

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

**February 25, 2015**

The meeting was called to order by Councilmember Lynn Stoner, President of the City Council.

1. Roll Call by City Clerk:

Councilmember:	Jerry Fadgen Ron Jacobs Robert A. Levy Lynn Stoner Chris P. Zimmerman
Mayor:	Diane Veltri Bendekovic
City Attorney:	Donald J. Lunny, Jr.

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2. The invocation was offered by Councilmember Zimmerman.

The Pledge of Allegiance followed.

3. Approval of the minutes of the meeting held January 7, 2015.

The minutes of the City Council Meeting held on January 7, 2015 were approved as printed.

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**ITEMS SUBMITTED BY THE MAYOR**

Mayor Bendekovic presented Service Awards to the following City Employees:

*Michael Derrow	Utilities	30 years
Daniel Pollio	Utilities	30 years
*Officer Denis Lawdan	Police	25 years
*Diana Zarzycki-Abel	Police	25 years
Adnan Ezzeddine	Design, Construction & Landscape	20 years
Daniel Woods	Utilities	15 years
*Officer Shayne Highfield	Police	10 years
*Megheen Knaus	Library	10 years

Congratulations were offered.

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Mayor Bendekovic introduced Peter Guise (sic) with the MPO.

Ricardo Guterrez (sic), with the Broward Metropolitan Planning Organization, was present. They are a government agency in charge of transportation planning in Broward. One of their main tasks is securing federal funding for transportation projects.

Mr. Guise provided the following presentation with regard to complete streets:

- A complete street is a street that is designed for all users; cars, transit, trucks and bicycles.
- Complete streets include elements such as crosswalks, sidewalks, landscaping, trees, etc.
- The focus on complete streets is that you take a street and incorporate design elements that promote other modes of transportation other than a vehicle; focusing on bicyclists and pedestrians.
- Complete streets are context sensitive, which means the same design principles do not need to be applied.
- Elements can incorporate things such as bike lanes, multi-use recreational trails, crosswalks, additional bus shelters, and lane reallocations where space is reallocated away from the car to promote bicycle and pedestrian mobility.
- A complete street should also allow children to walk to school and the elderly to use the sidewalks well whether they are in wheelchairs or using walkers.
- Complete Streets has some proven benefits. Literature has shown that complete streets promote a sense of community and it also has a great economic benefit. They have elements of safety incorporated such as crosswalks or bicycle lanes, which makes the road safer for people not using an automobile. Designs that calm traffic are also incorporated so it makes it safer for the automobile user as well.
- Complete streets allows the City of Plantation to leverage some local investments either through the Broward MPO, applying for grants and other things.
- In July 2012 the MPO Board adopted the Complete Streets guidelines, which were an overview of design principles that can be incorporated into street design to be used by other municipalities and the County itself if they also wanted to incorporate or update their design principle.
- A policy planning framework came up in 2013, which builds upon the guidelines and actually allows municipalities and the County to take these policy frameworks, table them to the needs of their City and begin to promote complete streets.
- A multi-modal level of service tool was adopted, which is a way to assess how well a street or road is functioning. The efficiency of road used to be measured based on vehicle through put. The multi-modal level of service tool allows the assessment to be shifted away from vehicle traffic to looking at moving people. Rather than looking at how well a road moves cars they look at how well the road moves people, which takes into account pedestrians and cyclists.
- Complete Streets policies and guidelines are found throughout the nation with more than 500 policies in existence.
- Broward County Government has adopted their own Complete Streets guidelines and they have updated their minimum Engineering standards for implementing complete street principles.

- The Broward MPO has been leveraging their own funds; the federal funds; and investing them back into the Regional Transportation Network. Through their Mobility Program they have invested over \$100 million in the bicycle and pedestrian network of our County. That includes 90 miles of bicycle facilities and approximately 34 miles of pedestrian facilities. Those improvements were spread out over three phases. The first phase going into construction this year has 48 projects of which \$15 million is being spent.
- A list of projects in the City of Plantation are along Broward Boulevard and Nob Hill Road; NW 70<sup>th</sup> Avenue and Pine Island Road. These vary from bicycle lanes to eight-foot shared use paths as well as sidewalks.

