

**MEETING OF THE CITY COUNCIL
PLANTATION, FLORIDA**

SEPTEMBER 11, 2002

The meeting was called to order by Councilman Jerry Fadgen, President of the City Council.

Roll call by the City Clerk:

Councilwoman:	Diane Veltri Bendekovic
Councilmen:	Bruce Edwards Jerry Fadgen Ralph D. Merritt III
Mayor:	Rae Carole Armstrong
City Attorney:	Donald J. Lunny, Jr.
Absent:	Ronald S. Jacobs

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Invocation was offered by Mayor Armstrong.

Pledge of Allegiance followed.

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The minutes of the City Council meeting held August 28, 2002 were approved as printed.

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ITEMS SUBMITTED BY THE MAYOR

In recognition of 9/11, the Landscape and Public Works Departments have planted commemorative trees at each of the fire stations. The *chorisia speciosa* (floss silk tree) was chosen for the following specific reasons:

- Its large deep pink flowers symbolize the beauty of our nation and the heroics of each fireman that participated or lost his life on 9/11.
- Its deep thorny trunk symbolizes the pain and suffering for those who died one year ago.

- Its deciduous nature symbolizes the loss of so many lives.
- Its stature is one of strength and longevity symbolizing our nation's strength of character and endurance in the face of adversity.

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Resolution No. 8517

RESOLUTION of appreciation to Harvey Darrisaw for 13 years of dedicated service to the City of Plantation.

Motion by Councilman Edwards, seconded by Councilwoman Bendekovic, that Resolution No. 8517 be approved and adopted. Motion carried on the following roll call vote:

Ayes: Bendekovic, Edwards, Fadgen
Nays: None

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Note: Councilman Merritt entered the meeting.

Nancy Carroll and Betty Cobb from the Plantation Woman's Club presented a check for \$1,000 to the Fire Department to assist with *Sparky*.

The check was accepted by Fire Chief Pudney.

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Item CA-6 was removed from the Consent Agenda and discussed out of sequence.

Mr. Lunny read Resolution No. 8518 by title.

Resolution No. 8518

CA-6. **RESOLUTION** for the appointment of a City Clerk for the City of Plantation's City Clerk's Office, fixing the initial annual compensation to be paid for said executive position; and the appointment of an individual to said executive position. (SUSAN K. SLATTERY)

Mayor Armstrong acknowledged the presence of Susan's family who extended congratulations.

Motion by Councilman Edwards, seconded by Councilwoman Bendekovic, that Resolution No. 8518 be approved and adopted. Motion carried on the following roll call vote:

Ayes: Bendekovic, Edwards, Merritt, Fadgen
Nays: None

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Jim Romano, Director of Parks and Recreation, announced the *Kid's Day Off Program*, scheduled for Monday, September 16, 2002 at the Plantation Community Center, would be held from 7:30 a.m. to 6:00 p.m. at a cost of \$17 plus a \$2 nonrefundable registration fee. Activities will include swimming at Central Park, indoor and outdoor games, and arts and crafts. Lunch will be provided.

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CONSENT AGENDA

Item CA-6 was discussed out of sequence. Item CA-1 was removed from the Consent Agenda and discussed separately. Item CA-11 was added to the Consent Agenda.

As a Commissioner of the CRA, Mayor Armstrong had voting privileges for Item CA-9.

Mr. Lunny read tonight's Consent Agenda by title.

CA-2. Award annual chemical bids for the 2002/2003 fiscal budget year. (budgeted – Utilities)

CA-3. Approve renewal of flood insurance policy for 2002 – 2003 with Travelers Insurance Company for \$36,302.

CA-4. Approve waiving competitive bidding to purchase six Panasonic Tough book laptop computers from Comark for \$20,742. (Police)

Ordinance No. 2281

CA-5. Second and Final Public Hearing of an ordinance relating to the subject of **FEES**; amending Building and Fire Departments permit and inspection fees; streamlining the method by which such fees are calculated; creating and clarifying the Fire Department fee structure where the costs of commercial life safety systems are not separately calculated; providing a severance clause; and providing a retroactive date therefor.

Resolution No. 8519

CA-7. **RESOLUTION** approving the expenditures and appropriations reflected in the **WEEKLY EXPENDITURE REPORT** for August 22 – September 4, 2002. (**PLANTATION GATEWAY**)

Resolution No. 8520

CA-8. **RESOLUTION** approving the expenditures and appropriations reflected in the **WEEKLY EXPENDITURE REPORT** for August 22 – September 4, 2002.

