



Meeting Minutes - Final City Commission

Tuesday, March 7, 2017

6:45 PM

Commission Chambers

CALL TO ORDER AND ROLL CALL

The meeting was called to order by Vice Chair Rosenzweig on the above date at 6:50 p.m. in the City Commission Chambers, City Hall, Deerfield Beach, Florida.

Present: 4 - Commissioner Gloria Battle
Commissioner Bill Ganz
Vice Mayor Joseph Miller
Vice Mayor Richard Rosenzweig

Absent: 1 - Mayor Jean Robb

Also Present: 3 - City Manager Burgess Hanson
City Attorney Andrew Maurodis
City Clerk Samantha Gillyard

MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

There was a moment of silence, followed by the Pledge of Allegiance.

APPROVAL OF CITY COMMISSION MINUTES

Regular City Commission Meeting Minutes - February 7, 2017

MOTION was made by Commissioner Miller, seconded by Commissioner Battle, to approve the minutes as submitted. Voice Vote:

Yeas: 4 - Commissioner Battle, Commissioner Ganz, Vice Mayor Miller, and Vice Mayor Rosenzweig

Nays: 0

ACKNOWLEDGEMENT OF CITY BOARD MINUTES

MOTION was made by Commissioner Miller, seconded by Commissioner Battle, to acknowledge the board minutes. Voice Vote:

Yeas: 4 - Commissioner Battle, Commissioner Ganz, Vice Mayor Miller, and Vice Mayor Rosenzweig

Nays: 0

Community Redevelopment Agency Meeting Minutes - January 10, 2017

Marine Advisory Board Meeting Minutes - January 19, 2017

Planning & Zoning Board Meeting Minutes - December 1, 2016

Non-Uniformed Employees' Retirement Committee Meeting Minutes - November 14, 2016

APPROVAL OF CITY COMMISSION AGENDA

MOTION was made by Commissioner Miller, seconded by Commissioner Battle, to approve the agenda as amended, adding Item 7. Voice Vote:

Yeas: 4 - Commissioner Battle, Commissioner Ganz, Vice Mayor Miller, and Vice Mayor Rosenzweig

Nays: 0

AUDIENCE TO BE HEARD

Rita Masi, 261 NE 19th Avenue, Deerfield Beach, applauded staff for cleaning up after Pioneer Days.

David Cohen, 953 SE 6th Street, Deerfield Beach, commended the City Commissioners for their integrity and service to the City. He also commented on their ability to work together even when there are disagreements.

James Benefield, 533 NW 3rd Way, Deerfield Beach, spoke in opposition to changing The Palms polling place to Northeast Focal Point, precinct A011.

Vice Mayor Rosenzweig asked why the precinct was changed.

Burgess Hanson, City Manager, replied that it was changed from a private residential community to a publicly (City) owned facility. He said no one is trying to sway votes and it is not racially motivated.

In response to Commissioner Battle's question, Mr. Hanson replied that St. Ambrose Church was also changed as a polling place. Additionally, he said The Palms should have been changed years ago.

Sandra Jackson, 386 SW 35th Avenue, Deerfield Beach, spoke in opposition to changing The Palms polling place as it was not a decision by the Housing Authority. She said St. Ambrose was changed at the request of the priest; notwithstanding, she said it is a bad time to change The Palms polling place.

Kathy Maggi, 125 SW 25th Avenue, Deerfield Beach, said everyone should express their feelings on election day; nevertheless, FDOT is suppose to have a kickoff meeting on March 14th and expressed concern because that is election day for Deerfield Beach.

Vice Mayor Rosenzweig said the FDOT meeting is regarding I-95 express lanes coming north from Commercial Boulevard to Hillsboro Boulevard, it does not regard SW 10th Street. He said

he expressed concern with having the meeting on election night to FDOT, but since it cannot be changed, an alternative date will be provided.

Lastly, Ms. Maggi thanked the Commissioners for their service.

Dan Herz, 330 SE 19th Avenue, Deerfield Beach, commented on candidates who attended a local forum whereby one (1) candidate did not take questions from the audience; thereafter, Mr. Herz asked questions that he felt were pertinent to the election.

