

# MINUTES

## PARKLAND CITY COMMISSION MEETING

**AUGUST 9, 2006**

**7:00 P.M.**

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**I CALL TO ORDER 7:04 p.m.**

**PLEDGE OF ALLEGIANCE**

Mayor Udine introduced sisters Brooke and Alexa Denton. Brooke, a 6<sup>th</sup> grader at Westglades Middle School, and Alexa, a 5<sup>th</sup> grader at Park Trails Elementary School, were both enrolled in gifted programs and excelled in athletics. The Mayor invited them to lead the Pledge of Allegiance.

**ROLL CALL**

**Present:**

Commissioner Jay D. Smith  
Commissioner Jared E. Moskowitz – Absent  
Commissioner Tracey McGilvray  
Mayor Michael Udine

**Also Present:**

Mark Lauzier, City Manager  
Caryn Gardner-Young, Assistant City Manager  
Andrew Maurodis, City Attorney  
Roberta Moore, Planning Director  
Charles DaBrusco, City Engineer  
Scott Davidoff, Leisure Services Director  
Brian Archer, Environmental Resources Director  
Sandra Couzzo, City Clerk

**II APPROVAL OF MINUTES**

May 24, 2006 Regular City Commission Meeting Minutes

**MOTION** made by Commissioner Smith to approve the May 24, 2006, Regular City Commission Meeting Minutes. Seconded by Commissioner McGilvray.

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**MOTION** passed unanimously.

May 24, 2006            City Commission Work Session Minutes – 8:00 P.M.

**MOTION** made by Commissioner McGilvray to approve the May 24, 2006, City Commission Work Session (8:00 p.m.) Minutes. Seconded by Commissioner Smith.

**MOTION** passed unanimously.

June 7, 2006            Joint City Commission/P & Z Meeting Minutes–6:00 P.M.

**MOTION** made by Commissioner Smith to approve the June 7, 2006, Joint City Commission/P&Z Meeting Minutes. Seconded by Commissioner McGilvray.

**MOTION** passed unanimously.

June 7, 2006            Regular City Commission Meeting Minutes

**MOTION** made by Commissioner McGilvray to approve the June 7, 2006, Regular City Commission Meeting Minutes. Seconded by Commission Smith.

**MOTION** passed unanimously.

June 14, 2006            City Commission Work Session Minutes

**MOTION** made by Commissioner McGilvray to approve the June 14, 2006, City Commission Work Session Minutes.

**MOTION** passed unanimously.

July 5, 2006            Regular City Commission Meeting Minutes

Mayor Udine noted a correction to page 22, but Commissioner McGilvray stated that she had asked that the entire item be transcribed verbatim, which had been placed on the dais. Mayor Udine agreed to the substitution.

**MOTION** made by Commissioner McGilvray to approve the July 5, 2006, Regular City Commission Meeting Minutes, as amended with the verbatim insert. Seconded by Commissioner Smith.

**MOTION** passed unanimously.

**III        PUBLIC INPUT**

Christine Hunschofsky, 9976 N.W. 64<sup>th</sup> Court, asked the Commission to consider televising future workshop meetings.

There was Commission consensus to do so.

With no further comments, Mayor Udine closed to the public.

#### **IV COMMENTS BY MAYOR AND COMMISSION**

Comments made by Commissioner McGilvray:

- The City had hosted the “Relay for Life” event benefiting the American Cancer Society at Stoneman Douglas High School this past Friday. She thanked Parkland residents for participating, and particularly former Vice Mayor Mimi Ribotsky and her team, and noted that nearly \$4,000 had been raised.
- Announced that Mary Gray, the City employee with the longest tenure, would leave the City, and she thanked her for her years of dedicated service.
- An educational summit would be held at Stoneman Douglas with the City of Coral Springs and the School Board from 6:00 to 8:00 p.m. on August 17<sup>th</sup>.

