

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

**August 12, 2015**

The meeting was called to order by Councilmember Chris Zimmerman, President of the City Council.

1. Roll Call by City Clerk:

Councilmember:	Ron Jacobs Lynn Stoner Peter S. Tingom Chris P. Zimmerman
Mayor:	Diane Veltri Bendekovic
Asst. City Attorney:	Quentin Morgan
Absent:	Robert A. Levy

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2. The invocation was offered by Councilmember Tingom.

The Pledge of Allegiance followed.

3. Approval of Minutes of Meeting – July 22, 2015

Minutes of the regular meeting of July 22, 2015 were approved as printed.

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**ITEMS SUBMITTED BY THE MAYOR**

**Resolution No. 12120**

4. **RESOLUTION** of Appreciation to Ruth B. Gordon for 15 years of dedicated service to the City of Plantation.

*Motion by Councilmember Tingom, seconded by Councilmember Stoner, to approve Resolution No. 12120.  
Motion carried on the following roll call vote:*

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

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**Resolution No. 12121**

5. **RESOLUTION** of Appreciation to Michael Capo for 28 years of dedicated service to the City of Plantation.

*Motion by Councilmember Jacobs, seconded by Councilmember Tingom, to approve Resolution No. 12121.  
Motion carried on the following roll call vote:*

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

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**Resolution No. 12122**

6. **RESOLUTION** of Appreciation to John Mastrianni for 29 years of dedicated service to the City of Plantation.

*Motion by Councilmember Jacobs, seconded by Councilmember Stoner, to approve Resolution No. 12122.  
Motion carried on the following roll call vote:*

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

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Fire Chief Laney Stearns and Joel Gordon, Battalion Chief, recognized Paramedic Joseph Bornstein, who acted while off duty at the Fort Drum Service Plaza on the Turnpike, and Chris Carlton, Parnell Patterson and Luis Navado, DOT employees, who assisted Paramedic Bornstein with a gentleman in full cardiac arrest until local Fire Rescue arrived. For the willingness to assist a complete stranger and for their quick actions which resulted in saving a human life, the Plantation Fire Department hereby recognizes Paramedic Joe Bornstein with a Meritory Service Award and Chris Carlton, who couldn't be here tonight, Parnell Patterson and Luis Navado, with Civilian Citation Awards.

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Mayor Bendekovic introduced State Representative Hazelle Rogers.

Representative Rogers provided a brief Legislative update as follows:

- Special Session A started with the budget; however, they left Tallahassee three days before they should have left without a balanced budget. They returned on June 1, 2015 and were able to pass a budget, which is balanced at \$78.7 billion. They did get some things in the budget but it fell to the veto pen of our Governor.
- Broward County needs to get a return on its investment on the dollars sent to the State.
- Out of the \$78.7 billion budget, Education received \$19.3 billion; Healthcare received \$32.9 billion; Justice Department received \$4.7 billion; Transportation and Economic Development received \$12.3 billion; Agricultural and Natural Resources received \$1.9 billion; and Government Ops received \$3.4 billion.

- The Tax Free holiday went from three days to ten days and that began on August 7, 2015 through August 17, 2015.
- There was a tax exemption for those that joined Gun Clubs, which she did not support. She believes that if you don't have to pay taxes on Gun Clubs that there should be no taxes on Gym memberships.
- With regard to healthcare; HB441. She knows the City's Certificate of Need was addressed in this Bill. It did not fall in our favor and it would not have helped us. The Bill creates an exemption for the review. She suggested that we look at that section of the law because there might be other properties within the City that might fall into the same category as Plantation General Hospital. The Mayor and Council want to be sure that we leave that valuable resource on the State Road 7 corridor and she supports their position.
- With regard to Assisted Living Facilities, she always assumed that staff could do certain things for the patients; however, they cannot. With this Bill Assisted Living Facilities will truly become an Assisted Living Facility and provide certain services to their clients. Dollars were increased that the Assisted Living could hold for those clients from \$250 to \$500.
- Terminally ill patients can now be prescribed experimental medications without going to jail.
- A new Bill allows Representatives to have Town Hall meetings to discuss what happened in the Legislature without having to ask for permission from the Speaker of the House.
- Some tenants are not aware that properties are in foreclosure because the landlords are collecting rent; therefore, they are given 30 days to move out of the property.
- Civil Citation is a Bill that was sponsored by Representative Clark Reed and herself. They truly believe in second chances for children and minor offenses. They are asking all Police Officers to either send them to the Detention Center or to a program for rehabilitation.
- Online Voter Registration in 2017.
- The first session was the budget; the second session was redrawing the Congressional District; and the third session will be redrawing the Senate Districts. They are going back to Session early this year because they voted to change Session from March to January. Everything is fast paced so we need your Bills and requests for funding earlier than usual.

