



CITY OF COCONUT CREEK CITY COMMISSION MINUTES

**Government Center
4800 W. Copans Road
Coconut Creek, Florida**

**Date: April 27, 2017
Time: 7:00 p.m.**

CALL TO ORDER

Mayor Tooley called the meeting to order at 7:02 p.m. and asked all to rise for the Pledge of Allegiance.

PRESENT UPON ROLL CALL:

Mayor Rebecca A. Tooley
Vice Mayor Joshua Rydell
Commissioner Lou Sarbone
Commissioner Mikkie Belvedere
Commissioner Sandra L. Welch
City Manager Mary C. Blasi
City Attorney Terrill C. Pyburn
City Clerk Leslie Wallace May

PRESENTATIONS

- 1. 17-074** A PROCLAMATION RECOGNIZING MAY 8-12, 2017, AS "NATIONAL WOMEN'S LUNG HEALTH WEEK."

Mayor Tooley read the Proclamation title for Agenda Item 1 into the record.

INPUT FROM RESIDENTS OF COCONUT CREEK

Bonita Marriott, 6530 Sandpiper Drive, Coconut Creek, Vice President of the Sandpiper Landings Homeowners' Association, spoke about speeding and reckless driving along Johnson Road, between Lyons Road and State Road 7/US441. She also explained that a section of perimeter fencing was removed temporarily due to landscaping changes being made in the Sandpiper Landings neighborhood. She asked for the Police Department to increase patrolling the neighborhood until the fencing is reinstalled.

CITY MANAGER REPORT

City Manager Blasi had no report.

CITY ATTORNEY REPORT

City Attorney Pyburn had no report.

COMMISSION COMMUNICATIONS

Commissioner Belvedere thanked the Office of Broward County Property Appraiser Marty Kiar and Police Chief Arenal for their attendance and assistance at a recent community meeting in Wynmoor.

Commissioner Welch commended Public Works Operations Manager Michael Heimbach for working with Republic Services and Krystal Langley, a teacher at Winston Park Elementary, to provide recycling bins for each of the school's classrooms to increase recycling efforts. She recognized new Bus Driver Carlos Riba and spoke about the Butterfly Express bus route. She attended the Cocomar Water Control District Advisory Board meeting and spoke about the lakes and canals south of Sample Road affected by the construction of the Midtown Residences project. She attended an Eagle Scouts ceremony where six of the Eagle Scouts were Coconut Creek residents. She thanked City Manager Blasi and the Police Department for sharing several resources with a local family facing eviction from their home.

Commissioner Sarbone attended the Margate Coconut Creek Fire Rescue award ceremony and was proud of the attendance by Coconut Creek officials. He spoke about several events being held over the weekend, including the Police Department's Kickball Tournament Fundraiser on April 28, the Arbor Day Free Tree Giveaway on April 29, and the SOS Children's Village Fundraising Gala on April 29.

Vice Mayor Rydell attended the Junior Achievement Hall of Fame Dinner and commented that the facility was an asset to the community. He mentioned the upcoming annual Free Tree Giveaway event and commended the Parks and Recreation staff for maintaining the new butterfly garden at the Community Center.

Mayor Tooley noted that she would be attending the Free Tree Giveaway event and that she would be hosting a community meeting for the South Creek neighborhood the evening of May 3. She mentioned that Coconut Creek Elementary Principal Kathy Good was looking for judges for their Living Legends showcase. She announced that the Black Pearl Pipe and Drum Band would be attending the ribbon cutting of Fire Station 50. She read an invitation from the Broward League of Cities to support their 60th Anniversary Gala and asked for consensus to help sponsor the event. Consensus was given to contribute \$2,500. Mayor Tooley noted that there would be a tree planting ceremony at Coconut Creek Elementary on April 28, in memory of a student who lost her life to brain cancer.

CONSENT AGENDA (*Items 2 and 3*)

Consent Agenda Item 4 was pulled by Vice Mayor Rydell and heard during the Regular Agenda.

2. **17-075** A MOTION TO CANCEL THE JULY 13, 2017, AND AUGUST 24, 2017, REGULAR CITY COMMISSION MEETINGS.

3. **17-076** A MOTION APPROVING THE MINUTES FROM PREVIOUS CITY COMMISSION MEETING(S). (2017-0323WS AND 2017-0323R)

Mayor Tooley read each of the titles of the Consent Agenda items into the record.