Comments made by Mayor Udine:

- Believed that the “Relay for Life” had been an excellent event, and he noted that the new athletic field lights had been used.
- Thanked City staff members for the successful “Back to School” breakfast held Monday. He acknowledged that members of the Educational Advisory Board had also attended, and he thanked them for their phenomenal work over the summer.
- Was reappointed to the Education Committee at the Broward League of Cities. The first meeting would be held on August 17<sup>th</sup>, and he promised to report on issues affecting the City.
- Had the opportunity to meet with U.S. Speaker of the House Dennis Hastert and U.S. Congressman Clay Shaw, who held a roundtable for local mayors. He considered it very informative, with discussion about FEMA issues and clearing debris in gated communities, as well as educational, prescription drug, insurance, and post office issues.
- Will attend the Florida League of Cities conference in Jacksonville, and he will report back.
- Upcoming events include the groundbreaking of Phase 2 of Pine Trails Park on August 30<sup>th</sup> with games, rides, and refreshments in a back-to-school carnival celebration. The fifth anniversary of September 11<sup>th</sup> will be commemorated at the Public Safety Building with the placement of another World Trade Center piece.
- Had the pleasure of welcoming 16 Israeli students from near Haifa. He hoped they would return home to peace.

#### **V PROCLAMATIONS AND SPECIAL RECOGNITIONS**

##### **1. INTRODUCTION: MARJORY STONEMAN DOUGLAS**

**PRINCIPAL - ANN KOWALSKI**

Mayor Udine introduced the new Principal, Ann Kowalski, and invited her to the podium to meet the community.

Ms. Kowalski stated that she had been Assistant Principal for seven years and was honored and privileged to serve the community. She expressed appreciation to the Mayor and Commission for taking such an active part in their school and assisting in their success. She believed the school was superior because of the support of the community's parents and the Commission.

Mayor Udine commented that the City looked forward to working with her, and he offered the Commission's continued help toward educational excellence for the City's children. He wished Ms. Kowalski a successful year.

**VI APPROVAL OF AGENDA**

Commissioner McGilvray asked that Consent Agenda Item #4 be pulled, and Mayor Udine pulled Consent Agenda Item #2.

**MOTION** made by Commission McGilvray to approve the Agenda as amended. Seconded by Commissioner Smith.

**MOTION** passed unanimously.

**CONSENT AGENDA**

**1. RESOLUTION NO. 2006-76: BROWARD BEAUTIFUL GREEN SHADE GRANT**

COMMENTS: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PARKLAND, FLORIDA, TO AUTHORIZE THE APPROPRIATE CITY OFFICIALS TO ENTER INTO AN AGREEMENT BETWEEN BROWARD COUNTY AND THE CITY OF PARKLAND FOR THE BROWARD BEAUTIFUL GREEN SHADE GRANT G06\_15 IN THE AMOUNT OF \$10,740.00 AND EXECUTE THE APPROPRIATE DOCUMENTS WITH BROWARD COUNTY TO IMPLEMENT THE PROGRAM.

**3. RESOLUTION NO. 2006-79: CABLE TELEVISION ASSIGNMENT AGREEMENT FOR COUNTRY ACRES**

COMMENTS: A RESOLUTION OF THE CITY COMMISSION OF THE

CITY OF PARKLAND, FLORIDA, FOR APPROVAL OF AN ASSIGNMENT AGREEMENT BETWEEN BROWARD COUNTY AND THE CITY OF PARKLAND TO ACQUIRE THE RIGHTS, DUTIES AND OBLIGATIONS ASSOCIATED WITH THE CABLE TELEVISION FRANCHISE WITH ADVOCATE COMMUNICATIONS, INC., d/b/a ADVANCED CABLE COMMUNICATIONS FOR THE COUNTRY ACRES PROPERTIES TO BE ANNEXED INTO THE CITY AS OF SEPTEMBER 15, 2006; AND PROVIDING AN EFFECTIVE DATE.

**5. RESOLUTION NO. 2006-81: BUDGET ADJUSTMENT FOR FIRE TRUCK**

COMMENTS: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PARKLAND, FLORIDA, AUTHORIZING A BUDGET ADJUSTMENT IN THE AMOUNT OF \$170,000 WITHIN THE 2005-2006 BUDGET AS ESTABLISHED BY ORDINANCE NO. 2005-17; AUTHORIZING THE APPROPRIATION OF ADDITIONAL REVENUES AND THE ALLOCATIONS OF THOSE REVENUES FOR THE PURPOSE OF PURCHASING A FIRE ENGINE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

**MOTION** made by Commissioner Smith to approve Consent Agenda Items #1, #3, and #5.  
Seconded by Commissioner McGilvray.