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Mayor Bendekovic made the following announcements:

- The 2015 Art Search is a visual arts competition. The theme is "The Joy of Art". Entry forms will be available September 8, 2015 through October 9, 2015 at Plantation Central Park Community Center and all of the Plantation schools.
- The Plantation Farmer's Market is at Volunteer Park every Saturday between 8:00 a.m. and 2:00 p.m.

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Mayor Bendekovic recommended Councilmember Tingom for the Police Retirement Pension Board and Erik Anderson for the Fire Retirement Pension Board.

Jerry Fadgen, resident, was present. He stated that he also has an application in for the Police Retirement Pension Board.

***Motion by Councilmember Jacobs, seconded by Councilmember Stoner, to approve the two appointments.  
Motion carried on the following roll call vote:***

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

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**CONSENT AGENDA**

As a Commissioner of the CRA, Mayor Bendekovic has a voting privilege on Item No. 22.

Item #17 was pulled for discussion.

7. Request to approve the annual technical support service by Infor Public Sector from September 2, 2015 to September 1, 016 in the amount of \$34,798.41. (Budgeted – Utilities)
8. Request for approval of a “competitive procurement exemption” and authorization to issue a purchase order to Lou Bachrodt Freightliner based on the procurement process performed by the Florida Sheriff’s Association to procure a 2015 5,000-gallon vacuum tanker truck in the amount of \$207,462. (Budgeted – Utilities)
9. Request to award a purchase order in the amount of \$79,548 to FilterOne USA, LLC for the “Supply & Delivery of two washer compactors”. (Budgeted – Utilities)
10. Request to approve the annual maintenance renewal for the Infor (Hansen) Assets in the amount of \$47,395. (Budgeted – IT)
11. Request to approve the funds to lease Dell desktop computers for the 2015 PC refresh. (Budgeted – IT)
12. Request to approve the funds to upgrade Hansen/Infor for the City’s Utility Billing and Assets application in the amount of \$67,849. (Budgeted – Utilities)
13. Request to approve the purchase of two (2) Utility Body Trucks from Plantation Ford in the amount of \$32,496.24 each. (Budgeted – PW)
14. Award bid for resurfacing of running track at Plantation Center Park to lowest most responsive bidder. General Asphalt in the amount of \$58,225. (Budgeted – Parks and Recreation Capital)
15. Request to award bid for the purchase of Wiedenmann Super 600 Turf Vacuum Equipment to the lowest most responsive bidder, Showturf, in the amount of \$37,699.51. (Budgeted – Parks & Recreation Capital)

**Resolution No. 12123**

16. **RESOLUTION** of the City Council of the City of Plantation, Florida, authorizing the approval and adoption of the Third Amendment to “The Interlocal Agreement for the creation of the Broward Metropolitan Planning Organization”, expanding the number of voting members to 25. The maximum allowed under Florida Statute; allowing the alternate voting members from the Cities of Coconut Creek, Hallandale Beach, Margate, North Lauderdale, and Oakland Park to become full voting members; allowing for the addition of one Broward County Commissioner to the Board; and allowing the additional alternate voting members to continue to hold voting rights when one or more of the voting members are not present; and providing for an effective date.

**Resolution No. 12125**

18. **RESOLUTION** of the City Council of the City of Plantation, Florida urging the School Board of Broward County, Florida, to complete the rehabilitation and repair of Plantation High School.

