ SALARIES” OF CHAPTER 2 “ADMINISTRATION”; IN ORDER TO CHANGE THE MONTHLY SALARY OF THE MAYOR AND COMMISSIONERS AS ALLOWED BY CITY CHARTER SECTION 3.06; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE,”** by title.

**MOTION:** To approve the Ordinance No. P14-13.

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

**MOTION:** To set the Commission salaries at \$18,000.00 each with an additional 20% increase to the Mayor’s salary, bringing it to \$21,600.00.

**Moved by Commissioner Green. Seconded by Commissioner Mallozzi. Motion failed 4-1 with Commissioner Green voting yes.**

**MOTION:** To raise the Commission salaries by \$500.00 per month and an additional 20% increase to the Mayor’s salary, for \$600.00 per month.

**Moved by Commissioner Curran. Seconded by Commissioner Mallozzi. Motion passed 3-2 with Commissioner Sims and Mayor Ross dissenting.**

- C.** Amending Chapter 9 of the Code of Ordinances – Ord. No. 14-14

City Atty. Wolpin read, **“AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 9, “BUSINESS TAXES”, ARTICLE I, SECTION 9-7, “BUSINESS OCCUPATIONAL USES OF RESIDENCES”, IN ORDER TO AMEND THE CITY’S BUSINESS TAX REGULATIONS, REGARDING THE PERMITTING AND REVOCATION PROCESS; AMENDING SECTION 9-14 “DELINQUENCY” AUTHORIZING ENFORCEMENT ACTION PURSUANT TO ARTICLE VI “CODE ENFORCEMENT” OF CHAPTER 13 “PUBLIC SAFETY” OF THE CITY CODE FOR ANY VIOLATION OF SECTION 9-7; REPEALING ARTICLE III, SECTION 9-28, “OUTDOOR SALES” IN ITS ENTIRETY; ESTABLISHING A NEW ARTICLE III, CONSISTING**

**OF SECTION 9-28, "SPECIAL EVENTS; REGULATIONS; ENFORCEMENT" AND SECTION 9-29, "OUTDOOR SALES; REGULATIONS; ENFORCEMENT", CONCERNING SPECIAL EVENTS AND OUTDOOR SALES; AUTHORIZING ENFORCEMENT ACTION PURSUANT TO ARTICLE VI "CODE ENFORCEMENT" OF CHAPTER 13 "PUBLIC SAFETY" OF THE CITY CODE FOR ANY VIOLATION OF ARTICLE III OF CHAPTER 9; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE,"** by title.

**Motion:** To approve the Ordinance No. P14-14.

**Moved by Commissioner Green. Seconded by Curran. Motion passed 3-1 with Commissioner Sims dissenting and Commissioner Mallozzi absent.**

## **8. ORDINANCE FOR FIRST READING AND PUBLIC HEARING**

Amending Chapter 23 of the Code of Ordinances – Ord. No. 14-15

**Mayor Ross opened the Public Hearing.**

City Atty. Wolpin read, **"AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA, AFFIRMING THAT THE CITY WILL APPROVE ONLY USES CONSISTENT WITH STATE AND FEDERAL LAW; AMENDING CHAPTER 23 "ZONING DISTRICTS" TO CLARIFY THAT USES AND ACTIVITIES PROHIBITED UNDER STATE OR FEDERAL LAW (INCLUDING, BUT NOT LIMITED TO, STATE OR FEDERAL LAWS PROHIBITING MARIJUANA RELATED BUSINESSES OR ACTIVITIES) ARE PROHIBITED IN THE CITY; PROVIDING FOR A MORATORIUM; PROVIDING FOR MORATORIUM RELIEF; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE,"** by title.

**Motion:** To approve the Ordinance No. P14-15.

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

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

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

John Orlando, 11532 SW 55<sup>th</sup> Court, extended his appreciation to Commissioner Curran for making Code Enforcement a priority.

Beth Kroll, 11553 SW 57<sup>th</sup> Street, thanked Commissioner Curran for seeing to it that codes are enforced and opined that removing code or restrictions would be a detriment to the City.