MOTION: Rydell/Welch – To approve Consent Agenda Item Nos. 2 and 3.

Upon roll call, the Motion passed by a 5-0 vote.

REGULAR AGENDA

City Manager

4. **RES** A RESOLUTION URGING ALL MEMBERS OF THE FLORIDA
 2017-140 LEGISLATURE TO OPPOSE HOUSE BILL 81 AND SENATE BILL
 106, WHICH WOULD ALLOW EMPLOYEES UNDER THE AGE OF 18
 TO SELL LIQUOR.

Mayor Tooley read the Resolution title into the record.

MOTION: Rydell/Welch – To approve Resolution No. 2017-140.

Discussion was made regarding approval of the bill by the Legislature and that it was currently pending signature by the Governor.

Upon roll call, the Resolution failed by a 2-3 vote, with Mayor Tooley, Vice Mayor Rydell, and Commissioner Sarbone voting nay.

City Commission

5. **17-087** A MOTION TO APPOINT A DIRECTOR, ALTERNATE, AND SECOND
 ALTERNATE TO ATTEND AND VOTE AT ANY 2017-2018 BROWARD
 LEAGUE OF CITIES BOARD OF DIRECTORS OR GENERAL
 MEMBERSHIP MEETINGS.

Mayor Tooley read the Motion into the record.

MOTION: Rydell/Belvedere – To approve the Motion, appointing a Director, Alternate, and Second Alternate to attend and vote at any 2017-2018 Broward League of Cities Board of Directors or general membership meetings.

Commissioner Belvedere nominated Mayor Tooley as the Director, seconded by Commissioner Sarbone.

Commissioner Sarbone nominated Vice Mayor Rydell as the Alternate, seconded by Commissioner Belvedere.

Commissioner Sarbone nominated Commissioner Welch as the Second Alternate, seconded by Commissioner Belvedere.

Upon roll call, the Motion passed by a 5-0 vote.

6. **RES** A RESOLUTION APPOINTING FIVE (5) REGULAR MEMBERS AND
 2017-028 ONE (1) ALTERNATE MEMBER TO THE PARKS AND RECREATION
 ADVISORY BOARD FOR A ONE-YEAR TERM.

Mayor Tooley read the Resolution title into the record.

MOTION: Rydell/Welch – To approve Resolution No. 2017-028, appointing five regular members and one alternate member to the Parks and Recreation Advisory Board for a one-year term.

- Commissioner Belvedere appointed Elliot Rappaport.
- Commissioner Welch appointed Paul Gajus.
- Commissioner Sarbone appointed Randy Johnson.
- Vice Mayor Rydell appointed Kenneth Forbes.
- Mayor Tooley appointed David Anderson.
- Mayor Tooley appointed Joel VanHemel, Alternate.

Upon roll call, the Resolution passed by a 5-0 vote.

7. **RES 2017-029** A RESOLUTION APPOINTING FIVE (5) REGULAR MEMBERS AND ONE (1) ALTERNATE MEMBER TO THE PLANNING AND ZONING BOARD FOR A ONE-YEAR TERM.

Mayor Tooley read the Resolution title into the record.

Commissioner Welch made a motion to hear the item, seconded by Vice Mayor Rydell.

MOTION: Rydell/Welch – To approve Resolution No. 2017-029, appointing five regular members and one alternate member to the Planning and Zoning Board for a one-year term.

- Commissioner Belvedere appointed Morris Chase.
- Commissioner Welch appointed Jerry Poole.
- Commissioner Sarbone appointed Debra Voorhees.
- Vice Mayor Rydell appointed Todd Rogers.
- Mayor Tooley appointed Doug Young.
- Mayor Tooley appointed Ronald Honick, Alternate.

Upon roll call, the Resolution passed by a 5-0 vote.

8. **RES 2017-030** A RESOLUTION APPOINTING FIVE (5) REGULAR MEMBERS AND ONE (1) ALTERNATE MEMBER TO THE ENVIRONMENTAL ADVISORY BOARD FOR A ONE-YEAR TERM.

Mayor Tooley read the Resolution title into the record.

Vice Mayor Rydell made a motion to hear the item, seconded by Commissioner Belvedere.

MOTION: Rydell/Sarbone – To approve Resolution No. 2017-030, appointing five regular members and one alternate member to the Environmental Advisory Board for a one-year term.