**Resolution No. 12126**

19. **RESOLUTION** approving the expenditures and appropriations reflected in the Weekly Expenditure Report for the period July 16, 2015 through August 5, 2015 for the Plantation Gateway Development District.

**Resolution No. 12127**

20. **RESOLUTION** approving the expenditures and appropriations reflected in the Weekly Expenditure Report for the period July 16, 2015 through August 5, 2015 for the Plantation Midtown Development District.

**Resolution No. 12128**

21. **RESOLUTION** approving the expenditures and appropriations reflected in the Weekly Expenditure Report for the period July 16, 2015 through August 5, 2015.

**Resolution No. 12129**

22. **RESOLUTION** approving the expenditures and appropriations reflected in the Weekly Expenditures Report for the period July 16, 2015 through August 5, 2015 for the City of Plantation’s Community Redevelopment Agency.

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

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

Mayor Bendekovic voted affirmatively on Item No. 22.

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Mr. Morgan read Item #17.

**Resolution No. 12124**

17. **RESOLUTION** pertaining to opposing the oil drilling permit application submitted by Kanter Real Estate LLC, a Florida for Profit Limited Liability Corporation, to the Florida Department of Environmental Protection seeking oil drilling rights on property located in the Florida Everglades and supporting efforts opposing extreme well stimulation, hydraulic fracturing, acid fracturing, and any form of extreme well stimulation for purposes of resource extraction; providing findings; providing a savings clause; and providing for an effective date therefor.

A Memorandum dated July 29, 2015, to Members of City Council, from Diane Veltri Bendekovic, Mayor, follows:

**TITLE**

Resolution pertaining to opposing the drilling permit application submitted by Kanter Real Estate LLC.

**SUMMARY EXPLANTATION**

The City recently learned that Kanter Real Estate LLC, a Florida for profit limited liability corporation (“Kanter”), has submitted an application for an oil drilling permit to the Florida Department of Environmental Protection seeking authorization to conduct exploratory oil well drilling operations on property owned by Kanter located approximately six miles west of Miramar’s City limits in the Florida Everglades. If granted, the oil drilling is anticipated to exceed 11,000 feet in depth, well below the area known as the Biscayne Aquifer, which provides the water supply for Plantation residents and many residents of Broward County. The City, along with many local agencies, have expressed environmental impacts such as the degradation and possible contamination of the Biscayne Aquifer, the substantial impact that such drilling operations will have on the Florida Everglades fragile ecosystem comprised of water supplies, plant and vegetation, as well as the possible harm and injury to wildlife.

I feel it is in the best interest of the residents and citizens of the City of Plantation to present its opposition to the Kanter oil drilling permit application and resultant operations.

**REQUESTED ACTION**

Approval.

**EXHIBITS**

See attached Resolution.

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Dennis Conklin, resident, was present. He urged Council not to approve this Resolution as it deals with what is called “fracking”. Smart drilling does low impact on the environment but has a high impact on the economy.

Councilmember Stoner commented that this was before the County Commission yesterday.

Mayor Bendekovic stated that it was and they had 18 people speaking against the drilling; only one spoke for it. The County decided that Cities are permitted to decide what goes on inside their boundaries and that they want the State to permit them to decide what goes on inside the County. They are waiting for a decision from the State. This was placed on the agenda because she was showing support along with a lot of other Cities. There are quite a few Mayors supporting this Resolution because of what impact it would have on those Cities to the southwest.

Mr. Conklin indicated that perhaps Council could vote to reject or turn down this Resolution or at least put it off and do some research.

Councilmember Tingom advised that he has done some reading on this. He has some concerns and would not support this Resolution because he feels we do not know enough and if we go forward it could cause a lot of ecological harm to our environment.

Councilmember Stoner said we should go for it.

Councilmember Jacobs commented that we are not making a decision as to whether to drill or not; this is a Resolution of support from one City to the other Cities.

***Motion by Councilmember Jacobs, seconded by Councilmember Tingom, to approve Resolution No. 12124.  
Motion carried on the following roll call vote:***

Ayes: Stoner, Tingom, Jacobs, Zimmerman

Nays: None

\* \* \* \* \*

Councilmember Stoner requested a quick synopsis on Item #18 regarding the School Board.