Alex Benefield, 261 SW 11th Street, Deerfield Beach, said the Deerfield Packer Rattlers have not merged with the Bison, which was advertised; nevertheless, he said as the Chairman for the Packer Rattlers, he would like to sit down with City officials to discuss solutions for the Packer Rattlers.

Ken Wayne, 807 SE 9th Avenue, Deerfield Beach, expressed concerns with how Code Enforcement treats the residents, which he discovered while visiting various residents. He explained that Code enforcement is meant to uphold and enforce codes and standards established by the City to protect the City and residents. Further, Mr. Wayne said there should be an appeals process and proper guidelines for the residents.

Vice Mayor Rosenzweig said the residents can come to the special magistrate to state their case.

Mr. Wayne said many residents are intimidated by the fines and abide by whatever they are told instead of going to the magistrate. Lastly, he said there should be more monitoring on behalf of the City.

Tyrone Philpart, 523 NW 3rd Way, Deerfield Beach, said parents and coaches are not in agreement with what has been presented with the Bison. He said he is concerned that the Packer Rattlers and residents have not had an opportunity to discuss the situation with the City which he would like to see happen.

Darnavius Anderson, 748 N. Deerfield Avenue, Deerfield Beach, said no deal has been made between the Packer Rattlers and Bison.

Sherman Morris, 1260 SW 11th Way, Deerfield Beach, expressed concern about the Packer Rattlers not having an opportunity to play in the City and asked that a chance be given to discuss it with the Packer Rattlers.

Bernie Parness, 3074 Hardwood F, Deerfield Beach, said he was misquoted in the local paper regarding the Packer Rattlers, but believes there should be a conversation between the City, residents and Packer Rattlers to resolve this situation. Moreover, he said there are other problems in District 2 besides the Packer Rattlers.

Galen Adderly, 1251 SW 10th Terrace, Deerfield Beach, said no settlement has been reached with the Bison, but he would like things to go in favor of the Packer Rattlers.

Christopher Smith, 228 SW 5th Court, Deerfield Beach, said negotiations were ongoing with the McDougal Foundation, but nothing has been finalized.

Demetrius Givens, 1150 SW 7th Avenue, Deerfield Beach, said there are negotiations with the McDougal Family Foundation to restore history with the Packer Rattlers; however, the press released was too early. Mr. Givens commented on a power struggle and that this is now an internal issue in District 2. Additionally, there are rules and regulations that must be followed and asked that any communication be truthful to allow the kids to return to the City and play football.

QUASI-JUDICIAL PUBLIC HEARINGS

1. P.H. 2017- 045: APPLICATION 95-RM25-46 REVISION 2 & CASE NO. 2421

Applicant: ALESCI'S OCEAN REEF, LLC, represented by Jack Hawk

Proposal: Request for site plan approval to convert an existing apartment building to a 12 unit hotel with landscaping, façade and parking lot improvements; AND seeking CONDITIONAL USE approval, from section 98-49 (c) (1) of the Deerfield Beach Land Development Code, to allow a 12 unit hotel in the RM-25 Multi-Family Residential zoning district.

Location: The property is an approximate 0.2-acre lot described as Lot 1, Block 15, Deerfield Beach Plat, more particularly described in the file, located at 217 SE 20th Avenue.

Andrew Maurodis, City Attorney, asked if the applicant is waiving the quasi-judicial proceedings.

Jack Hawk, representing the applicant, replied yes and he would also like to give a brief presentation.

Mr. Maurodis performed the oath for those wishing to testify on item 1.

Mr. Hawk said his client purchased the property at the end of 2015. Although it has operated as a hotel for over 40 years, it is not legally a hotel, but more like a transient apartment. The owner wishes to clean up the license and make improvements to the landscaping, aesthetics and add fire sprinklers throughout.

Vice Mayor Rosenzweig opened the public hearing.

Rita Masi, 261 NE 19th Avenue, Deerfield Beach, asked if the property would remain as a hotel.

Mr. Hawk replied that it will operate as a hotel, but believes the City has it classified as a transient apartment; nevertheless, it has operated as a hotel for many years. It will be an upgraded hotel with extended stay.