**MOTION** passed unanimously.

**2. RESOLUTION NO. 2006-78: STONEMAN DOUGLAS HIGH SCHOOL CONTRACT AMENDMENT**

COMMENTS: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PARKLAND, FLORIDA, FOR APPROVAL OF THE FIRST AMENDMENT TO THE CONTRACT ENTERED INTO WITH THE SCHOOL BOARD OF BROWARD COUNTY TO PROVIDE STADIUM IMPROVEMENTS FOR THE STONEMAN DOUGLAS HIGH SCHOOL; AND PROVIDING AN EFFECTIVE DATE.

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Mayor Udine indicated his understanding that \$300,000 of additional funds had been appropriated by the School Board, that the City will continue as the project manager, and that the funds would be used for additional phases of the project.

City Manager Mark Lauzier commented that the City should be known as the “procurement manager” because project direction was taken from the School Board and its facilities team, which was working more closely with Stoneman Douglas staff as users of the stadium. He looked forward to helping them implement more of the initial project phase. He noted that the \$300,000 allocation from school construction capital funds brought the total budget to \$781,000 for Phase 1, but that funding for restrooms, dressing rooms, and concession had not yet been identified. Mr. Lauzier indicated that Coach Neptune was present to answer specific questions.

Mayor Udine asked only that the signature block on page 4 be changed.

**MOTION** made by Commissioner McGilvray to approve Consent Agenda Item #2. Seconded by Commissioner Smith.

**MOTION** passed unanimously.

**4. RESOLUTION NO. 2006-69A: COUNTRY ACRES INTERLOCAL AGREEMENT AMENDMENT**

COMMENTS: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PARKLAND, FLORIDA, AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE THE ATTACHED AMENDED INTERLOCAL AGREEMENT WITH BROWARD COUNTY IN REGARD TO THE ANNEXATION TRANSITION PROCESS RELATED TO THE SEPTEMBER 15, 2006, ANNEXATION OF COUNTRY ACRES.

City Manager Mark Lauzier explained that the transition process included the transfer of rights and responsibilities of the County to the City, including assignment of the franchise agreement. The City had previously approved this agreement; however, the Commission had suggested a change related to the cable television issue. Mr. Lauzier noted that Consent Agenda #3 had covered the franchise issue. The County had rejected the interlocal agreement due to the difference in providers – Advanced Cable in Country Acres and Comcast in the City, and he noted the stricken sentence on page 3 of Exhibit A.

Commissioner McGilvray commented that there was no mention made of who would bear the costs. Mr. Lauzier offered that franchises had a certain term, allowing the cities to receive franchise fees and giving the franchisee the authority to operate there. The City could either renew the franchise or make some arrangement with Comcast, and Mr. Maurodis provided further information.

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Mayor Udine hoped that Country Acres would be afforded access to Channel 78, and he believed Comcast would work on that. Commissioner McGilvray suggested that alternatives should also be explored, such as through DVDs or on the City's website.

**MOTION** made by Commissioner McGilvray to approve Consent Agenda Item #4. Seconded by Commissioner Smith.

**MOTION** passed unanimously.

**REGULAR AGENDA**

**1. RESOLUTION NO. 2006-77: SPECIAL ELECTION  
NOVEMBER 7, 2006**

COMMENTS: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PARKLAND, FLORIDA, DECLARING A SPECIAL MUNICIPAL ELECTION ON NOVEMBER 7, 2006 FOR THE PURPOSES OF FILLING A VACANCY FOR THE COMMISSION SEAT FOR DISTRICT IV AND SETTING THE QUALIFYING PERIOD.

City Manager Mark Lauzier read the title of Resolution No. 2006-77. He explained that the procedure dictates the passage of this Resolution to declare a qualifying period, and staff recommended approval.

Mayor Udine opened to the public. There were no comments or questions, and the Mayor closed to the public.

**MOTION** made by Commissioner Smith to approve Resolution No. 2006-77, Special Election – November 7, 2006. Seconded by Commissioner McGilvray.