Mayor Bendekovic explained that no matter how many meetings we have gone to; no matter what the Administration did. She thought we had the support of many of the School Board members but when it came up it was all about politics. Plantation High School was always ranked either 1, 2 or 3, to get a new cafeteria and we were always pushed down in the rankings. Now they have \$800 million and all they are getting is a canopy, not a new cafeteria. There is not enough room because lunches are on-site; students do not go off campus. Children are sitting in the hallways and under alcoves just to stay out of the weather if it is raining because there is not enough room in the cafeteria to seat all of them. She feels that it is time to address the School Board in a public forum; they have \$800 million with the General Obligation Bond and she thinks delays in the Plantation High School renovation for their art room and cafeteria is long overdue. We should not expect or accept any more delays in the renovations at Plantation High School.

Councilmember Stoner questioned if there were additional funds from a different source in addition to the \$800 million.

Mayor Bendekovic advised that was on the Facility Task Force. The cafeteria has been on the Facility Task Force too. We were #2 and they knocked us down in the rankings and let Cooper City have their renovations. School Board member Lori Levinson has a small part of our District and Dr. Osgood has the others. She has met with School Board member Levinson and expressed concern. She has also spoken to Robin Bartleman about the situation. Dr. Osgood has been invited to the Educational Advisory Board to speak.

Councilmember Stoner questioned how many times School Board members have been asked to come here and provide information on what is going on. Why are we always chasing them; they serve us and our residents.

Mayor Bendekovic stated that she had to chase them to get on the interview panel for Plantation Middle School. She was not going to be invited and she has been on almost every interview panel for principals since she has been elected. She had to call them and then they were very receptive. She just found out that Mrs. Frost from Plantation Elementary, a really good principal, was transferred. Someone from the School Board should have given us a heads up; we are losing an excellent principal. They are putting in an interim principal at the beginning of school. There is no communication. We reached out to Dr. Osgood and Ms. Levinson to come to our Educational Advisory Board meetings and we have also asked them to come to our Council meeting to give a report. She believes that Ms. Levinson is ready to go but we have not had a response from Dr. Osgood.

Councilmember Stoner commented that the quality of our schools affects the quality of our life and the value of our properties; it is a snowball effect. To have disrespectful elected officials who do not communicate with us and do not do what we believe they are supposed to do, which is to keep our schools in a repaired manner and up to date and follow through on verbal and written promises, is unacceptable in her opinion. She appreciates that the invitations are extended and if they are declined she would like to be informed because she will say it again.

Mayor Bendekovic indicated that Councilmember Jacobs' appointee to the School Board is now the Chairperson of the Facility Task Force.

Councilmember Stoner advised that she has spoken to her and she lit a little fire. She suggested that we call OSHA; the cafeteria probably does not meet State requirements.

Councilmember Tingom believes that the Resolution lays it out; he believes the follow up is important.

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**ADMINISTRATIVE ITEMS – None.**

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**LEGISLATIVE ITEMS – None.**

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

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*Councilmember Zimmerman 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 Susan Slattery, City Clerk.*

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## QUASI-JUDICIAL ITEMS

23. **Resolution No.** **RESOLUTION** APPROVING A 1,094-SQUARE-FOOT MASSAGE ESTABLISHMENT (EASTERN ACUPUNCTURE & WELLNESS) AS A CONDITIONAL USE TO BE LOCATED IN A B-7q ZONING DISTRICT ON PROPERTY LYING IN SECTION 02, TOWNSHIP 50 SOUTH, RANGE 40 EAST AND DESCRIBED AS PARCEL A OF THE SUNBURST PROPERTIES DEVELOPMENT PLAT. AS RECORDED IN PLAT BOOK 125, PAGE 17, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, TOGETHER WITH A PORTION OF PARCEL A OF THE LAGO WEST SUBDIVISION, AS RECORDED IN PLAT BOOK 95, PAGE 21, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING FURTHER DESCRIBED IN EXHIBIT "A" ATTACHED TO THE RESOLUTION AND GENERALLY LOCATED ON THE SOUTHEAST CORNER OF COMMODORE DRIVE AND WEST BROWARD BOULEVARD (13224 WEST BROWARD BOULEVARD – THE SHOPPES OF LAGO MAR); PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE THEREFOR.