Councilmember Stoner mentioned I-595 to Broward Boulevard and Nob Hill Road and noted that there are already complaints that traffic is too fast because of the curve in the road. She believes that adding a bicycle lane is asking for more trouble; taking something out of the street to accommodate a bicycle lane does not seem to be the right call.

Mr. Guise stated that is a concern that a lot of people have. They try to work within the right-of-way and are sure to do a thorough traffic analysis as well if they are looking at eliminating lanes. On Nob Hill Road they are not looking at eliminating any lanes. The options they consider are narrowing some of the lanes in order to gain space for a bicycle lane. They are able to narrow the travel lanes by a foot or two in order to gain four or five feet for a bicycle lane.

Mr. Guise continued the presentation as follows:

- In the next coming years they have a bike lane project on Peters Road as well as Commodore Drive, which will be a sidewalk.
- The way to get Complete Streets into the City of Plantation as well as other municipalities is to focus on looking at projects in their long range transportation plan. In addition, the Broward MPO conducts a lot of corridor studies and they have recommendations that come out of those studies. Those sometimes include bicycle and pedestrian improvements and they can be incorporated into a lot of the work program for municipalities and improve the bicycle and pedestrian connectivity for most areas.
- They have been working closely with the Florida Department of Transportation to coordinate resurfacing projects being conducted. If there is a possibility of coming in and restriping some of the lanes where a bicycle lane can fit they have been working with them.
- They make an effort to coordinate with the jurisdictional authorities and all of the stakeholders involved. All of their projects include an element of outreach where they work with the municipality, the County and the Florida Department of Transportation to make sure that all of the stakeholders are involved including the public.
- The best way to continue promoting the concept of Complete Streets is to stay informed and also be involved. Currently Councilmember Ron Jacobs is the representative on the MPO Board. They are an excellent resource for seeing what is coming down the pipeline. In addition, there is a Complete Streets Technical Advisory Committee and an Annual Safe Street Summit in which staff and Elected Officials are made a part of. They also have a website and social media where updates are posted.

In response to Councilmember Zimmerman, Mr. Guterrez clarified that \$100 million was budgeted for 124 miles. It seems like a large number but when putting it in the perspective of widening roads, \$1 million per mile to include bicycle facilities and sidewalks, in order to widen a portion of road that is a mile long you will spend almost ten times more. When looking at widening a road for automobile capacity it is actually a good

payoff. They are doubling their bicycle network with the \$100 million, which he believes is very valuable for Broward County.

Brett Butler, City Engineer, was present. He commended the MPO; they are trying to make a genuine effort to make improvements in our County transportation. He mentioned the topic of the striped bike lanes. In his experience and what staff has found, these striped bike lanes do not seem to be very effective; we very rarely see them used. In his opinion, putting a striped bike lane next to traffic traveling 40+ miles per hour discourages the cyclists from using it. We participated a study that was done for all of University Drive throughout the County recently and one of the things that came up was the topic of bike lanes. The concept of trying to revisit the way bike lanes are applied and creating a buffer between vehicles and bicycles was discussed. He suggested that when looking at Nob Hill Road, rather than consider narrowing lanes he would rather them consider looking at the existing sidewalks and widening them because the buffer is already there. If we went from a five to an eight-foot wide multi-purpose path he thinks that would more encourage the use of the cyclist. We want to see more bicyclists but they have to be put in a safer environment; we are not in favor of striped bike lanes.

Councilmember Stoner agreed.

Councilmember Jacobs indicated that a lot of MPO Board members have been saying the same thing; that painting a bike lane on the road is not the ideal solution. The difference cost is very dramatic.

Mr. Guterrez stated that studies have shown that bike lanes are safe; bicyclists want to be seen, they do not want to be hidden. Most accidents happen at intersections and driveways not when they are in the bike lane. They want to encourage people to ride and whenever a buffer can be done they will do it because it is very important. They will take another look at Nob Hill Road.

Councilmember Stoner advised that the Midtown path was discussed and it was determined that a standard sidewalk was not sufficient in any way whether there is a bicycle on it or not.