- Commissioner Belvedere appointed Charles Coxon.
- Commissioner Welch appointed Irene Espinosa.

- Commissioner Sarbone appointed Dan Mackey.
- Vice Mayor Rydell appointed Susi Glatt.
- Mayor Tooley appointed Heidi Thorman.
- Mayor Tooley appointed Delilah Harden, Alternate.

Upon roll call, the Resolution passed by a 5-0 vote.

9. **RES 2017-104** A RESOLUTION APPOINTING TWO (2) REGULAR MEMBERS AND ONE (1) ALTERNATE MEMBER TO THE CIVIL SERVICE BOARD FOR A TWO-YEAR TERM.

Mayor Tooley read the Resolution title into the record.

MOTION: Belvedere/Welch – To approve Resolution No. 2017-104, appointing two regular members and one alternate member to the Civil Service Board for a two-year term.

- Commissioner Belvedere nominated Doreen Chamberlain.
- Commissioner Welch nominated Carolyn Pawelczyk.
- Vice Mayor Rydell nominated Alfred Delgado, Alternate.

Upon roll call, the Resolution passed by a 5-0 vote.

Public Works Department

10. **RES 2017-137** A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE ATTACHED WORK AUTHORIZATION FOR LANDSCAPE ARCHITECTURAL DESIGN SERVICES TO BE PROVIDED BY KEITH AND SCHNARS, P.A. RELATED TO LANDSCAPE AND IRRIGATION IMPROVEMENTS FOR THE COCONUT CREEK HIGH SCHOOL LAKE BANK AND COUGAR TRAIL SWALE.

Mayor Tooley read the Resolution title into the record.

MOTION: Belvedere/Welch – To approve Resolution No. 2017-137.

Public Works Director Jim Berkman presented the item.

Upon roll call, the Resolution passed by a 5-0 vote.

Sustainable Development

11. **ORD 2017-010** AN ORDINANCE APPROVING THE SITE PLAN REQUEST OF INTERSTATE COCONUT, LLC TO MODIFY THE EXISTING MCDONALD'S RESTAURANT LOCATED AT 4480 NORTH STATE ROAD 7. (QUASI-JUDICIAL)(SECOND PUBLIC HEARING)

City Attorney Pyburn read the Ordinance title into the record.

MOTION: Welch/Sarbone – To adopt Ordinance No. 2017-010.

City Attorney Pyburn read aloud the City's quasi-judicial procedures that would be applied to Agenda Items 11, 13, and 14. City Clerk May confirmed that the advertising and public notice requirements were met for Agenda Items 11, 13, and 14 and swore in the witnesses. She instructed the speakers, when they come forward to speak, to state their name and address clearly for the record and whether or not they were sworn-in and understand the rules of the proceedings.

City Attorney Pyburn asked if there were any disclosures or ex parte communications on Agenda Item 11, and there were none.

Sustainable Development Director Sheila Rose presented the item and introduced the Applicant, Craig McDonald of Corporate Property Services, to address questions from the Commission raised during first reading of the Ordinance. Mr. McDonald explained that the restaurant would have self-serve kiosks, in addition to the cashiers, to help manage customer wait time. He reviewed the traffic circulation changes, and discussion ensued regarding the proposed changes.

Mayor Tooley opened the public hearing. There were no questions or comments from the public, and the public hearing was closed.

An amendment was made by Vice Mayor Rydell, seconded by Commissioner Sarbone to place a condition of approval for the Applicant to extend the traffic controlling landscape structures. Discussion ensued regarding the amendment, and Vice Mayor Rydell ultimately withdrew the amendment.

Consensus was given by the Commission to include the proposed condition, that the Applicant extend the traffic controlling landscape structures to a maximum density to prevent traffic from entering the eastern exit point of the property, in the outstanding Development Review Committee (DRC) comments. The DRC comments would be addressed administratively prior to issuance of a building permit, and in the event a solution could not be reached administratively, the site plan would come back before the Commission.

Upon roll call, the Ordinance passed by a 5-0 vote.