Resolution No. 8521

CA-9. **RESOLUTION** approving the expenditures and appropriations reflected in the **WEEKLY EXPENDITURE REPORT** for August 22 – September 4, 2002. (**CRA**)

Resolution No. 8522

CA-10. **RESOLUTION** approving that certain partial release of water main easement and that certain partial release of sanitary sewer easement; providing findings; having the appropriate City officers execute same and authorizing the City Administration or City Attorney to make minor revisions thereto; and providing an effective date therefor. (**CENTEX ROONEY**)

NONAGENDA

CA-11. Approve \$17,240.43 emergency repairs to air-conditioning unit at the Development Building by Faulkner Enterprises.

Motion by Councilman Merritt, seconded by Councilman Fadgen, to approve tonight's Consent Agenda as read. Motion carried on the following roll call vote:

Ayes: Bendekovic, Edwards, Merritt, Fadgen
Nays: None

Note: Mayor Armstrong voted affirmatively on Item CA-9.

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CA-1. Approve sale of pumpkins from October 5 – October 31, 2002 and Christmas trees from November 15 – December 25, 2002 at 600 North Pine Island Road.

Mr. Lunny read Item CA-1 by title.

In response to Councilman Edwards, applicant William Winkler understood that authorization would no longer be granted for the sale of sparklers.

Mr. Winkler clarified that after expenses, the profits would go to the Lighthouse for the Blind.

Motion by Councilman Edwards, seconded by Councilman Fadgen, that Item CA-1 be approved as presented with the understanding that the sale of sparklers would not be permitted. Motion carried on the following roll call vote:

Ayes: Bendekovic, Edwards, Merritt, Fadgen
Nays: None

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4. **ADMINISTRATIVE ITEMS**

None.

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5. **PUBLIC HEARINGS DETERMINED BY CITY STAFF TO BE LEGISLATIVE IN NATURE**

Resolution No. 8523

5-A. **RESOLUTION** ADOPTING THE TENTATIVE MILLAGE RATE FOR THE **CITY OF PLANTATION** OF 4.0000 MILLS FOR THE OPERATING FISCAL YEAR OCTOBER 1, 2002 THROUGH SEPTEMBER 30, 2003, IDENTIFYING THE CITY ONLY ROLLED-BACK MILLAGE RATE, THE AGGREGATE MILLAGE AND AGGREGATE ROLLED-BACK RATE; AND; OTHERWISE, DIRECTING THE CITY CLERK TO ADVERTISE THE TENTATIVE AGGREGATE MILLAGE RATE, THE AGGREGATE ROLLED-BACK MILLAGE RATE AND THE DATE OF THE PUBLIC HEARING FOR FINALIZING OF SUCH MILLAGES AND BUDGETS; PROVIDING FINDINGS; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE THEREFOR.

Mr. Lunny read Resolution No. 8523 by title.

A memorandum dated September 5, 2002 to Mayor and Members of City Council from Herbert V. Herriman, Finance Director, follows:

Pursuant to Florida Statutes and the City of Plantation Council, the **First Public Budget Hearing** is scheduled for 7:30 p.m., Wednesday, September 11, 2002. Enclosed are tentative millage and budget resolutions for the **first public hearing** as follows:

1. Tentative Millage Resolution – City of Plantation
2. Tentative Millage Resolution – Plantation Gateway Development District
3. Tentative Millage Resolution – Central Plantation Development District
4. Tentative Budget Resolution – City of Plantation
5. Tentative Budget Resolution – Plantation Gateway Development District
6. Tentative Budget Resolution – Central Plantation Development District
7. Tentative Budget Resolution – Plantation Community Redevelopment Agency

The City of Plantation Budget is based on the General Fund Millage of 4.0000 mills; Plantation Gateway Development District of 2.0000 mills; and Central Plantation Development District of 0.5000 mills. There is no recommended increase in millage rates. These maximum millage rates are the same as fiscal year 2001-02.

The **second public hearing** is scheduled for 7:30 p.m., Wednesday, September 25, 2002.

Herbert Herriman, Finance Director, read into the record the proposed tentative millage rates as follows:

• City of Plantation proposed tentative millage rate	4.0000 mills
• Roll back millage rate	3.7710 mills
• Percentage increase	6.05 percent
• Plantation Gateway Development District proposed tentative millage rate	2.0000 mills
• Roll back millage rate	1.8789 mills
• Percentage increase	6.45 percent
• Central Plantation Development District proposed tentative millage rate	0.5000 mills
• Roll back millage rate	0.4765 mills
• Percentage increase	4.93 percent
• Proposed tentative aggregate millage rate	4.1232 mills
• Aggregate roll back millage rate	3.8879 mills
• Percentage increase	6.05 percent

The increase in ad valorem tax revenue for the General Fund will fund additional personnel costs and capital items. For the General Fund of Plantation Gateway and Central Plantation, the increased ad valorem revenues will be for capital improvements.

