

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

December 19, 2012

The meeting was called to order by Councilman Peter S. Tingom, President of the City Council.

1. Roll Call by City Clerk:

Councilmember: Ron Jacobs
Robert A. Levy
Lynn Stoner
Peter S. Tingom
Mayor: Diane Veltri Bendekovic
City Attorney: Donald J. Lunny, Jr.

Absent: Sharon E. Moody

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2. The invocation was offered by Councilman Jacobs.

The Pledge of Allegiance followed.

3. Approval of Minutes of meeting – August 8, 2012

4. Approval of Minutes of meeting – August 22, 2012

The minutes of the City Council meetings of August 8 and August 22, 2012 were approved.

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ITEMS SUBMITTED BY THE MAYOR

Mayor Bendekovic introduced Kayla Stoner, Councilperson Stoner's granddaughter.

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Mayor Bendekovic presented Service Awards to the following Employees:

*Cynthia Craven	Info Tech	25 years
*Officer Debra Doucette	Police	25 years
Ricky Federici	Parks and Recreation	25 years
Barbara Magli	Fire	25 years

*Manuel Canjura	Engineering	15 years
James Dunmire	Utilities	10 years
*Jorge Gonzalez, Jr.	Fire/Rescue	10 years
Carmen Sajin	Utilities	10 years
*Joseph Schweighardt	Central Services	10 years
*Angena Tweedy	Fire/Rescue	10 years
*Yevgeniy Vitkovskiy	Utilities	10 years
*Carlos Whipple	Public Works	5 years

*Unable to attend.

Congratulations were offered.

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Resolution No. 11614

5. **RESOLUTION** of Appreciation to Frank DeCelles for 27 ½ years of dedicated service to the City of Plantation.

*Motion by Councilman Jacobs, seconded by Councilman Tingom, to approve Resolution No. 11614.
Motion carried on the following roll call vote:*

Ayes: Stoner, Jacobs, Levy, Tingom
Nays: None

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Jim Romano, Parks and Recreation Director, made the following announcements:

- We are hosting our 16th Annual Orange Classic Soccer Tournament at Pine Island Park and Central Park on Friday, December 28, 2012 through Sunday, December 30, 2012.
- The Santa’s Visit program will be on Monday, December 24, 2012, between 5:00 p.m. and 10:00 p.m.

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Mayor Bendekovic made the following announcements:

- On February 7, 2013 there will be a signing party and open house at the Plantation Historic Museum in celebration of our 60th anniversary in the City. On this date the Plantation Pictorial will go on sale for \$21.99.
- The Plantation Farmer’s Market is every Saturday between 8:00 a.m. and 2:00 p.m. at Volunteer Park.

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CONSENT AGENDA

As a Commissioner of the CRA, Mayor Bendekovic has a voting privilege on Item No. 14.

Item No. 9 was deleted from the agenda and one item was added.

Mr. Lunny read the Consent Agenda by title.

6. Request for authorization to purchase an AC/DC motor tester from Jenkins Electric Company for \$24,725. (Budgeted – Utilities)
7. Approve purchase of ongoing maintenance for the Microsoft licensed software at a cost of \$26,800. (Budgeted – IT)

Resolution No. 11615

8. **RESOLUTION** for the appointment of a Public Works Director for the City of Plantation's Public Works Department fixing the initial annual compensation to be paid for said executive position; and the appointment of an individual to said executive position. (Consaul)

Resolution No. 11616

10. **RESOLUTION** pertaining to the subject of real property; declaring certain real property which the City received as a result of a tax sale surplus; the property being generally located at NW 132nd Terrace and having an ad valorem folio number of 504002110010; authorizing the Quit Claim Conveyance thereof upon certain conditions being satisfied; providing findings; providing a savings clause; and providing an effective date therefor.

Resolution No. 11617

11. **RESOLUTION** approving the expenditures and appropriations reflected in the Weekly Expenditure Report for the period December 6 – December 12, 2012 for the Plantation Gateway Development District.

Resolution No. 11618

12. **RESOLUTION** approving the expenditures and appropriations reflected in the Weekly Expenditure Report for the period December 6 – December 12, 2012 for the Plantation Midtown Development District.