12. **ORD 2017-011** AN ORDINANCE VACATING, RELEASING, AND ABANDONING A CANAL MAINTENANCE AND UNDERGROUND UTILITY EASEMENT FOR THE RESIDENCES IN PARKWOOD VI LOCATED AT 4153-4273 NW 66 DRIVE, 6675 NW 42 TERRACE, AND 6660 NW 41 TERRACE. (SECOND READING)

City Attorney Pyburn read the Ordinance title into the record.

MOTION: Sarbone/Welch – To adopt Ordinance No. 2017-011.

Mayor Tooley opened the public hearing. There were no questions or comments from the public, and the public hearing was closed.

Upon roll call, the Ordinance passed by a 5-0 vote.

13. **ORD 2017-014** AN ORDINANCE AMENDING ORDINANCE 2013-009, WHICH APPROVED THE GUNTHER VOLKSWAGEN SITE PLAN, AND HEREBY APPROVING THE MODIFICATION REQUEST OF GUNTHER MOTOR COMPANY TO PROVIDE FOR A NEW GUNTHER VOLVO SHOWROOM LOCATED AT THE SOUTHEAST CORNER OF NORTH STATE ROAD 7 AND CULLUM ROAD. (QUASI-JUDICIAL) (FIRST PUBLIC HEARING)

City Attorney Pyburn read the Ordinance title into the record and noted that Agenda Items 13 and 14 were companion items that could be presented together. There were no objections from the Commission, City staff, or the Applicant to hear the items together.

City Attorney Pyburn asked if there were any disclosures or ex parte communications on Agenda Items 13 and 14, and the following disclosures were made:

- Mayor Tooley visited the site.
- Commissioner Welch visited the site.

City Attorney Pyburn read the Ordinance title for Agenda Item 14 into the record.

MOTION: Welch/Rydell – To adopt Ordinance No. 2017-014 and Ordinance No. 2017-015.

Sustainable Development Director Sheila Rose presented the item and explained that the proposed project was an expansion of the Gunther car dealership located within the MainStreet Project Area (MSPA). She noted that the Applicant proposed to seek Green Globe certification as an alternative solution to the LEED certification in the MainStreet Design Standards (MSDS). Attorney Dan Taylor, on behalf of the Applicant, Gunther Motor Company, introduced himself and gave an overview the Gunther site. He introduced Kevin Cruz of Stiles Architectural Group, who began a *PowerPoint* presentation. Mr. Cruz explained the site expansion and spoke about the project's green features. He discussed the Green Globe rating system. Discussion ensued. The Commission asked staff to provide additional information on the Green Globe certification before second reading of the Ordinance.

Mayor Tooley opened the public hearing. There were no questions or comments from the public, and the public hearing was closed.

Upon roll call, the Ordinance passed by a 5-0 vote.

14. **ORD 2017-015** AN ORDINANCE AMENDING ORDINANCE NO. 2013-007, WHICH APPROVED THE GUNTHER VOLKSWAGEN PLANNED MAINSTREET DEVELOPMENT DISTRICT (PMDD), AND HEREBY APPROVING THE MODIFICATION REQUEST OF GUNTHER MOTOR COMPANY TO INTRODUCE A NEW VOLVO AUTOMOBILE DEALERSHIP AT THE EXISTING GUNTHER VOLKSWAGEN SITE LOCATED AT THE SOUTHEAST CORNER OF NORTH STATE ROAD 7 AND CULLUM ROAD. (QUASI-JUDICIAL)(FIRST PUBLIC HEARING)

Upon roll call, the Ordinance passed by a 5-0 vote.

15. **ORD 2017-016** AN ORDINANCE AMENDING CHAPTER 13, "LAND DEVELOPMENT CODE," ARTICLE III, "ZONING REGULATIONS," DIVISION 8, "MASTER BUSINESS LIST," SECTION 13-625, "MASTER BUSINESS LIST - MSOA," TO PROVIDE FOR MEDICAL MARIJUANA TREATMENT CENTER USES AS A SPECIAL LAND USE WITHIN THE MEDICAL SERVICES OVERLAY AREA. (FIRST READING)

City Attorney Pyburn read the Ordinance title into the record.

MOTION: Sarbone/Rydell – To adopt Ordinance No. 2017-016.

Sustainable Development Director Sheila Rose presented the item.

Upon roll call, the Ordinance passed by a 5-0 vote.

ADJOURNMENT

The meeting was adjourned at 8:44 p.m.

Transcribed by: Marianne Bowers

Leslie Wallace May, MMC
City Clerk

Date