A Staff Report dated August 12, 2015, to the City Council, from the Planning, Zoning and Economic Development Department, follows:

**REQUEST:** Consideration of a conditional use to allow a 1,094-square-foot massage establishment.

### **EXHIBITS TO BE INCLUDED:**

Planning and Zoning Division report; subject site map; and development review application.

### **ANALYSIS:**

The subject site is 1.82 acres in area, zoned B-7Q, and currently developed with approximately 13,900-square-foot of commercial use. The site is bound by residential uses to the north, east and west, together with a canal right-of-way and SR 84/I-595 to the south.

The applicant, Eastern Acupuncture and Wellness, is classified as a massage establishment which requires conditional use approval in the B-7Q zoning district pursuant to Section 27-721(3). If approved, the business will have a reception area, 4 treatment rooms and 1 employee. The business hours proposed are Monday to Thursday from 9:00 a.m. to 9:00 p.m. and Friday and Saturday from 10:00 a.m. to 2:00 p.m.

Based on the current uses and square footage of each suite, the plaza is required to have 77 parking spaces. According to the survey dated 7/19/06, there are currently 77 parking spaces; therefore, no parking waiver is required.

The review of a Conditional Use request should include consideration of the criteria noted in Section 27-768 of the Land Development Code, which is attached hereto as Exhibit "A".

**STAFF COMMENTS:**  
**PLANNING AND ZONING:**

Zoning:

Conditions of Approval:

1. The hours of operation be limited to Monday thru Thursday from 9:00 a.m. – 9:00 p.m. and Friday and Sunday from 10:00 a.m. – 2:00 p.m. (as proposed by the applicant in the July 6, 2015 letter of intent).
2. Massage therapy must take place in locations depicted on the floor plans entitled “BAY 24” prepared by Andy Share & Associates, Inc., and dated July 3, 2015 attached hereto in Exhibit “B”. If changes to the floor plans are subsequently pursued, appropriate approvals will be necessary.
3. At this time, the applicant only identifies one massage therapist. The names and credentials of future massage therapists have not been provided with this application but will be reviewed with each application for a business license. All massage therapists must individually comply with the standards in Chapter 14 and 27 of the City Code. Compliance with all applicable City codes relating to the operation of this use is required including the requirements of Florida Statutes Section 480.043 and Chapter 64B7-26, F.A.C. as may be amended from time to time.
4. No window coverings, including but not limited to blinds, curtains, window films, or other material, shall be used or placed to obstruct the view of the storefront windows.
5. No signage of any kind shall be placed on the storefront glass windows. Signage on the storefront door shall be limited to no more than 20% of the glazed area of each door and may only include the business address, business name, hours of operation, and open/closed.
6. Occupational license approval is subject to the conditions of this approval.
7. Additional conversion of retail space to a more intensive use (i.e. office, massage, fitness etc.) within the center may require a parking waiver.

**ENGINEERING DEPARTMENT:** No objection.

**DESIGN, LANDSCAPE & CONSTRUCTION MANAGEMENT:** Staff has no objection to the conditional usage request.

1. Please replace the declining/dead hedge along the northern perimeter.
2. 3” of clean mulch around all trees and palms and all planting beds; mulch shall be kept 3” away from the trunks and stems of plants. Please do not use Cypress or Red mulch (Melaleuca, Eucalyptus, or recycled mulch may be used).
3. Fertilize all planting beds and trees on the property three to four times per year. Our soils in Plantation lack certain elements; therefore, we typically suggest a general use fertilizer with an analysis of 8-2-12 or a palm special/ornamental tree fertilizer with an analysis of 13-3-13 or similar. Please follow manufacturer recommended rates and methods of application.
4. Staking material should be removed from established trees and palms throughout the site.