Councilmember Jacobs commented that we can adopt Complete Streets guidelines and have guidelines that discourage painting bike lanes whenever an alternative is possible.

Mr. Guterrez stated that some of their projects include the multi-purpose paths. As a Regional Agency, they have to take care of what is regionally needed. One of their goals is to be able to have someone cycle from County line to County line. When multi-purpose paths are created for certain segments the question is how to get the bicycle back into the bike lane.

Councilmember Stoner does not think a path type system can be adopted for the professional biker versus the low end user; you always have to go to the lowest component. She questioned the reason of the presentation.

Councilmember Jacobs advised that the presentation was to educate. If the City desires to buy into the Complete Streets Program by adopting our own guidelines or the County guidelines so when there is development going forward we follow those guidelines.

Councilmember Stoner indicated that some Cities have opted out. She questioned how it affects the grants if we modify the program.

Mr. Guterrez stated that the funding program next year is about local needs. Basically their projects are what is needed for the region not necessarily the local needs. It will not change if you adopt the guidelines separately; even if there are no guidelines they will be able to fund some of the projects.

Councilmember Stoner mentioned the projects for Plantation out of the \$100 million and questioned whether we have to approve those projects.

Mr. Butler advised that staff has always been extended an opportunity by the MPO to participate directly and review opportunities. They are trying to do a good job; however, we have a difference of opinion on the bike lane. We are going to benefit from this. He would generally support this but he would like to look at the Complete Streets guidelines and do a formal staff review.

Councilmember Stoner questioned if things will be built if staff says they don't like it.

Mr. Guterrez replied, "Absolutely not".

Mayor Bendekovic suggested having Mr. Butler look at it and come back with a presentation and recommendations. A formal vote can be taken at that time.

Councilmember Stoner and Councilmember Zimmerman questioned if Council could get a copy of the guidelines for review.

Councilmember Jacobs advised that the guidelines are on the website at [BrowardMPO.org](http://BrowardMPO.org).

Larry Ebbert, resident, was present. He mentioned several greenways that go one mile at a time and noted that crossing the main intersections is a problem. He also mentioned a pathway on the south side of the New River Canal east of State Road 7 that is like a desolate area. It is a very nice greenway but no one is ever on it and there is no way to get to it from University Drive. Half of the streets in Plantation don't even have sidewalks. He thinks a lot of the MPO talk is a pipe dream.

Dennis Conklin, resident, was present. He mentioned the MPO Agenda 21 that suggested that perhaps Plantation make its own determination on what it wants to do. It basically takes all of the power out of localities and small municipalities and removes it to a centralized decision point. He appreciated what was commented on regarding bike lanes in Plantation and also the cost. He complimented their hard work but does not appreciate where they are putting their effort. Utilization of the bike paths was mentioned and since it was put in about six years ago he has only seen about 12 or 13 people on it.

Councilmember Jacobs clarified that the Metropolitan Planning Organization exists all over the country. Some of them are very large and some are smaller geographic areas. They are created under Federal Law. The reason they exist was because in the 1970's people wanted to have more local control about Federal transportation money being spent. In Broward County the MPO Board is made up a representative from all Cities, a representative from the School Board, and a few representatives from the County Commission. The representation is based on population and the ability to vote. This is Federal money that the MPO deals with and whenever there is transportation money coming from the Federal Government and being spent in Broward County it must first go through the MPO and through the MPO Planning process before anyone can use that money to put a shovel in the ground, which includes the Florida Department of Transportation. There is other money from transportation and that money is not necessarily part of the MPO it is just Federal.

In response to Mr. Ebbert, Mr. Guiterrez advised that the greenway has been an issue since it was built. That is something that FDOT, the County and the MPO are looking at to see how they can better connect the greenway throughout. The goal is to go from Markham Park to Fort Lauderdale; the goal is to have a connected network. They are going to take care of the gaps.