**ROLL CALL VOTE:**

Commissioner Smith	Yes
Commissioner Moskowitz	Absent
Commissioner McGilvray	Yes
Mayor Udine	Yes

**MOTION** passed unanimously.

**2. RESOLUTION NO. 2006-82: FLORIDA CITIES OF  
EXCELLENCE APPLICATION**

COMMENTS: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF PARKLAND, FLORIDA, TO AUTHORIZE THE NOMINATION OF THE CITY OF PARKLAND FOR THE LEAGUE OF CITIES FLORIDA CITIES OF EXCELLENCE AWARD FOR 2006.

City Manager Mark Lauzier recalled the Commission suggestion that the City should consider application for a "Cities of Excellence" award, due to improvements and the initiatives taken. Staff recommended passage of this Resolution to authorize its submission. He noted a slight error in the narrative of the application in that the 52 Public Safety personnel should reflect 31 BSO and 21 Coral Springs Fire.

Mayor Udine agreed with Mr. Lauzier's comments and suggested that a section about City events with photographs should also be included. He was very much in favor of the application.

Mayor Udine opened to the public. There were no comments or questions, and the Mayor closed to the public.

Mr. Lauzier read the title of Resolution No. 2006-82.

**MOTION** made by Commissioner Smith to approve Resolution No. 2006-82, Florida Cities of Excellent Application. Seconded by Commissioner McGilvray.

**ROLL CALL VOTE:**

Commissioner Smith	Yes
Commissioner Moskowitz	Absent
Commissioner McGilvray	Yes
Mayor Udine	Yes

**MOTION** passed unanimously.

**3. ORDINANCE NO. 2006-20: EDUCATION ADVISORY BOARD AMENDMENT**

COMMENTS: SECOND READING OF AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PARKLAND, FLORIDA, AMENDING THE AUTHORITY OF THE EDUCATION ADVISORY BOARD TO MAKE RECOMMENDATIONS RELATING TO SCHOOL BOUNDARIES; PROVIDING

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FOR CONFLICT; PROVIDING FOR SEVERABILITY;  
PROVIDING FOR AN EFFECTIVE DATE. (first reading  
7/5/06)

City Manager Mark Lauzier read the second reading of Ordinance No. 2006-20.

Mayor Udine asked that Section 3 be modified to read, “to discuss, advise and if they desire to make recommendations...”. He did not wish that it be mandatory, only that the Board would have the ability.

Commissioner McGilvray commented regarding a reference to Parkland schools on the Agenda Summary, and Mayor Udine agreed that Objective 1 should read, “Parkland children going to neighborhood schools.”

Mayor Udine opened to the public. He recognized Education Advisory Board members Marty Lederman and Christine Hunschofsky. There were no comments or questions, and the Mayor closed to the public.

**MOTION** made by Commissioner Smith to approve the second reading of Ordinance No. 2006-20, Education Advisory Board Amendment, with the revision. Seconded by Commissioner McGilvray.

**ROLL CALL VOTE:**

Commissioner Smith	Yes
Commissioner Moskowitz	Absent
Commissioner McGilvray	Yes
Mayor Udine	Yes

**MOTION** passed unanimously.

**4. ORDINANCE NO. 2006-19: CHARTER AMENDMENTS**

COMMENTS: SECOND READING OF AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PARKLAND, FLORIDA, CALLING FOR A REFERENDUM ELECTION ON CHARTER AMENDMENTS TO BE HELD ON NOVEMBER 7, 2006, SETTING FORTH THE CHARTER AMENDMENTS AND BALLOT QUESTIONS; PROVIDING FOR AN AMENDMENT TO EXTEND COMMISSION TERMS AND CREATE FOUR YEAR STAGGERED TERMS AND IMPOSE TERM LIMITS, AND PROVIDING FOR REDISTRICTING IN 2007 AND EVERY