Vice Mayor Rosenzweig closed the public hearing.

Vice Mayor Rosenzweig asked if the existing residents will remain.

Mr. Hawk replied he is unsure of the owner's intentions, but no one is being evicted. During construction, they may have to find a temporary residence; however, that is a ways off.

MOTION was made by Commissioner Miller, seconded by Commissioner Battle, to approve Item 1, adopted Resolution 2017/017. Voice Vote:

Yeas: 4 - Commissioner Battle, Commissioner Ganz, Vice Mayor Miller, and Vice Mayor Rosenzweig

Nays: 0

PUBLIC HEARINGS - 2ND READING

2. P.H. 2017-046: Ordinance 2017/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING SECTION 66-76 TO INCLUDE THE SULLIVAN PARK PARKING AREA; AMENDING SECTION 66-77 TO INCLUDE FOUR (4) HOUR MAXIMUM FREE PARKING FOR THE SULLIVAN PARK PARKING LOT AND TO INCLUDE DOCKING FEES FOR BOAT SLIPS AT THE SULLIVAN PARK DOCK OF \$5.00 PER HOUR (4 HOUR MAXIMUM); PROVIDING FOR INCLUSION IN THE CITY CODE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

The Ordinance was read by title only

Vice Mayor Rosenzweig opened the public hearing.

Dan Herz, 330 SE 19th Avenue, Deerfield Beach, said Sullivan Park is beautiful and very unique; thereafter, he expressed concern with the parking and how it will ultimately be used for beach parking because it is complimentary. Mr. Herz said the City should run parking just as they do for main beach parking, assign spaces for exclusive use of those with beach parking stickers making them available at all times. Continuing, he said the parking fees for Sullivan Park should be affordable for all. Lastly, he commented on the proposed reduction of beach parking stickers by Ken Wayne.

James Benefield, 533 NW 3rd Way, Deerfield Beach, said the tower connected to Sullivan Park will allow easy access to the beach whereby he objected.

Pam Militello, 884 SE 19th Avenue, Deerfield Beach, said the park has only been opened for a week and insisted that the parking be given a chance.

Vice Mayor Rosenzweig closed the public hearing.

Commissioner Ganz made a motion to approve; thereafter, he explained that the Commission has had lengthy discussions about the parking. If Sullivan Park were metered, people would still park at the Cove and walk to the beach; there is no stop all solution from stopping people from abusing the system. Further, there have been questions as to why there are bastions in the easement preventing additional parking. Commissioner Ganz explained that there is an agreement that only allows the easement to be used in special events. Additionally, beach parking stickers were being threatened for elimination, but were kept due to the revenue. Notwithstanding, if Sullivan Park allows beach parking stickers, there will be an issue in terms of

availability. There are currently not enough parking spaces to accommodate all the beach parking passes. He explained that when people knew the price was going up, there were droves of people buying them, but still not enough spaces. If the prices are reduced, more people will buy them and parking will remain inadequate.

Commissioner Miller seconded the motion and explained that he was initially in favor of metering Sullivan Park.

Vice Mayor Rosenzweig asked if there was any desire among the Commission to change the boat docking fees.

Commissioner Miller asked if the meters would be installed to monitor the hours.

Burgess Hanson, City Manager, replied yes.

MOTION was made by Commissioner Ganz, seconded by Commissioner Miller, to approve Item 2, adopted Ordinance 2017/003. Roll Call:

Yeas: 4 - Commissioner Battle, Commissioner Ganz, Vice Mayor Miller, and Vice Mayor Rosenzweig

Nays: 0

CONSENT AGENDA

The public hearing was opened; there was none to speak.

There was no discussion amongst the Commission.