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

- Saturday, February 28, 2015 through Monday, March 2, 2015 is the State Level 4 Girls and Boys Tennis Tournament will be held at the Frank Veltri Tennis Center and also at the Plantation Community Center.
- Spring Break Camp Registration begins on Friday, March 6, 2015. Camp forms are available at the Jim Ward Community Center, Central Park and Volunteer Park. Spring Break Camp begins on Friday, March 20, 2015 and runs through Friday, March 27, 2015.
- PAL Baseball is beginning. The Opening Day Ceremony will be held on Friday, March 6, 2015 at the Plantation Central Park Ball Fields at 6:30 p.m. Opening Day is Saturday, March 7, 2015.
- The AAU Amateur Athletic Union National Dive Meet will be held on Saturday and Sunday, March 7 and 8, 2015 at the Plantation Aquatic Complex.

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Mayor Bendekovic made the following announcements:

- The World War Exhibit 72 years later is a new exhibit at the Plantation Historic Museum.
- The 38<sup>th</sup> Annual Countywide Waterway Cleanup will be on March 7, 2015 between 9:00 a.m. and 1:00 p.m. The Plantation site is on the southwest corner of Pop Travers Field. Students can earn community service hours by participating. Volunteers can sign up ahead of time at [waterwaycleanup.org](http://waterwaycleanup.org) or on the day of the event.
- The Plantation Farmer's Market is every Saturday from 8:00 a.m. to 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. 15.

Mr. Lunny read the Consent Agenda by title.

4. Request to approve Zambelli Fireworks contract in the amount \$20,000 to provide fireworks for the 2015 Fourth of July program. (Budgeted – P&R)
5. Request to purchase three (3) vehicles (2015 Ford F150 Crew Cabs) in the amount of \$27,997.28 each. (Budgeted – FD)
6. Request to approve the purchase of one (1) vehicle (2015 Ford F150XL) in the amount of \$24,620.01. (Budgeted – Utilities)

7. Request to approve the purchase of calcium hypochlorite from Hawkins d/b/a The Dumont Company. (Budgeted – Utilities)

**Ordinance No. 2522**

8. **ORDINANCE** Second and Final Reading amending the Police Officer’s Retirement Fund based on the negotiated Collective Bargaining Agreement between the City and the FOP, Lodge 42; amending Section 18-61 providing for employee contributions for Police Officers; amending 18-63 providing for modifications to the monthly supplement; amending 18-69 providing for modification to the cost of living adjustment providing for codification; providing for severability; providing an effective date.

**Ordinance No. 2523**

9. **ORDINANCE** Second and Final Reading pertaining to the subject of Comprehensive Planning revising the Potable Water Supply Plan; revising the potable water sub-element regarding water supply facilities planning; providing a savings clause; and providing an effective date therefor.

**Resolution No. 12020**

10. **RESOLUTION** of the City Council of the City of Plantation, Florida, approving the FDOT Sub Grant to address traffic safety issues; (Speed, Distracted and Aggressive Driving) in the amount of \$40,000.

**Resolution No. 12022**

12. **RESOLUTION** approving the expenditures and appropriations reflected in the Weekly Expenditure Report for the period February 5, 2015 through February 18, 2015 for the Plantation Gateway Development District.

**Resolution No. 12023**

13. **RESOLUTION** approving the expenditures and appropriations reflected in the Weekly Expenditure Report for the period February 5, 2015 through February 18, 2015 for Plantation Midtown Development District.

**Resolution No. 12024**

14. **RESOLUTION** approving the expenditures and appropriations reflected in the Weekly Expenditure Report for the period February 5, 2015 through February 18, 2015.

**Resolution No. 12025**

15. **RESOLUTION** approving the expenditures and appropriations reflected in the Weekly Expenditure Report for the period February 5, 2015 through February 18, 2015 for the City of Plantation’s Community Redevelopment Agency.

***Motion by Councilmember Fadgen, seconded by Councilmember Jacobs, to approve tonight’s Consent Agenda as presented. Motion carried on the following roll call vote:***

Ayes: Zimmerman, Fadgen, Levy, Jacobs, Stoner  
Nays: None

Mayor Bendekovic voted affirmatively on Item No. 15.

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Mr. Lunny read Item No. 11.