FOUR YEARS THEREAFTER; PROVIDING FOR AN INCREASE IN CITY COMMISSION SALARIES AND AN ANNUAL ADJUSTMENT BASED UPON COST OF LIVING; PROVIDING FOR AN INCREASE IN RESIDENCY REQUIREMENTS FOR MAYOR AND COMMISSION; PROVIDING FOR REVISIONS TO THE PROCEDURE TO FILL COMMISSION VACANCIES; PROVIDING FOR REVISIONS TO THE PROCESS FOR REMOVAL OF THE CITY MANAGER; ELIMINATING THE BOND REQUIREMENT FOR EMPLOYEES; PROVIDING A NEW SECTION INCLUDING PARKLAND ORDINANCE NO 23 AS PART OF THE CITY CHARTER; PROVIDING FOR CHARTER REVIEW EVERY SIX YEARS; PROVIDING THAT THIS ORDINANCE, WHEN ADOPTED BY THE CITY COMMISSION, SHALL BE SUBMITTED TO THE QUALIFIED ELECTORS OF THE CITY OF PARKLAND, FLORIDA; THE ISSUES SHALL BE PRESENTED AS SEPARATE BALLOT QUESTIONS AS SET FORTH IN THIS ORDINANCE; SHOULD A MAJORITY OF THE ELECTORS VOTING ON ANY BALLOT QUESTION VOTE TO APPROVE SAID BALLOT QUESTION, THEN THE CHARTER AMENDMENT AS PREFERRED TO IN SAID BALLOT QUESTION SHALL BECOME PART OF THE CHARTER OF THE CITY OF PARKLAND; AUTHORIZING THE CITY CLERK AND THE SUPERVISOR OF ELECTIONS TO TAKE ALL NECESSARY ACTIONS TO PLACE THE BALLOT QUESTIONS AND THE CHARTER AMENDMENTS, AS SET FORTH HEREIN, ON THE BALLOT FOR NOVEMBER 7, 2006; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (first reading 7/5/06)

City Manager Mark Lauzier read the second reading of Ordinance No. 2006-19.

Commissioner McGilvray asked whether the Ordinance might still be changed and whether there was time to do so. Mr. Maurodis indicated a change in the title would require another second reading. The Commissioner commented that she regretted her affirmative vote at first reading, particularly in light of the Vice Mayor's resignation, as she understood that the change would allow a vacancy for up to one year.

Additionally, Commissioner McGilvray noted Commissioner Moskowitz' distinction between "shall" and "may" and that the document contained "shall" throughout. Mr. Maurodis offered that "shall" was a

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mandatory word, and Commissioner McGilvray asked why it was then not mandatory that someone be appointed to fill the Vice Mayor's seat. With Mayor Udine's comment that a majority vote had been needed, Mr. Maurodis noted the specific secondary provision that recognized that an appointment may not happen. He offered that the Charter Review Board had been very critical of this section and had specifically wanted to change it. He confirmed the change reflected the Board's intentions.

Commissioner McGilvray again asked regarding having a vacancy for up to one year and commented that she did not wish to do that. Commissioner Smith offered that he interpreted it differently. Discussion ensued.

Mayor Udine recognized Charter Review Board members Marilyn Krantz and Ira Goldman.

At the Mayor's invitation, Ms. Krantz explained that the Board had discussed this at length. She stated it had not been the intention to have a one-year vacancy, but an expectation that an election would be held within the year; minimum and maximum had not been examined. Board members had consistently felt that Commission appointment should be avoided, and why it would be in the best interests of the City to have an election.

Mr. Maurodis added that the Board had thoroughly considered every provision. While this may not be the perfect solution, he noted that numerous other codes were examined. He confirmed that the Board felt this would avoid difficulties over appointments and leave the decision to the public. He offered that this section had been targeted by the Board from the beginning and suggested it had been thoroughly reasoned out.

Ms. Krantz added that, in using the model and other codes, the trend was that the decision should be left to the public. She commented further regarding the Commission's decision to appoint or not at the last meeting and existing Charter language. She offered their main motivation had been the integrity of the system to elect rather than appoint.

Discussion ensued.

Mr. Maurodis commented that the Board had also tried to examine extraordinary circumstances; Charters generally deal with a certain number of situations and not every catastrophic situation is covered. He believed the City's proposed changes were more comprehensive than most.

Charter Review Board member Ira Goldman commented about at-large elections and districts. Ms. Krantz acknowledged that single-member districts had been discussed but only favored by a minority of members. Additionally, she noted that the issue related to term limits had not been a recommendation of the Board.

Commissioner McGilvray questioned the use of "successor by lot" for vacancies, and Ms. Krantz offered that the Board had tried to examine every scenario.