**BUILDING DEPARTMENT:** No objection.

**FIRE DEPARTMENT:** No objection as to this conditional use request.

**POLICE DEPARTMENT:** No objection, no impact on police services.

**UTILITIES:** No objection, additional capacity charges may apply depending on prior use. This will be determined during plan review. For questions please contact Steve Peraza at 954-414-7351.

EXHIBIT "A"

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EASTERN ACUPUNCTURE AND WELLNESS LLC.

954-400-5504  
e-acuwell.com  
info@eacuwell.com

13224 W Broward blvd.  
Plantation, Florida  
33325

July 8, 2015

To Plantation city council members,

**CONDITIONAL USE STATEMENT**

Eastern Acupuncture And Wellness has a binding and build able site plan that will allow the council to determine the architectural features and buffering needed to protect the surrounding property.

The proposed conditional use will be consistent with the general plan for the physical development of the district including and master plan or portion thereof adopted by the council.

The proposed conditional use will be in harmony with the general character of the neighborhood, considering population density, scale and bulk of any proposed structures, intensity and character of activity, traffic and parking conditions, and number of similar uses. There is a present need for the conditional use Eastern Acupuncture And Wellness in this west plantation location, due to the fact there is no acupuncture or oriental medicine wellness facilities in the surrounding area.

The proposed conditional use will not be detrimental to the use, peaceful enjoyment, economic value, or development of surrounding property, or the neighborhood, and will cause no objective noise, vibration, fumes, odor, dust or glare of physical activity.

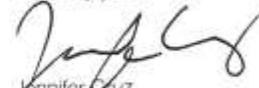
The proposed conditional use will not adversely affect the health, safety, security, morals, or general welfare of residents, visitors, or workers in the neighborhood.

The proposed conditional use will not, in conduction with existing development in the area and permitted development under existing zoning, overburden existing public services and facilities.

The proposed conditional use shall meet all other specific standards that may be set forth elsewhere in the Code of Ordinances.

The proposed conditional use shall disclose the square feet of use sought for approval so that an adequate evaluation may be made.

