

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

**September 30, 2009**

The meeting was called to order by Councilwoman Bendekovic, President of the City Council.

1. Roll call by the City Clerk:

Councilmember:	Diane Veltri Bendekovic
	Jerry Fadgen
	Robert A. Levy
	Peter S. Tingom
	Sharon Moody Uria
Mayor:	Rae Carole Armstrong
City Attorney:	Donald J. Lunny, Jr.

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2. The invocation was offered by Councilman Fadgen.

The Pledge of Allegiance followed.

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**ITEMS SUBMITTED BY THE MAYOR**

Mayor Armstrong presented Service Awards to the following employees:

James Daly	Building	20 years
Officer Michael Hanlon	Police	20 years
Nancy Price	Risk Management	20 years
Officer Joseph Vallejo	Police	20 years
Tracy Gilberto	Public Works	15 years
Sergeant Robert Marek	Police	15 years
Officer Michael Moberg	Police	15 years
Officer Daryl Radziwon	Police	15 years
Keith Shriver	Landscape	15 years
Mark Hartman	Parks and Recreation	10 years
Jenny Kajatt	Library	10 years
Connie Karns	Police	10 years
David Nipp	Code Enforcement	10 years
Robert Castro	Information Technologies	5 years
Raul Rivera	Parks and Recreation	5 years

Congratulations were offered.

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**Resolution No. 10703**

3. **RESOLUTION** of appreciation to Chief Larry L. Massey, Jr. for nearly 24 years of dedicated service to the City of Plantation.

***Motion by Councilman Fadgen, seconded by Councilwoman Uria, to adopt Resolution No. 10703. Motion carried on the following roll call vote:***

Ayes: Tingom, Uria, Fadgen, Levy, Bendekovic  
Nays: None

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Mayor Armstrong made the following announcements:

- Flu shots will be made available to City residents who are over the age of 55 on October 22, 2009 at Plantation Central Park.
- A Family Halloween and Safety Festival will be held by Parks and Recreation and the Police Department on October 17, 2009 from 10:00 a.m. to 2:00 p.m. at the Plantation Community Center.
- Chief Harrison will be sworn in on Monday, October 2, 2009 at 10:00 a.m. in the City Council Chambers. Any members of the public are welcome.

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**CONSENT AGENDA**

Mr. Lunny referenced Item #6 and announced that on page 3 of #6 for the aerobics fees and the passes for seniors, the proposed new fees go from \$1 to \$1.50 instead of \$2; senior aerobics daily non resident went from \$2 to \$3 as opposed to \$4; senior resident eight visits went from \$8 to \$12 as opposed to \$16; and senior non resident went from \$16 to \$24 as opposed to \$28. He will read the item as a Resolution consistent with our ordinance allowing the Council to adjust fees by Resolution.

Mr. Lunny read the Consent Agenda by title.

4. Approve St. Benedict's Episcopal Church Christmas Tree Sale from December 4 – December 18, 2009.
5. Approve insurance renewal with Florida League of Cities for 10/01/09 – 09/30/10 plan year in the amount of \$916,621.

**Resolution No. 10704**

6. **RESOLUTION** approving proposed Parks and Recreation fee increases as set forth in Jim Romano's September 30, 2009 Consent Agenda Item #6 addressed to the Mayor and Council members as revised by the City Attorney prior to reading; providing an effective date therefor.

**Ordinance No. 2432**

7. Second and Final Hearing of an **ORDINANCE** pertaining to the subject of environmental control; approving a modification and extension of the exclusive franchise agreement between the City of Plantation and Waste Management, Inc. of Florida for: (1) the collection and disposal of solid waste (excluding construction and demolition debris) within Plantation, and (2) the collection and provision of services with respect to certain recovered materials generated by residential sites within Plantation, approving the terms of a franchise agreement which will expire on September 30, 2013, and which will be subject to one, two-year extension only if both parties agree; authorizing the appropriate officials to execute a franchise agreement; amending the Code of Ordinances to properly reference such franchise agreement; making other provisions appropriate to implement the foregoing; providing a savings clause; and providing an effective date therefor.