Resolution No. 11619

13. **RESOLUTION** approving the expenditures and appropriations reflected in the Weekly Expenditure Report for the period December 6 – December 12, 2012.

Resolution No. 11620

14. **RESOLUTION** approving the expenditures and appropriations reflected in the Weekly Expenditure Report for the period December 6 – December 12, 2012 for the City of Plantation's Community Redevelopment Agency.

NON-AGENDA

Resolution No. 11621

- 14 a. **RESOLUTION** approving certain lease agreement between Charter BC Plantation LLC and City of Plantation attached hereto as Exhibit "A" and certain license agreement between Charter BC Plantation LLC and City of Plantation attached hereto as Exhibit "B"; and providing an effective date therefor.

Motion by Councilman Jacobs, seconded by Councilman Tingom, to approve tonight's Consent Agenda as printed. Motion carried on the following roll call vote:

Ayes: Stoner, Jacobs, Levy, Tingom
Nays: None

NOTE: Mayor Bendekovic voted affirmatively on Item No. 14.

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Mayor Bendekovic thanked the Council for approving the recommendation of Eddie Consaul as our new Public Works Director. She introduced Mr. Consaul and his family.

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ADMINISTRATIVE ITEMS – None.

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LEGISLATIVE ITEMS – None.

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QUASI-JUDICIAL CONSENT AGENDA

Mr. Lunny read Items #15 and #16.

Resolution No. 11622

15. **RESOLUTION** APPROVING THAT CERTAIN PARTIAL RELEASE OF UTILITY EASEMENTS; 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. (VERANDA)

Resolution No. 11623

16. **RESOLUTION** REPEALING CITY RESOLUTION NO. 10822; VOIDING THAT CERTAIN FACILITIES CONVERSION AGREEMENT (NON-GAF) WITH FLORIDA POWER AND LIGHT COMPANY FOR THE CONVERSION OF OVERHEAD ELECTRIC POWER LINES TO UNDERGROUND ELECTRIC FACILITIES IN THE NORTHWEST QUADRANT OF STATE ROAD 7 BETWEEN BROWARD BOULEVARD AND SUNRISE BOULEVARD BY REFERENCE AS EXHIBIT 1 TO SAID RESOLUTION NO. 10822; AND APPROVING A NEW UNDERGROUND FACILITIES CONVERSION AGREEMENT (NON-GAF) WITH FLORIDA POWER AND LIGHT

COMPANY FOR THE CONVERSION OF OVERHEAD ELECTRIC POWER LINES TO UNDERGROUND ELECTRIC FACILITIES IN THE NORTHWEST QUADRANT OF STATE ROAD 7 BETWEEN BROWARD BOULEVARD AND SUNRISE BOULEVARD; PROVIDING SEVERABILITY AND EFFECTIVE DATE.

Motion by Councilman Jacobs, seconded by Councilman Tingom, to approve Resolution No's. 11622 and 11623. Motion carried on the following roll call vote:

Ayes: Stoner, Jacobs, Levy, Tingom

Nays: None

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QUASI-JUDICIAL ITEMS

Mr. Lunny read Item No. 17.

17. REQUEST FOR SIGN SPECIAL EXCEPTION FOR TIGERDIRECT.COM LOCATED AT 12170 WEST SUNRISE BOULEVARD.

A Staff Report dated December 19, 2012, to the City Council, from Planning, Zoning and Economic Development Department, follows:

EXHIBITS TO BE INCLUDED: Planning and Zoning division report, subject site map, aerials, Sign Special Exception application and sign details.

REQUESTS:

1. From: Section 22-20(b), which requires compliance with a uniform shopping center sign agreement which specifies sign attributes such as materials, letter style, size and color.
To: To deviate from the uniform sign agreement with regards to material and color.
2. From: Section 22-35(g), which allows one (1) wall sign on the front of the building limited to 60 square feet in area.
To: Increase the size of the front wall sign from 60 square feet to 92 square feet.
3. From: Section 22-20(g), which limits the size of the subordinate message to 15% of the allowable wall sign area.
To: Increase the size of the subordinate message from 15% (9 square feet) to 58%. *A subordinate message identifies a product or service offered.*
4. From: Section 22-20(w), which prohibits box cabinet signs for wall signage.
To: Allow a 34.8-square-foot box cabinet wall sign.
5. From: Section 22-20(t), which requires tenant panels on ground signs to be of matching color and font.
To: Allow the tenant name with royal blue and golden yellow channel letters in lieu of red channel letters.