Mayor Armstrong presented a brief overview of the budget for fiscal year 2002-2003. The Citizens' Report summarized the budget information, including mission statements, goals and objectives for this year. A five-year capital plan was also highlighted.

Councilman Fadgen referenced the upcoming 50th anniversary of the City and suggested a banner program be considered to promote the occasion. He noted residents in the area of the NW 6th Street Park in Park East have requested additional lighting for safety and security reasons. Lighting has also been requested at Happy Tails Park so it can be used after daylight savings time ends.

Mayor Armstrong indicated the Parks and Recreation Department has begun a program of approximately 15 events utilizing community resources for the anniversary event in April 2003. Discussion is underway in conjunction with the Chamber of Commerce and businesses in the community to effectively underwrite a broader program than the City has financially been able to support. She further advised that in addition to the NW 6th Street Park, the prospect of lighting the basketball courts at the Jim Ward Community Center is under consideration. Both lighting projects have been deferred because of the potential impact on the surrounding areas. When considering lighting in residential neighborhood areas, she felt perhaps there would be an opportunity to identify an alternative that would be less intrusive than a full-scale lighting program.

In response to Councilman Merritt, it was noted the same amount of money was transferred from Utilities this year as was transferred last year. It will be adequate to begin paying the bond issue.

Discussion continued with regard to the budget for materials and supplies.

Councilman Merritt expressed enthusiasm for a door-to-door bus service for those residents in need of such a service.

Councilman Fadgen supported an experimental door-to-door transportation system and felt perhaps funding from the state could be accomplished if the program is successful.

Mayor Armstrong advised the current shuttle bus system has exceeded County expectations with regard to ridership. She felt it would continue to grow as the City determines routes and areas of interest for the service. It was her opinion the experimental door-to-door system would cost more than \$150,000.

Councilwoman Bendekovic requested further clarification as to the purpose of the program and suggested guidelines be adopted. It was her opinion that it would be appropriate for medical needs and shuttling to doctor appointments; however, people using it for errands should be able to utilize the shuttle bus service already in place.

Councilman Merritt advised the one system currently in use in the County is a general services program operating within a neighborhood for people who are not able to drive and cannot make the walk to the bus stop. He clarified it would not be designated for a specific age group but for anyone in need of the service within the city limits of Plantation.

Councilman Edwards was not opposed to considering the possibility but did not feel it was necessary at this point to designate \$150,000 in the budget for the experiment. He would rather the City conduct a more comprehensive study by soliciting presentations to gather information.

Motion by Councilman Merritt, seconded by Councilman Fadgen, to set aside \$150,000 from one of the surplus funds to invest in an experimental door-to-door bus system for a year to operate within the City limits. Motion carried on the following roll call vote:

Ayes: Bendekovic, Merritt, Fadgen

Nays: Edwards

Motion by Councilman Merritt, seconded by Councilman Fadgen, that Resolution No. 8523 be approved and adopted. Motion carried on the following roll call vote:

Ayes: Bendekovic, Edwards, Merritt, Fadgen

Nays: None

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Resolution No. 8524

5-B. **RESOLUTION** ADOPTING THE TENTATIVE MILLAGE RATE FOR **PLANTATION GATEWAY DEVELOPMENT DISTRICT** OF 2.0000 MILLS FOR THE OPERATING FISCAL YEAR OCTOBER 1, 2002 THROUGH SEPTEMBER 30, 2003; IDENTIFYING THE COMPUTED ROLLED-BACK MILLAGE RATE; PROVIDING FINDINGS; PROVIDING FOR A HEARING ON SEPTEMBER 25, 2002 COMMENCING AT 7:30 P.M. IN THE CITY COUNCIL CHAMBERS TO FINALIZE THIS MILLAGE RATE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE THEREFOR.

Mr. Lunny read Resolution No. 8524 by title.

Motion by Councilman Merritt, seconded by Councilman Fadgen, that Resolution No. 8524 be approved and adopted. Motion carried on the following roll call vote:

Ayes: Bendekovic, Edwards, Merritt, Fadgen
Nays: None

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Resolution No.8525

5-C. **RESOLUTION** ADOPTING THE TENTATIVE MILLAGE RATE FOR **CENTRAL PLANTATION DEVELOPMENT DISTRICT** OF 0.5000 MILLS FOR THE OPERATING FISCAL YEAR OCTOBER 1, 2002 THROUGH SEPTEMBER 30, 2003; IDENTIFYING THE COMPUTED ROLLED-BACK MILLAGE RATE; PROVIDING FINDINGS; PROVIDING FOR A HEARING ON SEPTEMBER 25, 2002 COMMENCING AT 7:30 P.M. IN THE CITY COUNCIL CHAMBERS TO FINALIZE THIS MILLAGE RATE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE THEREFOR.