**Resolution No. 10705**

8. **RESOLUTION** confirming a Plantation City Lien of Utilities Service Charge for 6721 SW 16<sup>th</sup> Street. (Antenor).

**Resolution No. 10706**

9. **RESOLUTION** confirming a Plantation City Lien of Utilities Service Charge for 281 SW 53<sup>rd</sup> Avenue. (Le Beau).

**Resolution No. 10707**

10. **RESOLUTION** confirming a Plantation City Lien of Utilities Service Charge for 180 SW 96<sup>th</sup> Terrace. (Bello).

**Resolution No. 10708**

11. **RESOLUTION** confirming a Plantation City Lien of Utilities Service Charge for 568 Westree Lane. (O'Camp).

**Resolution No. 10709**

12. **RESOLUTION** approving the expenditures and appropriations reflected in the Weekly Expenditure Report for the period September 17 – September 23, 2009 for the Plantation Gateway Development District.

**Resolution No. 10710**

13. **RESOLUTION** approving the expenditures and appropriations reflected in the Weekly Expenditure Report for the period September 17 – September 23, 2009.

**Resolution No. 10711**

14. **RESOLUTION** approving the expenditures and appropriations reflected in the Weekly Expenditure Report for the period September 17 – September 23, 2009 for the City of Plantation's Community Redevelopment Agency.

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

Ayes: Tingom, Uria, Fadgen, Levy, Bendekovic

Nays: None

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## ADMINISTRATIVE ITEMS

### 15. PRESENTATION REGARDING I-595 BROWARD COUNTY TRANSIT PLAN.

Mayor Armstrong explained that there are three different initiatives happening along I-595. She would like over a period of the next month or so to get each of the groups represented to our Council so that we have an opportunity to be updated on exactly what is happening since that is so much a part of Plantation's border. One of those is the express project that is constructing reversible lanes in the middle of the corridor. That project is underway and work has started along the greenway that runs along the New River Canal and the fence wall section that is being constructed adjacent to Hawks Landing. That is the initiation of that project. They anticipate that they will be under construction with various sections starting in November 2009. We will have them come back to provide a complete detail of the timeline. This project has been a work in progress for about ten years and actively for the last three years with multiple workshops.

The other project in the process of going through the PD&E is the one doing an analysis for an east west transit line on I-595, which would connect from I-75 into downtown Fort Lauderdale. It is now being re-evaluated as part of the next project, which is a long range transportation plan for 2035 that is being put on the table by the Broward County MPO. The 2035 plan is looking at the transit component of I-595 and taking a second look with some potentially alternative recommendations on how to manage the transit element from west to east to get downtown.

Mayor Armstrong believes it is important as the project continues to be aware of what is happening and if we have a position that we want to take as an alternative to light rail transit along I-595, this would be the opportunity to have some input. The Florida Department of Transportation website has a lot of detailed information as to exactly what is happening and what the timeline would be. This presentation will take place at a later date.

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### 16. DISCUSSION CONCERNING RENAMING/REDEDICATION OF LIBERTY TREE PARK.

A memorandum dated September 24, 2009 to Mayor Armstrong and City Council members from James Romano, Parks and Recreation Director, follows:

As you are aware, the City has recognized three of its last Mayors by naming certain parks in their honor. This list includes the Frank Veltri Tennis Center, Jack Carter Harmony Park and the Jim Ward Community Center.

Following along the lines of this tradition, Mayor Rae Carole Armstrong's commitment to the City for over 28 years as a City leader, and as a Junior Woman's Club advocate prior to her political career, Mayor Armstrong and the Juniors were instrumental in developing the original five-acre property known as Liberty Tree Park.

Since those early years, Mayor Armstrong, along with the Junior Woman's Club, helped with the planting of the Oaks that stand so strong today as well as other enhancements; i.e., lighting and walking paths. The park continues to be the home of the Art in the Park program that is hosted by the Junior Woman's Club every year. Since that time, the Mayor has also been instrumental with the purchase of the Elks Club property, which was adjacent to Liberty Tree Park. The park now totals ten acres in a beautifully landscaped setting with a restroom facility for the young families that utilize the park.