Approval of the Consent Agenda

A motion was made by Commissioner Battle, seconded by Commissioner Miller, to approve the Consent Agenda, Items 3 - 7. Voice Vote:

3. Resolution 2017/018 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, commending the Florida Association of City Clerks for its 45th anniversary.
4. Resolution 2017/019 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, authorizing the submission of a Transit Oriented Development (TOD) grant application for the maximum funding award of \$205,000 for planning activities for potential station areas identified on a portion of the planned Tri-Rail Coastal Link (TRCL) corridor located on the FEC (Florida East Coast) rail corridor. (Funds from Account #001-8000-513-39-66 - Grant Expense)
5. Resolution 2017/020 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving Amendment #6 to the Landscape Maintenance Memorandum of Agreement with the Florida Department of Transportation (FDOT) for landscape improvements on State Road A1A from S.E. 3rd Street to N.E. 7th Street.
6. Resolution 2017/021 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving a five (5) year Interlocal Agreement with Broward County for participation

in the Broward County Water Conservation Incentives Program for the amount of \$27,940 for FY17. (Funds from Account #401-5020-533-39-29 - Government Fees and Permits)

7. Resolution 2017/022 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, appointing Rafael Suarez-Rivas, Esquire, as Code Enforcement Special Master in accordance with the provisions of City of Deerfield Beach Code of Ordinances and as a Zoning Appeals Special Master in accordance with the provisions of the Land Development Code; and providing for an effective date.

COMMENTS BY CITY MANAGER AND CITY ATTORNEY

No Report.

COMMENTS BY MAYOR AND CITY COMMISSIONERS

COMMISSIONER MILLER

DISTRICT 1

Beach Sand- Commissioner Miller commended staff for cleaning up the sand on Ocean Way, but said the barriers being used are not effective as the wind blew them down.

Cove Shopping Center - Commissioner Miller said the lines that divide the parking spaces are almost transparent and need to be repaired. He asked that funds be budgeted for the next fiscal year if they are not currently available.

Paving Throughout the City - Commissioner Miller said while much of the City has been repaved, he has not seen any changes near his residence which has been impacted by construction. He asked that those roads on SE 19th Avenue and 2nd Street be paved in the next budget.

Burgess Hanson, City Manager, said a work plan will be presented in the next budget to address various areas throughout the City.

COMMISSIONER BATTLE

DISTRICT 2

Code Enforcement- Commissioner Battle said there are 18-wheelers parking in the neighborhoods and destroying the roads and by Deerfield Beach High School. She also commented on parking issues near the Seventh Day Adventist Church.

Dixie Highway- Commissioner Battle said an RFP is out and residents are being asked to develop a vision plan for Dixie Highway. Many of the properties are owned by families that have lived here for many years and the desire is that something is built that will bring pride, but also increase economic development in the community.

COMMISSIONER GANZ

DISTRICT 4

MPO Meeting- Commissioner Ganz said he would like staff to work with FDOT and MPO about how the meetings are scheduled. One meeting was held outside the project location and now a meeting is being held on the City's election day.

Mr. Hanson said meetings are being set up with FDOT District 4 Secretary, Gerry O'Reilly, to discuss various issues and Commissioner Battle is communicating with the MPO Director and colleagues.

Street Reflectors - Commissioner Ganz thanked Mr. Hanson, Tom Good, Director of Environmental Services, and staff for adding reflectors to the northwest portion of NW 45th Avenue and NW 6th Street. He said the residents are very happy.

Last Meeting - Commissioner Ganz said this is his last full meeting as District 4 Commissioner; he thanked various staff members who served during his tenure, as well as other elected officials. Lastly, he thanked the residents for the past 8 years of service.

VICE MAYOR ROSENZWEIG

DISTRICT 3

Last Meeting - Vice Mayor Rosenzweig said this too is his last full meeting as District 3 Commissioner. He thanked staff and expressed how this position has allowed him to impact the residents throughout all the districts. There have been great changes throughout the City, but a major goal is changing the zip code for the southern portion of the City and making them feel included.

COMMISSIONER BATTLE - CONTINUED

DISTRICT 2

Women's History Month - Commissioner Battle invited everyone to the celebration on March 25th whereby, one (1) woman from each of the four districts will be recognized. The luncheon will be held at the Tigner Center at the Oveta McKeithen Recreational Complex.

ADJOURNMENT

The meeting adjourned at 7:52 p.m.

After adjourning, Ben Preston, former City Commissioner, thanked Mayor Robb for her service as this is her last meeting as Mayor.

Vice Mayor Rosenzweig thanked Mayor Robb for her service and said he is praying for her and hopes she fully recovers.