Mr. Lunny read Resolution No. 8525 by title.

Motion by Councilman Edwards, seconded by Councilman Fadgen, that Resolution No. 8525 be approved and adopted. Motion carried on the following roll call vote:

Ayes: Bendekovic, Edwards, Merritt, Fadgen
Nays: None

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Resolution No. 8526

5-D. **RESOLUTION** PROVIDING FOR THE ADOPTION AND APPROVAL OF THE TENTATIVE CONSOLIDATED ESTIMATED REVENUE AND APPROPRIATION BUDGET OF THE **CITY OF PLANTATION**, FOR THE OPERATING FISCAL YEAR OCTOBER 1, 2002 THROUGH SEPTEMBER 30, 2003; PROVIDING FINDINGS; PROVIDING FOR A HEARING ON SEPTEMBER 25, 2002 COMMENCING AT 7:30 P.M. IN THE CITY COUNCIL CHAMBERS TO FINALIZE THIS BUDGET; PROVIDING A SAVINGS CLAUSE AND PROVIDING AN EFFECTIVE DATE THEREFOR.

Mr. Lunny read Resolution No. 8526 by title.

Motion by Councilman Edwards, seconded by Councilman Fadgen, that Resolution No. 8526 be approved and adopted. Motion carried on the following roll call vote:

Ayes: Bendekovic, Edwards, Merritt, Fadgen
Nays: None

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Resolution No. 8527

5-E. **RESOLUTION** PROVIDING FOR THE ADOPTION AND APPROVAL OF THE TENTATIVE ESTIMATED REVENUE AND APPROPRIATION BUDGETS OF THE DEPENDENT TAXING DISTRICT OF **PLANTATION GATEWAY DEVELOPMENT DISTRICT** FOR THE OPERATING FISCAL YEAR OCTOBER 1, 2002 THROUGH SEPTEMBER 30, 2003; PROVIDING FINDINGS; PROVIDING FOR A HEARING ON SEPTEMBER 25, 2002 COMMENCING AT 7:30 P.M. IN THE CITY COUNCIL CHAMBERS TO FINALIZE THIS BUDGET; PROVIDING A SAVINGS CLAUSE, AND PROVIDING AN EFFECTIVE DATE THEREFOR.

Mr. Lunny read Resolution No. 8527 by title.

Motion by Councilman Edwards, seconded by Councilman Fadgen, that Resolution No 8527 be approved and adopted. Motion carried on the following roll call vote:

Ayes: Bendekovic, Edwards, Merritt, Fadgen
Nays: None

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Resolution No. 8528

5-F. **RESOLUTION PROVIDING FOR THE ADOPTION AND APPROVAL OF THE TENTATIVE ESTIMATED REVENUE AND APPROPRIATION BUDGETS OF THE DEPENDENT TAXING DISTRICT OF CENTRAL PLANTATION DEVELOPMENT DISTRICT FOR THE OPERATING FISCAL YEAR OCTOBER 1, 2002 THROUGH SEPTEMBER 30, 2003; PROVIDING FINDINGS; PROVIDING FOR A HEARING ON SEPTEMBER 25, 2002 COMMENCING AT 7:30 P.M. IN THE CITY COUNCIL CHAMBERS TO FINALIZE THIS BUDGET; PROVIDING A SAVINGS CLAUSE, AND PROVIDING AN EFFECTIVE DATE THEREFOR.**

Mr. Lunny read Resolution No. 8528 by title.

Motion by Councilman Edwards, seconded by Councilman Fadgen, that Resolution No. 8528 be approved and adopted. Motion carried on the following roll call vote:

Ayes: Bendekovic, Edwards, Merritt, Fadgen
Nays: None

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RESOLUTION NO. 8529

5-G. **RESOLUTION PROVIDING FOR THE ADOPTION AND APPROVAL OF THE TENTATIVE ESTIMATED REVENUE AND APPROPRIATION BUDGET OF THE PLANTATION COMMUNITY REDEVELOPMENT AGENCY FOR THE OPERATING FISCAL YEAR OCTOBER 1, 2002 THROUGH SEPTEMBER 30, 2003; PROVIDING FINDINGS; PROVIDING FOR A HEARING ON SEPTEMBER 25, 2002 COMMENCING AT 7:30 P.M. IN THE CITY COUNCIL CHAMBERS TO FINALIZE THIS BUDGET; PROVIDING A SAVINGS CLAUSE, AND PROVIDING AN EFFECTIVE DATE THEREFOR.**

Mr. Lunny read Resolution No. 8529 by title.