It is due to her diligent dedication to the City and community that we feel that naming this park after Mayor Armstrong would be appropriate in order to carry on this tradition.

At this time, we are recommending that the City Council rename Liberty Tree Park in honor of Mayor Rae Carole Armstrong.

If you have any questions or concerns regarding this proposal, please advise.

Mr. Romano provided an update of the history and read the aforementioned memorandum into the record. Six suggestions were read as follows:

1. Rae Carole Armstrong Liberty Tree Park
2. Rae Carole Armstrong Serenity Gardens at Liberty Tree Park
3. Rae Carole Armstrong Botanical Gardens at Liberty Tree Park
4. Rae Carole Armstrong Arboratorium at Liberty Tree Park
5. Rae Carole Armstrong Green at Liberty Tree Park
6. Rae Carole Armstrong Oaks at Liberty Tree Park

Councilman Fadgen, Councilwoman Bendekovic, Councilman Levy and Councilwoman Uria were in favor of #1, Rae Carole Armstrong Liberty Tree Park.

Councilman Tingom was in favor of #6, Rae Carole Armstrong Oaks at Liberty Tree Park.

***Motion by Councilman Tingom, seconded by Councilman Levy, to rename Liberty Tree Park to Rae Carole Armstrong Liberty Tree Park. Motion carried on the following roll call vote:***

Ayes: Tingom, Uria, Fadgen, Levy, Bendekovic  
Nays: None

Mayor Armstrong was honored and expressed thanks to everyone. She wants to be very sure in the process of this recognition that she has the opportunity to embrace the Plantation Junior Woman's Club and bring them into this in a very special way.

Mr. Romano congratulated Mayor Armstrong.

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## **LEGISLATIVE ITEMS**

17. PUBLIC HEARING AND FIRST READING OF AN ORDINANCE PROVIDING FOR AMENDMENTS TO THE COST-OF-LIVING ADJUSTMENT PROVISIONS AS NEGOTIATED BETWEEN THE CITY AND THE FOP; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE THEREFOR.

Mr. Lunny read the ordinance by title.

A memorandum dated September 23, 2009 to Mayor Armstrong and City Council Members from Daniel Keefe, Assistant to the Mayor, follows:

The City and FOP are currently in contract negotiations to extend the current contract that expires on September 30, 2009. One of the provisions of the current agreement has a COLA provision that would take effect in 2013. The FOP labor board and the City negotiating team have tentatively agreed to delay the COLA payment for two years to 2015 in exchange for extending the DROP provision from five (5) to seven (7) years. Funding for the COLA would be required during FY 2010 unless an ordinance is approved to delay the implementation of this benefit. The City Pension Actuary has indicated that if the City Council approves the ordinance on first reading prior to the end of September 2009, funding of this benefit will not be required until October 2012. Once the collective bargaining agreement is finalized and approved, this ordinance will be brought back to the City Council for approval on second reading.

Please contact me or Margie Moale, Human Resources Director, if you have any questions.

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Mayor Armstrong explained the ordinance. This is being requested as a placeholder. There are multiple topics on the table as part of our discussion with the FOP for a contract settlement. As a placeholder, this will provide us with the opportunity to have some flexibility in continuing that discussion. Passing the ordinance tonight does not mean that it is necessarily going to pass on second reading but it does provide an opportunity to keep this element of the door open as we continue to work on the details for the FOP contract.

Councilwoman Bendekovic expressed concern because the months were stated. After discussion with Mr. Keefe and Ms. Moale, they explained in detail that this is needed for negotiation purposes and in order to move forward. With that information she will support the motion for first reading.

Councilman Tingom supported the motion; however, he has serious concerns about the long term financial commitment and believes that the long term viability of this type of agreement may make it very difficult in the future. Because he is supporting the ordinance on the first reading does not necessarily mean he will support it on the second reading.

Councilwoman Uria concurred with Councilman Tingom and supported the motion in order to move forward.

***Motion by Councilman Fadgen, seconded by Councilwoman Uria, to approve first reading of the ordinance. Motion carried on the following roll call vote:***

Ayes: Tingom, Uria, Fadgen, Levy, Bendekovic  
Nays: None

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**QUASI-JUDICIAL CONSENT AGENDA:** None.