**Resolution No. 12021**

11. **RESOLUTION** approving an Agreement between Broward County and City of Plantation for installation and maintenance of bus shelters (ENG) at various locations within the City of Plantation; authorizing the execution and delivery of the agreement between Broward County and City of Plantation for installation and maintenance of bus shelters for such purpose; giving Administration and the Legal Department the authority to make minor changes as appropriate prior to City Officers executing the document; authorizing the appropriate City Officers to execute the document and perform same; providing a savings clause; and providing an effective date therefor.

A memo dated February 4, 2015 to the Mayor and Members of City Council, from Brett Butler, City Engineer, follows:

Broward County Transit (BCT) has acquired grant funds for the construction of bus shelter improvements at BCT bus stops throughout Broward County. CBT has coordinated with City staff and agreed to construct "Plantation Style" bus shelters at various locations in Plantation. The proposed bus shelter improvements will match other bus shelters throughout the City, and will provide a safer, more comfortable environment for users of BCT service in Plantation.

Please find attached an Agreement between Broward County and City of Plantation for Installation and Maintenance of Bus Shelters. The Agreement establishes terms for the County to construct and the City to maintain bus shelters at 15 locations depicted in Exhibit "A" of the Agreement. City maintenance of the proposed "Plantation Style" bus shelters is consistent with obligations for existing shelters throughout the City. Staff is accepting of the terms and the Agreement has been reviewed by the City Attorney's office. Also attached is a Resolution authorizing the appropriate City Officer to execute the Agreement.

Staff requests City Council approval to execute the Agreement. Should you have any questions, please do not hesitate to contact me. This item is now ready for City Council consideration.

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Dennis Conklin, resident, was present. He questioned the cost of the different sizes of small, medium and large bus stops in the Plantation style. Two of the bus stops are going to be in the Plantation Park East area across Sunrise Boulevard.

Mayor Bendekovic advised that it does not designate the exact cost but she believes that Mr. Butler would have been able to answer that.

Ed Consaul, Public Works Director, was present. He indicated that it is \$25,000 for a large and \$22,000 for a small.

Mr. Conklin mentioned the price for the walkway along the canal. He noted that the City maintains it and there is a cost for that. He referenced Page 3; item 2.3; that municipalities have to put notices on the bus stops. He stated that Sunrise tried to copy the Plantation style regarding bus stops along State Road 7 and they looked sharp up until a couple of months ago when they began putting notification signs all over them. He hopes that we do not get forced into doing something similar.

***Motion by Councilmember Fadgen, seconded by Councilmember Zimmerman, to approve Resolution No. 12021 as presented. Motion carried on the following roll call vote:***

Ayes: Zimmerman, Fadgen, Levy, Jacobs, Stoner  
Nays: None

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## **ADMINISTRATIVE ITEMS**

Mr. Lunny read Item No. 16.

### **Resolution No. 12026**

16. **RESOLUTION OF THE CITY OF PLANTATION, FLORIDA, REGARDING THE ISSUANCE BY THE COLORADO HEALTH FACILITIES AUTHORITY OF ITS REVENUE REFUNDING BONDS, SERIES 2015A (COVENANT RETIREMENT COMMUNITIES, INC.) IN ONE OR MORE SERIES IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$125,000,000 OF WHICH NOT MORE THAN \$28,000,000 SHALL BE FOR THE BENEFIT OF COVENANT VILLAGE OF FLORIDA, INC., A FLORIDA NOT-FOR-PROFIT CORPORATION; APPROVING SOLELY FOR THE PURPOSE OF COMPLYING WITH 147(F) OF THE INTERNAL REVENUE CODE OF 1986 (AS AMENDED) THE ISSUANCE OF SUCH BONDS; PROVIDING FOR AN APPROVAL OF A COLLATERAL TRI-PARTY AGREEMENT IN CONNECTION THEREWITH; PROVIDING OTHER MISCELLANEOUS PROVISIONS INCIDENT TO SUCH APPROVALS; AND PROVIDING AN EFFECTIVE DATE THEREFOR.**