Brenda Kezar, 4979 SW 90<sup>th</sup> Avenue, spoke in reference to Commission and candidate conduct with reference to the upcoming election and addressed Commissioner Mallozzi directly.

David Nall, 3620 NW 89<sup>th</sup> Way, commended the Commission regarding the salary increase and addressed Commissioner Green directly.

Pete D'Aversa, 5712 SW 118<sup>th</sup> Avenue, spoke regarding the Commission salaries, suggested that it should have been a campaign issue and addressed the budget process.

Douglas McKay, SW Ranches Councilman, commended the Commission regarding their passing of the ordinance to increase Commission salaries.

Frederick Walker, Cooper's Point, congratulated the Commission for increasing the Commission salaries.

Stephen Bass, 5303 SW 118<sup>th</sup> Avenue, addressed the Commission regarding a code violation in his neighborhood and suggested the City collect higher utilities deposits from residents with lower credit scores.

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

- A.** Discussion regarding the Code of Ordinances which govern roof violations – **Commissioner Mallozzi**

**Direction was given to the City Manager to conduct a study regarding methods used for shingle roof maintenance that will not cause damage to roofs.**

**MOTION:** To extend the Commission Meeting passed the 9:30 PM limit. **Moved by Commissioner Curran. Seconded by Commissioner Green. All aye on roll call vote. Motion passed.**

- B.** Discussion regarding 53<sup>rd</sup> Street – **Commissioner Sims**

**City Manager Loucks and Public Works Director Jim Bowman outlined the details of the parameters of the Broward County traffic studies in the areas surrounding SW 53<sup>rd</sup> Street.**

- C.** Discussion and direction for Code Enforcement Case #04649, Respondents John B. Sims III and Janet Zanakis – **Administration**

City Manager Loucks presented his recommendation that an independent magistrate and an independent prosecutor be hired by Commission approval to hear this code violation case to avoid any potential perceived conflicts of interest.

**MOTION:** To direct the City Manager to bring recommendations for an independent Special Magistrate and an independent prosecutor to be voted on by the Commission to hear and try this case.

**Moved by Commissioner Green. Seconded by Commissioner Mallozzi. Motion passed 4-1 with Commissioner Sims dissenting.**

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

Lieutenant Montgomery reported that glow sticks and wrist bands will be passed out by deputies to the children for trick-or-treating, current crime rate in Cooper City is 21% lower than the first six months of last year and arrests were made and property recovered in relation to three burglaries from the Cooper City parking facilities.

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

Chief Caruso reported the following:

- The Broward County Commission voted to approve a Certificate of Conformance for transporting patients from ALS facilities to hospitals.
- October is Fire Prevention Month and life-safety educators, including Search and Rescue dog, Dig and his handler Nicole Knot, are visiting schools to teach about the importance of smoke detectors in homes.
- On October 23<sup>rd</sup>, an anti-texting and driving program will be conducted at Cooper City High School.

#### **12. CITY MANAGER REPORT**

City Manager Loucks noted the number of Financial Matters on the Agenda, advised that there would be more of these type of items on upcoming agendas and explained the code and magistrate process.

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

Commissioner Green asked Lieutenant Montgomery for additional patrols in the area of SW 90<sup>th</sup> during the closing time of the local bar as some residents have expressed safety concerns and responded to remarks made to him by David Nall.

Commissioner Curran commended the Fire and Police Departments for their outstanding efforts when his wife was involved in a car accident and addressed code enforcement standards throughout the City.

Commissioner Sims thanked Police and Fire, extended get-well wishes to Commissioner Curran's wife and expressed his opinion regarding Commission pay raises and why he voted against them.

Commissioner Mallozzi addressed Fire and Police, responded to earlier accusations made by a resident and reminded residents of the upcoming City events.

Mayor Ross reminded everyone that there is approximately 2½ weeks until the election and asked them to vote.

#### **15. ADJOURNMENT**

**The meeting was adjourned at 10:18 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.