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**QUASI-JUDICIAL ITEMS:** None.

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## **COUNCILMEMBERS' COMMENTS**

Mayor Armstrong requested direction on the trailer park acquisition on Peters Road. We now have an opportunity to purchase the property and an appraisal would be required. The last time we inquired on the property the asking price was \$525,000 and we said no thank you. In looking at a range of the current number, this might be something to consider. The funds would come through the CRA. If you would like for the City to pursue the property we can do so by putting a letter of intent together and getting an appraisal because our price would be contingent upon the value on the appraisal.

Councilman Levy commented that the area needs revitalization and the ability to purchase the property at a reduced price is something that should be pursued. In checking with the CRA, there are some contingency monies that can be used that are currently available during this fiscal year. If it takes a new appraisal he felt it would be very important for the east side of Plantation.

In response to Councilwoman Bendekovic, Mayor Armstrong advised there are contingency funds through the CRA and no approval is required from the Plantation Gateway Advisory Board. This was a topic that was heavy on their agenda previously and at that particular point and time there was a real interest in using this as a catalyst to encourage some redevelopment. There was an internal meeting with the CRA Director and Planning staff to re-evaluate to see if this was something that we could use.

Councilman Levy would like to invite a representative from the Homeowners' Association to speak.

Councilman Tingom believed the Council should authorize Mayor Armstrong to pursue the opportunity to purchase the property with a re-evaluation making sure the appraisal price and actual paid price are very similar.

Councilwoman Uria suggested getting a new appraisal and offering less.

George Lord, resident of Country Club Estates and member of the Homeowners' Association was present. He advised that he spoke with six people on the Board who all agreed that the City should attempt to purchase the property. The trailer park is a little over one acre and has some large beautiful trees. Immediately to the north is the City of Fort Lauderdale well field. In 1999 he and three other people went to the City of Fort Lauderdale and got a verbal okay to use that property if we would maintain it. No one from the City has ever gone back to get the okay but the opening is still there and on the table and they are still agreeing to it. He would like to see the purchase of this property and possibly the Sullivan house next to the property.

In response to Councilman Fadgen, Mayor Armstrong explained that the composite and idea was to try to get several pieces of property and assemble them, not for additional park expansion, but to assemble to be able to have enough area to put in a nice office building and that type of thing in order to elevate the quality of the development that is there. There is a business objective associated with this but there is nothing cast in stone at the moment. This would be the first step to leverage some interest in looking at the balance of the area. There are some projects further to the east that are on hold due to the economy but we do feel we will come out of the ground because of the interest of the owners that are there. With those projects and this one, Mayor Armstrong believes it will make a good statement as to the value. If we can work with Broward County and get them to partner their goals with our goals, this does represent a good opportunity for redevelopment.

There was a consensus for Mayor Armstrong to move ahead with looking into acquiring the trailer park property.

Councilman Fadgen believed Councilwoman Uria's comment was excellent relative to the appraisal.

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Councilman Fadgen mentioned previous discussion about directing some of the City's business to small business owners within the City and wondered whether some sort of direct effort could be made in an attempt to accomplish that.

Mayor Armstrong advised that the Economic Development office has been focusing on distributing information. The Purchasing office looks for all opportunities to use local vendors as long as they are competitive.

In response to Councilman Fadgen, Mayor Armstrong requested the names of businesses that have been requesting to get City business so that they can be red flagged.

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Councilman Tingom reminded everyone that the preliminary report on the PAL Task Force will be given on October 14, 2009.

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Councilwoman Uria announced the opening of Kohl's.

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Councilwoman Uria thanked Mayor Armstrong for the memorial service held for Kimbo at Volunteer Park.

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**PUBLIC REQUESTS OF THE COUNCIL CONCERNING MUNICIPAL AFFAIRS**

None.

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**WORKSHOPS – None.**

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Meeting adjourned at 8:52 p.m.

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Diane Veltri Bendekovic, President  
City Council

**ATTEST:**

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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 \_\_\_\_\_, 2009.

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Susan Slattery, City Clerk