Mr. Lunny explained that the Colorado Health Facilities Authority, which is a foreign governmental entity, to approve the issuance of these bonds for our Covenant Village project in Plantation. Under the tax code, the local government with jurisdiction, and that would be either us or Broward County, must approve the issuance of these bonds for the purposes of Section 147(F) of such code. In that regard, the Administration requested that the owner of the facility also elect pay off early certain bonds of the Plantation Health Facilities Authority that were issued in 1998 for the benefit of this campus. The reason why the request was made was because the Plantation Health Facilities Authority has been staying alive until the last of its bonds can be paid off and with this transaction those bonds will be redeemed and a provision made for their payment. The City Clerk was able to convene a meeting of the Plantation Health Facilities Authority and they adopted a Resolution to authorize a redemption of the 1998 bonds. Tonight Council is requested by the Colorado Health Facilities Authority to conduct a TEFRA Hearing, which is a hearing where you seek comment as to whether this refinancing for this purpose should approve; therefore, you should open the hearing, seek that comment, and then close the hearing. Then the City can consider this Resolution. He has reviewed this Resolution and has added some provisions to the Collateral Tri-party Agreement that are protective of the City and of the Health Facility Authority. Judy Johnson, a representative of the local Covenant Village in Plantation, is present.

Councilmember Stoner mentioned the Collateral Tri-party Agreement, Page 3, Section 2.5 Paragraph B, middle of the paragraph says, "The Plantation City Attorney (or any attorney in his or her firm, Brinkley Morgan)... She believes that the parenthesis needs to say, "(Or any attorney in their firm.)" Brinkley Morgan does not need to be in there.

In response to Councilmember Fadgen, Councilmember Jacobs advised that the meeting has to be convened and a public TEFRA Hearing has to be announced. Then you have to see if anyone from the public wants to comment and when they are done the hearing will be closed.

Councilmember Stoner indicated that right now there is a public hearing on Item #16 on the Colorado Health Facilities Authority. She asked if anyone wants to speak on this item. There being none, the hearing was closed.

***Motion by Councilmember Jacobs, seconded by Councilmember Zimmerman, to approve Resolution No. 12026 as presented. Motion carried on the following roll call vote:***

Ayes: Zimmerman, Fadgen, Levy, Jacobs, Stoner

Nays: None

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**LEGISLATIVE ITEMS**

Mr. Lunny read Item No. 17.

17. REQUEST TO DEFER THE DEFERRED PUBLIC HEARING AND FIRST READING OF AN ORDINANCE PERTAINING TO THE SUBJECT OF COMPREHENSIVE PLANNING UNTIL MARCH 11, 2015 (FLEX ZONES 74 AND 75).

***Motion by Councilmember Fadgen, seconded by Councilmember Jacobs, to Defer Item No. 17 to March 11, 2015. Motion carried on the following roll call vote:***

Ayes: Zimmerman, Fadgen, Levy, Jacobs, Stoner

Nays: None

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Mr. Lunny read Item No. 18.

18. PUBLIC HEARING AND FIRST READING OF AN ORDINANCE PERTAINING TO THE SUBJECT OF ZONING; AMENDING THE ZONING CODE TO ELIMINATE “ELEMOSYNARY INSTITUTIONS” AS A PERMITTED USE BUSINESS USE LISTING IN THE CITY’S MASTER LIST OF BUSINESS USES (FOR THE COMMERCIAL DISTRICTS THEREIN LISTED) AND WITHIN THE MASTER LIST OF STATE ROAD 7 SPI-2 SUB-DISTRICT USES (FOR THE COMMERCIAL ZONING DISTRICTS THEREIN LISTED); PROVIDING FINDINGS; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE THEREFOR.

***Motion by Councilmember Jacobs, seconded by Councilmember Zimmerman, to approve Item No. 18 on First Reading. Motion carried on the following roll call vote:***

Ayes: Zimmerman, Fadgen, Levy, Jacobs, Stoner

Nays: None

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

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**QUASI-JUDICIAL ITEMS**

Mr. Lunny read Item No. 19.