ANALYSIS:

The subject site contains 7.4 acres and is part of the 8.9-acre master plan known as Plantation Crossings. The sites bound by Sunrise Boulevard to the north, a City park to the south and east, and commercial uses to the west.

Wall signage:

The applicant is requesting a deviation from the code for the color, size, and material of the wall sign. Based on the number of tenant spaces within the plaza, City code limits the number of wall sign colors to two. The code also requires all wall signs to be of matching materials. The center currently has red channel letter walls signs (with two exceptions, the Pier One (white) and SoccerMax (black and red)). The applicant is requesting a royal blue and golden yellow channel letter wall sign along with a box cabinet sign in black and white. There are currently no box signs in the center.

The applicant is also requesting an increase in the subordinate message “PCs, TVs, and More!” from nine square feet to 34.8 square feet and an increase in the overall allowable sign area from 60 square feet to 92 square feet in area.

Ground sign:

Section 22-20(t) requires tenant panels on ground signs to be of matching color and font. All tenant names on the existing ground sign are currently red channel letters. The applicant is requesting the use of royal blue and golden yellow channel letters on the ground sign.

STAFF COMMENTS:

PLANNING AND ZONING:

1. **WALL SIGNS:** Based on existing generally, conforming conditions (see photos on page 3); staff recommends the proposed wall sign be constructed according to code. Staff will support the waiver to increase the wall sign to 92 square feet based on existing conditions. The applicant has requested a box cabinet wall sign. There are no other box signs in the center.
2. **MONUMENT SIGN PANEL:** Based on existing conforming conditions of the existing monument sign (see photos on page 3); staff recommends that the Tiger Direct panel be constructed according to code. The City Council took a similar approach (color, material, and font consistency) with the new HH Gregg Center monument sign.

DESIGN, LANDSCAPE AND CONSTRUCTION MANAGEMENT:

Staff has no objection to the requested sign exception.

1. At time of permitting please submit landscape plans as per Chapter 22-106 for freestanding/monument signs.

A memo dated December 19, 2012, to Mayor Diane Bendekovic and Council members, from Laurence Leeds, Planning, Zoning and Economic Development Department, follows:

Mayor and City Council:

Photos of the proposed signs (and shopping wall center) were included in the City Council backup. The e-mail and the attached photos are intended to supplement the TigerDirect staff report with respect to “sign type.”

Tiger Direct Wall Sign: Attachment 1 shows the proposed TigerDirect wall sign compared with the former COMP USA Sign at the same location. The “TigerDirect.Com” (primary message) is constructed of channel letters consistent with code. The secondary message, “PC’s, TV’s and More”, is a cabinet or box sign, prohibited by Code since 2005. Staff recommends denial of the waiver to allow the secondary message box sign. The secondary message sign shall be channel letters, similar to HH Gregg sign located to the east and shown in Attachment 2.

Attachment 3 shows an existing typical wall box sign. This type of sign has been prohibited since 2005 and is considered a reduction below minimum City of Plantation standards. Few of these signs remain in the City, mostly on State Road 7.

Tiger Direct Monument Sign: Attachment 4 proposed “TigerDirect.Com” channel letters to replace the former “COMP USA: letters, Channel letters are permitted on the monument sign.

Councilman Jacobs thanked Mr. Leeds for the supplemental memo. He believes that exactly as laid out in the memo is what should be done; we should not be getting the box signs for the supplemental message.

Motion by Councilman Jacobs, seconded by Councilman Tingom, to approve waivers #1, #2, #3 and #5. Motion carried on the following roll call vote:

Ayes: Stoner, Jacobs, Levy, Tingom

Nays: None

In response to Councilman Jacobs, Mr. Leeds indicated that the motion is correct.

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Mr. Lunny advised that the title of Item No. 16, which he did not see until he was reading it, identifies the utility project as being in the northwest quarter and it should be northeast. He will correct that in the adopted version.

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COUNCILMEMBERS’ COMMENTS

Councilman Jacobs wished everyone a Merry Christmas and a Happy New Year.