As a Commissioner of the CRA, Mayor Armstrong had voting privileges for Item 5-G.

In response to Councilman Edwards, Mayor Armstrong noted the \$4.5 million funds from the bond for the CRA are currently available.

Motion by Councilman Merritt, seconded by Councilman Fadgen, that Resolution No. 8529 be approved and adopted. Motion carried on the following roll call vote:

Ayes: Bendekovic, Edwards, Merritt, Fadgen
Nays: None

Mayor Armstrong voted affirmatively on Resolution No. 8529.

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5-H. PUBLIC HEARING AND FIRST READING OF AN ORDINANCE OF THE CITY OF PLANTATION, FLORIDA PERTAINING TO THE SUBJECT OF **NOTICE**; MAKING CERTAIN PROVISIONS IN THE CITY CODE PERTAINING TO NOTICE CONSISTENT; CLARIFYING WHICH NOTICE PROVISIONS IN CHAPTER 19 AND 27 OF THE CODE SUPPLEMENT STATE LAW ARE DIRECTORY IN NATURE; GIVING THE CITY COUNCIL AND THE CITY'S VARIOUS BOARDS THE ABILITY TO PROVIDE INCREASED NOTICE AS APPROPRIATE; CLARIFYING WHICH PROVISIONS OF THE ORDINANCE APPLY TO MATTERS WHICH ARE INITIATED BY THE CITY; PROVIDING FOR DEFINITIONS; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE THEREFOR.

Mr. Lunny read the Ordinance by title.

A memorandum dated September 6, 2002 to Mayor and Members of City Council from Donald J. Lunny, Jr., City Attorney, follows:

This Ordinance is designed to streamline and simplify notice requirements.

The high points of this Ordinance amendment are as follows:

1. The Ordinance makes the advertising requirements consistent (presently different sections of the Code have different requirements for various matters).
2. The Ordinance authorizes the City Council, the Planning and Zoning Board, and the Board of Adjustment to require additional notice if desired before review is completed.
3. The Ordinance more clearly indicates which of the provisions are directory and which are mandatory.
4. In instances where the City is initiating a matter (either for improving its property or as part of an economic development incentive), the provisions of the Ordinance will not apply if state law otherwise requires minimum advertising. This should expedite review and save taxpayer funds.

It is important to note that the state law has procedures for adopting zoning ordinances, rezoning ordinances, land use amendments, and other matters. This Ordinance is intended to supplement those state law requirements. The City must also comply with the state law requirements.

This Ordinance is now ready for First Hearing.

Motion by Councilman Merritt, seconded by Councilman Edwards, that the Ordinance be passed on first reading. Motion carried on the following roll call vote:

Ayes: Bendekovic, Edwards, Merritt, Fadgen
Nays: None

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6. **PUBLIC HEARINGS DETERMINED BY CITY STAFF TO BE QUASI-JUDICIAL IN NATURE**

Councilman Fadgen referred to the guidelines for those addressing the Council as witnesses having been sworn in.

All witnesses intending to testify on quasi-judicial items during tonight's meeting were sworn in by Sharlene Miers, City Clerk.

QUASI-JUDICIAL CONSENT AGENDA

Resolution No. 8530

QC-1. **RESOLUTION** approving the Dejour Parcel Site Data Record.

Mr. Lunny read Resolution No. 8530 by title.

Motion by Councilman Merritt, seconded by Councilman Fadgen, that Resolution No. 8530 be approved and adopted. Motion carried on the following roll call vote:

Ayes: Bendekovic, Edwards, Merritt, Fadgen

Nays: None

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7. **CONSIDERATION OF COUNCIL MEMBERS' COMMENTS AND PUBLIC REQUESTS**

Mayor Armstrong noted new schedules and route maps are available for the shuttle bus service. It can be secured at Public Works and at various locations around the City.

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Councilman Edwards referenced 9/11. He felt it was appropriate for the Council meeting to be held this evening and for lives not to be disrupted by those events.

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Councilwoman Bendekovic extended Holiday wishes to the City's Jewish residents.

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Councilman Merritt congratulated the Mayor and staff on the excellent budget presentation.

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Councilman Fadgen commented on political signs.

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Dennis Conklin, resident of Park East, briefly discussed the election and the number of precincts in the area.

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Meeting adjourned at 9:30 p.m.

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Jerry Fadgen, President
City Council

ATTEST:

Sharlene Miers, City Clerk