19. REQUEST TO APPROVE SITE PLAN MODIFICATION TO ALLOW A PERIMETER FENCE – CHELSEA I (PP15-0002).

**REQUEST:** Site plan modification to allow a perimeter fence.

**EXHIBITS TO BE INCLUDED:** Planning and Zoning Division report, subject site map, and application.

**ANALYSIS:** The subject site is zoned PRD-15Q and located within the Chelsea I Townhouse Community. The overall site plan, consisting of 204 townhouses, was approved by the City Council on January 18, 1984. The site plan approved amenities for this project included trellises and screened-roof screen enclosures. City Council approval did not include fencing for the community.

The Chelsea I Homeowner’s Association is requesting approval to install a six-foot high dark bronze aluminum open picket fence along Central Park Drove to deter pedestrian access into the Community. The fence will be 2,200+/- feet in length and extend from the north property line to approximately 75 feet north of Broward Boulevard near the lake. There will be three access gates with key code entry allowing residents in and out of the community. The proposed fence meanders between 9-foot and 20-foot from the property line minimizing damage to existing trees and hedges. The current landscape buffer of thick hedges and mature trees will remain between the proposed fence and Central Park Drive.

Signage has been placed on the subject property notifying residents of the request. No objections to the request have been received by the Zoning Department.

**RECOMMENDATION:** The Department of Planning and Zoning recommends **APPROVAL** subject to staff recommendations.

**STAFF COMMENTS:**

**PLANNING AND ZONING:** No objections.

1. The approval is limited to the site plan, stamped received JAN 21, 2015. If changes to the site plan are subsequently pursued, appropriate approvals will be necessary.
2. The applicant shall obtain a building permit for the fence within twelve (12) months of the effective date of this decision, unless otherwise specified by the Building Department.

**ENGINEERING DEPARTMENT:** No objection.

**TRAFFIC CONSULTANT:** No objection.

**DESIGN, LANDSCAPE & CONSTRUCTION MANAGEMENT:** No objections to the requested site plan modification.

At time of permitting please address the following:

1. Please note on plans that the perimeter hedge exists as per City code (please include species, height, condition and location of plant material); any required perimeter hedge that is missing, dead, and/or declining will be replaced.
2. Please note on plans that any City code required perimeter trees that are missing, dead, and/or declining will be replaced.
3. Please note on plans that City code required perimeter trees, palms, and hedge will be mulched as per codes; please do not use red or Cypress mulch (you may use Melaleuca or Eucalyptus mulch).

**BUILDING DEPARTMENT:** No objection.

**FIRE DEPARTMENT:** No objection as to this site plan modification request.

**UTILITIES:**

No objection to the conceptual plan of a fence but new fencing cannot be installed over existing utility lines. If approved, Utilities must be able to maintain existing infrastructure. If fencing must be removed for a utility repair, depending on the location of existing utilities not provided with this plan, it will be the owner's responsibility to replace the fencing at no change to the City.

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Bill Hammond, contractor for Chelsea I, was present.

Greg Roberts, resident, was present.

In response to Councilmember Stoner, Mr. Roberts and Mr. Hammond stated that they have read the staff comments.

Mr. Hammond indicated that they agree to everything. There is a specific comment requesting that they put mulch inside of the planting beds. He noted that hedges are not needed with a chain link or picket fence; usually it is for a wood or pvc fence. They did not feel that mulch needed to be put into the existing beds when they have not been there in 30 years.

Mr. Leeds advised that the mulch requirement was part of a recommendation of the Design, Landscape and Construction Management; it was not a Planning and Zoning recommendation.

Mr. Ezzeddine stated that overall they have no issues with the plans. This is the first he has heard that there is an issue with the mulch bed. They can work out which bushes need to be replaced as staff commented. There are a few that need to be replaced and mulch needs to be placed around them.

Mr. Hammond commented that there is 2,000 feet of fence and some of the bed mulches are three or four-foot wide; that is a lot of mulch.

Councilmember Stoner indicated that this community works very hard to maintain the aesthetics and they have even gone above and beyond and put in a decorative fence, which is way above a chain link fence. The last thing we want to do is dig up the ground and look at bare dirt. It has not had mulch for 30 years; it is long overdue.

Mr. Ezzeddine mentioned that the fence should not be put in a straight line with bushes; it should be curved a little so it might vary from three to four feet to maybe more than four feet.