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Councilman Levy questioned whether there has been any additional security or arrangement in Plantation schools and whether Mayor Bendekovic has been involved in the discussion.

Mayor Bendekovic stated that before she was Mayor she was always involved in the discussion. Plantation has been the prototype for a lot of other cities because of what we did with our Fire Department and Police Department and on all of the types of drills we have had in the City of Plantation and what has been implemented. Being that she worked in other cities, she knew what they did not have but knew how advanced we are. She has noticed in the newspaper with Mayor Ryan, he wants to have SRO's. She has been on the Education Advisory Board for the Broward League of Cities for 12 years. Every year they asked for an increase in funding for SRO's; however, the School Board refused to provide any additional funds. Mayor Bendekovic advised that Plantation is very well prepared and she recommends that the School Board do reconsider and to have ten SRO's because there are ten public schools. Public schools are not the only ones; there are quite a few private schools and larger schools in Plantation and they really need to look at the entire school system.

Councilman Tingom commented that the support from the Police and Fire Departments was significant during the Columbine and 911 events. During that time, he was principal at Plantation High School and noted that they participated in training at the school on many occasions. He believes that we are cognizant and aware of what we can do prevent.

Chief Harrison explained that try their very best in a make shift scenario. An active shooter is a training segment they have done in different schools. It is on the schedule for training this year. The Police Department has a partnership with all of the schools in the City and works very well with them as well as the School District. The School District has their own police department and we have a very good repour with them. We share information based on whether it is rumor of if they have credible information. There are many response methods that can be deployed and he assured that the Police Department is doing everything they can in light and prior to the unfortunate events that took place in Newtown. We are prepared the best that we can be and we will step up to the plate if need be.

In response to Councilman Levy, Chief Harrison advised that if someone feels that things are getting out of control they should contact the Police Department. Personnel is available to deal with situations like that. We have a juvenile counselor that is connected with our Criminal Investigations Division. We have the resources available and if not, we know who to go to. The phone number is 954/797-2100, which is the after hours non-emergency number Monday through Friday; however, calls can be placed to the juvenile counselor at 954/797-2118.

Mayor Bendekovic stated that after 911 all of the schools started doing a one-point entry but even though this school had a one-point entry it did not keep the perpetrator out but it sure helped with a safeguard after 911.

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Councilperson Stoner wished everyone a Safe, Happy and Healthy Holiday and the best for the New Year. She thanked all of the Department Heads for their patience with her this year and her questions. She appreciates the continual answers. It has been a difficult year for everyone dealing with a budget and normal wear and tear on the City. While we do not always agree, she thinks that there is no question that we all care deeply about the City and want the same things.

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Mayor Bendekovic wished everyone a Happy and Healthy New Year. She made the following comments:

- The Plantation Community Center has been completely demolished and we are currently removing the debris. That area will be seeded so it will not be just dirt until we start bringing back the design and details.
- She wished everyone good luck in their campaigns.

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Councilman Tingom made the following comments:

- He recognized Erin DiMeglio of South Plantation High School. She has been recognized by the Florida Commission on Status of Women as one of seven outstanding women who do volunteer work in their communities. She was the female quarterback at South Plantation High School this year and was recognized in Tallahassee.
- Filing for Council seats begins on January 2, 2013 at noon and ends on Friday, January 4, 2013 at noon.
- He wished everyone a Safe and Happy Holiday Season.

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PUBLIC REQUESTS OF THE COUNCIL CONCERNING MUNICIPAL AFFAIRS

Dennis Conklin, resident, was present. He announced that the St. Thomas Aquinas Raiders defeated the team from Lincoln Tallahassee High School for their seventh State Championship and regained National Ranking within the top 25 in several of the National High School rankings.

He wished everyone a Merry Christmas.

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SEALED COMPETITIVE SOLICITATIONS – None.

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WORKSHOPS – None.

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Meeting adjourned at 8:23 p.m.

Peter S. Tingom, President
City Council

ATTEST:

Susan Slattery
City Clerk

RECORD ENTRY:

I HEREBY CERTIFY that the Original of the foregoing signed Minutes was received by the Office of the City Clerk and entered into the Public Record this _____ day of _____, 2013.

Susan Slattery, City Clerk