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Mayor Udine asked whether the Commissioner was satisfied, and Commissioner McGilvray responded that, while she was not certain that she was, she understood how the Board had balanced it.

Commissioner McGilvray also questioned terms of office and when term limits would begin, and Mayor Udine indicated that the limits would start when approved by the voters and after current terms. Mr. Maurodis added that the language was standard.

Mayor Udine reiterated his belief that the provision to increase salaries should not be on the ballot. He recalled the motion and second of the last meeting and that the amendment had failed. He indicated he wished to make the same motion, and he asked if his motion would be seconded before turning over the gavel to do so.

Commissioner McGilvray commented there must then be another second reading, and Mr. Maurodis agreed, indicating that the section must be stricken from the Ordinance.

Mayor Udine offered that, without a second, he would not make the motion, but he reiterated for the record his comments from first reading.

Mayor Udine asked Ms. Krantz regarding the issue of changing elections from March to November. Ms. Krantz responded that the Board had discussed moving elections to November but, with so many other Charter issues, there was consensus to keep elections in March. While she acknowledged the advantages of moving to November, the Board felt that March focused attention and for that reason it had not been changed. Her concern, and not that of the Board, was the “bundling” of language into one question: changing Commission election date, extending the current term, creating the four-year staggered, and imposing term limits. While she understood the rationale, she recommended removal of the term limits from the question.

Mayor Udine recalled the Commission’s concern with separate questions, particularly if certain aspects stayed status quo, and he explained the interweaving of the questions.

Ms. Krantz also asked clarification regarding the extension of current terms, and both Mayor Udine and Mr. Maurodis provided explanation.

Returning to her original question, Commissioner McGilvray asked whether the Board had discussed holding a special election at an off-time. Mr. Maurodis did not remember a Board discussion in such detail, and Ms. Krantz commented that the cost of a special election had been a consideration.

Ms. Krantz discouraged the removal of the salary increase, and Mr. Maurodis recommended that the Commission approve the entire slate.

Former Vice Mayor Mimi Ribotsky, 7277 N.W. 65<sup>th</sup> Terrace, addressed the Commission. She had not expected to speak before the Commission; however, she felt compelled to set the record straight after the comments made at the July 24<sup>th</sup> meeting. Due to a family member’s illness, she did not believe she could fulfill the roles of daughter, mother, and vice mayor. She stated that her resignation had been

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one of the most difficult decisions she had ever made, but her roles of mother and daughter must take priority and, in good conscience, she could not continue giving residents what they had come to expect and deserve. While she acknowledged her conflicts with Mr. Lauzier, it became difficult to balance the personal issues in her family with her role in the City.

Ms. Ribotsky noted that she had not “quit on the City” and had tried to ensure a smooth transition: through contact with the Mayor, the City Manager, and City Attorney, asking them to confer and provide her a plan on how to approach this, and with her offer to help the City staff, Commission, and her successor in any way to ensure that residents would continue to be served in the best way possible. She noted that, when she had learned of the possibility of no appointment, she sent a letter indicating her willingness to serve until the November election. She made each Commissioner aware of the illness in her family, and she took offense to the remarks made by Commissioner Moskowitz and Mayor Udine. She reiterated that her concern was that her District be represented, and she apologized that residents had been placed in this position as she would not have resigned immediately. She asked that the Commission respect her decision and reserve future attacks as she only wished them her best. She again offered her willingness to help in any transition for her District and indicated she would continue to volunteer as she could.

Ms. Ribotsky noted the relevancy of the Charter question on vacancies, and cautioned that something so important as a Charter amendment could be placed on the ballot with so few as two people deciding to do so. She hoped the Commission would not rush to a vote without being 100 percent certain.

There were no further comments or questions, and Mayor Udine closed to the public.

Commissioner Smith commented regarding choices, and Mr. Maurodis acknowledged there were choices to be made. He offered that he had never before been with a group who considered the issues in more detail, and it had been deeply considered and labored over.

Mayor Udine stated that his feelings were similar to those of Ms. Krantz on this issue. He believed in erring on the side of the people: let the people decide, as had been thought through by the Charter Review Board. It had been before the Board for a year and before the Commission for two workshops and a first reading. He acknowledged it was not perfect, and that different issues may come up. The question was should this be placed on the November ballot, and he indicated his vote would be in the affirmative.