Mr. Hammond agreed and stated that they have to go in and out of some trees.

Mr. Roberts indicated that as a member of the Chelsea I Board of Directors, they are more than willing to comply with whatever is required by the Architecture Committee to plant a mulch bed.

Councilmember Stoner suggested that he have a conversation with Mr. Hammond to be sure that he complies also.

Mike Bellis (sic), newly elected President of Chelsea I, was present. He stated that as long as Chelsea I has existed, they have never been required to mulch those beds. The fence they are installing is going to be behind the existing hedges which have never been mulched in 30 years. They are not modifying the hedges; however, there will be a couple that may need to be changed. That will put a big financial burden on the community to mulch 2,000 linear square feet of hedges that have never been mulched.

Councilmember Stoner questioned if he is saying that Council forget the existing code for this project.

Mr. Bellis clarified that he was not saying that but questioned why it was never an issue before.

Mr. Ezzeddine advised that in some cases, over the years, things don't get maintained and the grass grows into the shrubs and mulch is not applied. When a new project is done the code has to take effect.

Mr. Roberts indicated that he lives along the berm. The proposed fence is going to go behind the Ficus along his property. The fence would not be visible from the street view; therefore, he questioned why mulch is necessary if it is on the Association's property. As a community, they are going to maintain the fence and all that is behind it.

Councilmember Stoner stated that Council is here to work with you but also to apply consistent regulations for everyone's project. Mr. Ezzeddine has indicated that he will sit down and go over everything to see what is applicable. She again questioned if everyone basically agrees with the staff report.

Mr. Hammond replied yes.

***Motion by Councilmember Jacobs, seconded by Councilmember Zimmerman, to approve Item No. 19. Motion carried on the following roll call vote:***

Ayes: Zimmerman, Fadgen, Levy, Jacobs, Stoner

Nays: None

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### **COUNCILMEMBERS' COMMENTS**

Councilmember Fadgen announced the last municipal election in the City of Plantation on March 10, 2015. He urged everyone to take part in this historic occasion and vote.

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Mayor Bendekovic indicated that the way to show appreciation to the candidates is to come out and vote.

\* \* \* \* \*

Councilmember Stoner mentioned Council decisions about Advisory Board meetings being held quarterly versus monthly that were made a few years ago. There are two Boards; Plantation Gateway and Plantation Midtown, which she believes need to meet monthly.

In response to Councilmember Jacobs, Councilmember Stoner advised that she has received comments from several Board members.

Councilmember Jacobs suggested every other month instead of quarterly.

Mayor Bendekovic stated that it has not been mentioned during the meetings. She commented that she would not go every month but would try every other month because it is difficult to get a quorum. Meetings have not had to be canceled since they moved to quarterly.

Susan Slattery, City Clerk, advised that people would say that they were coming to the meeting and then did not show up; therefore, no business could be conducted.

Councilmember Stoner believed that every other month is a start.

Mayor Bendekovic indicated that if you want to start this Administration can report back to you if there are problems.

Ms. Slattery confirmed that the next meetings are March 11 and March 12, 2015.

Councilmember Stoner requested that Ms. Slattery put this discussion on the agenda for both Plantation Midtown and Plantation Gateway.

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

Dennis Conklin, resident, was present. He made the following comments:

- Congresswoman Debbie Wasserman-Schultz was raked over the coals for supporting the opposition to the marijuana amendment that appeared on the November ballot. There have been threats to eliminate her funding needed for campaigning to represent Plantation.

George Harrell, resident, was present. He mentioned letter submitted to the Mayor and Council about two years ago. He never received a response; however, the Mayor has indicated that there has been some action taken and he is going to defer until he can find out exactly what the action was.

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**SEALED COMPETITIVE SOLICITATIONS – None.**

\* \* \* \* \*

**WORKSHOP** – None.

\* \* \* \* \*

Meeting adjourned at 8:53 p.m.

\* \* \* \* \*

\_\_\_\_\_  
Councilmember Lynn Stoner, 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 \_\_\_\_\_, 2015.

\_\_\_\_\_  
Susan Slattery, City Clerk