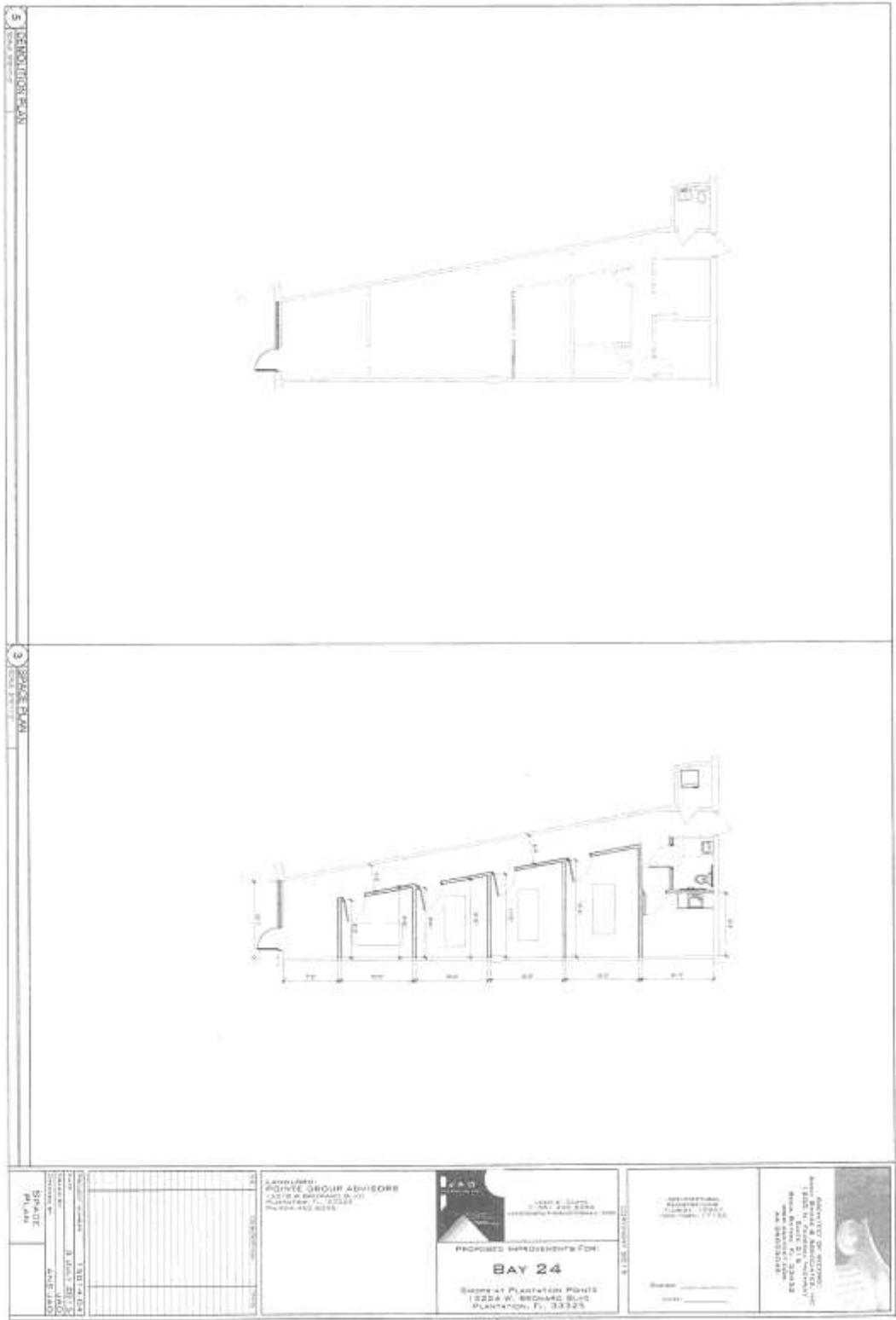
Sincerely yours,



Jennifer Cruz

Physician of Acupuncture and Oriental Medicine

EXHIBIT "B"



<p>DATE: 1/10/15          DRAWN BY: A. J. [Name]          CHECKED BY: [Name]          APPROVED BY: [Name]</p>	<p>NO. 1          NO. 2          NO. 3          NO. 4          NO. 5          NO. 6          NO. 7          NO. 8          NO. 9          NO. 10</p>	<p>LAND LEND:  <b>PRIVATE GROUP ADVISORS</b>          13224 W. BIRCHARD BLVD          PLANTATION, FL 33325          PHONE: 407-622-8226</p>	<p><b>W.P.O.</b>          WALTER P. O'NEILL          13224 W. BIRCHARD BLVD          PLANTATION, FL 33325          PHONE: 407-622-8226</p> <p>PROPOSED IMPROVEMENTS FOR:  <b>BAY 24</b>          BAY 24, PLANTATION POINTS          13224 W. BIRCHARD BLVD          PLANTATION, FL 33325</p>	<p>APPROVED FOR:          [Name]          [Title]          [Company]</p>	<p>ARCHITECT OF RECORD:  <b>W.P.O. ARCHITECTURE</b>          13224 W. BIRCHARD BLVD          PLANTATION, FL 33325          PHONE: 407-622-8226</p>
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Councilmember Jacobs wants to be sure that the applicant is all right with the hours that the backup material is going to restrict their business to. He mentioned the Letter of Intent that laid out certain operating hours.

Jennifer Cruz, representative, was present. She stated that she had from 9:00 a.m. to 9:00 p.m., Monday through Thursday, and Friday and Saturday from 9:00 a.m. to 2:00 p.m.

Councilmember Jacobs indicated that is not what is written; it is close. The conditions on Page 2 say Monday through Thursday, 9:00 a.m. to 9:00 p.m. and Friday and Sunday from 10:00 a.m. to 2:00 p.m.

Ms. Cruz advised that when she signed the lease it was brought to her attention that she was able to operate Monday through Sunday from 9:00 a.m. to 9:00 p.m.; however, she did not plan on being open on Sundays and she wanted to do appointment only on Fridays and Saturdays from 9:00 a.m. to 2:00 p.m. Ultimately, normal business hours on Friday and Saturday are 9:00 a.m. to 5:00 p.m. so she would like to have the option to be open for those hours.

Councilmember Jacobs would like to give more latitude for the future instead of restricting the times.

Councilmember Zimmerman mentioned that the business is currently closed on Sundays. The hours you are looking for is Monday through Thursday from 9:00 a.m. to 9:00 p.m. and Friday and Saturday from 9:00 a.m. to 5:00 p.m.

Ms. Cruz stated that she would like 9:00 a.m. to 9:00 p.m. on Friday and Saturday if that is possible.

Councilmember Jacobs commented that he did not have a problem with that; he also does not have a problem with seven days a week from 9:00 a.m. to 9:00 p.m.

Councilmember Tingom believes that 9:00 p.m. is reasonable.

Ms. Cruz clarified that she does medical massage and knows that she is required to get a massage establishment license because she holds a massage license. She is also an acupuncture physician and she is catering more towards physical medicine and doing more acupuncture. She wants to keep her hours open but she is not catering to just a massage establishment.

Councilmember Jacobs understood and stated that the classification has to do with the code.

Councilmember Stoner mentioned the letter of July 6<sup>th</sup>, which indicates the number of employees as one yet four rooms are rented.

Ms. Cruz advised that she currently has been working in two different locations for two different doctors. It has been over a year and a half since she came back from China and she is over saturated. With acupuncture you can see multiple patients at a time with half hour increments. If she does an initial consult with a patient she can go into another room. She is in and out of the rooms.

In response to Councilmember Stoner, Ms. Cruz stated that she does not plan on sub-leasing. If anything, as she grows she plans on hiring.

Councilmember Stoner thought we were over the whole massage thing. This has the possibility of being a massage establishment. She knows the police have been out there in the last few years trying to clean up that strip mall for the convenience store. She knows that Point Group is a great landlord but she is a little concerned about the traffic given the late night hours.

Ms. Cruz indicated that she knows there have been problems in the past five years. She has seen the changes and also has seen the buildings go up around it and the development grow. There are \$300,000 homes going up right next door to the convenience store, which is across the street from Lago Mar Country Club. Police are there patrolling and the convenience store has been bought out by another owner. It definitely is not what it was three years ago or she would not want to bring her business to that location. She does have an existing client base and thinks she could be an asset to the community.

Councilmember Tingom preferred Monday through Thursday from 9:00 a.m. to 9:00 p.m. and Friday, Saturday and Sunday from 9:00 a.m. to 5:00 p.m.

Councilmember Stoner was all right with that.

***Motion by Councilmember Jacobs, seconded by Councilmember Tingom, to approve the hours of Monday through Thursday from 9:00 a.m. to 9:00 p.m. and Friday, Saturday and Sunday from 9:00 a.m. to 5:00 p.m. Motion carried on the following roll call vote:***

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

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**COUNCILMEMBERS' COMMENTS**

Councilmember Tingom appreciates the phone call while he was away and apologized for the lost connection.

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Councilmember Tingom announced that August 14, 2015 is the 80<sup>th</sup> Anniversary of Social Security and he attended a brief ceremony at their office located on Sunrise Boulevard and University Drive this morning.

\* \* \* \* \*

Mayor Bendekovic welcomed two new principals to our area; Mrs. Valez at Mirror Lake and Dr. Sherry Wilson at Plantation Middle. She will find out what is going on with Plantation Elementary School tomorrow.

\* \* \* \* \*

Councilmember Zimmerman extended thanks to the Junior Woman's Club. They had a great fundraiser the other evening and it is nice to see some younger women in the community getting together to support some scholarship programs.

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

Dennis Conklin, resident, was present. He indicated that the process for signing to get propositions on the ballot for the upcoming election is under way, one of which is dealing with marijuana. He encouraged everyone to examine the positive actions the City took to prevent the spread. He urged everyone not to sign the petitions to get this on the ballot.

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**SEALED COMPETITIVE SOLICITATIONS - None**

\* \* \* \* \*

**WORKSHOPS – None.**

\* \* \* \* \*

Meeting adjourned at 8:35 p.m.

\* \* \* \* \*

\_\_\_\_\_  
Councilmember Chris Zimmerman, 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