Commissioner McGilvray gave a hypothetical situation: an October resignation with qualifying missed, and more than a year until an election. Mr. Maurodis offered that he would rule that a special election should be held, in no sooner than 90 days and no more than 180 days. He believed that the year vacancy was a worst case scenario.

**MOTION** made by Commissioner Smith to approve the second reading of Ordinance No. 2006-19. Mayor Udine passed the gavel and seconded the motion.

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**ROLL CALL VOTE:**

Commissioner Smith	Yes
Commissioner Moskowitz	Absent
Commissioner McGilvray	No*
Mayor Udine	

\*With the comment – and with no reflection on the hard work of the Charter Review Board, the Commission, and the City Attorney, which was very much appreciated – that she was not comfortable with the vacancy provisions, knowing that a seat may remain open for an extended time.

Mayor Udine asked, before continuing roll call, if Commissioner McGilvray might make a motion to strike on that specific issue to see if she might have support; she can then decide whether to vote for the balance of the Charter. Mr. Maurodis stated this could be done, and he suggested that the motion could be withdrawn.

Commissioner McGilvray noted that, with removal of the amended vacancy provisions, the existing provisions would remain, and the Charter would not again be reviewed for six years.

Mayor Udine commented that a second may be offered without voting in the affirmative later.

Commissioner Smith questioned that the motion could be withdrawn during roll call, and Mr. Maurodis responded that, with unanimous consent, the motion could be withdrawn.

**MOTION** made by Commissioner Smith to withdraw his previous motion. There was unanimous consent.

**MOTION** made by Commissioner Smith to approve Ordinance No. 2006-19, Charter Amendments. Seconded for discussion by Commissioner McGilvray.

**MOTION TO AMEND** made by Commissioner McGilvray to strike the section on vacancies.

**MOTION** died for lack of a second.

**ROLL CALL VOTE:**

Commissioner Smith	Yes
Commissioner Moskowitz	Absent
Commissioner McGilvray	Yes*
Mayor Udine	Yes

\*With her previous comments on the record.

**MOTION** passed unanimously.

At Mayor Udine's recognition, Ms. Krantz commented that it was hoped that each review of the Charter would better it. She believed that if these provisions did not serve the needs of the City, and with the legitimate concerns voiced, the Commission could reconvene the Board and specify that one section be reexamined; the City did not have to wait six years. Mr. Maurodis agreed, and again commented regarding the Board's labor in minute detail, recalling hours of discussion and a unanimous vote to approve. He noted it would not become law unless approved by more than 50 percent of the voters.

Mayor Udine agreed that it was a living, breathing document that could change often, if needed. He commented that it could be tried and then be made better. Ms. Krantz offered that the Board may shift in its opinion with the Commission's legitimate arguments, and Mr. Goldman added that it was an evolutionary process.

Commissioner McGilvray asked regarding educating the public on the ballot questions. Mr. Lauzier indicated that staff has been discussing the process, and he will ask the City Attorney for some additional advice. He anticipated presenting an item on the August 23<sup>rd</sup> Commission agenda on the strategy, including mailings and newspaper ads.

**5. ORDINANCE NO. 2006-15: EMERGENCY GENERATORS  
TEXT AMENDMENT**

COMMENTS: SECOND READING OF AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PARKLAND, FLORIDA, RELATING TO PERMANENT EMERGENCY POWER GENERATORS AND AIR CONDITIONING UNITS; ADDING SECTION 22-86 (F) OF THE CODE OF ORDINANCE; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.. (first reading 7/5/06)

City Manager Mark Lauzier read the second reading of Ordinance No. 2006-15. He noted that staff had spoken at length with members of the contracting community, as well as residents, with meetings held between first and second reading to resolve the issues. On the dais was a revision to the Ordinance.

Planning Director Roberta Moore explained the changes made, which essentially allowed the Fire Department and the National Fire Code to govern the generator and tank locations. Staff had also

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proposed to eliminate the zoning review process, and she noted the specific changes to the first and second pages.

Mr. Lauzier added that Coral Springs Fire Chief Don Haupt was present to answer questions. He believed that the fuel tanks were best governed by Fire Inspectors under the purview of the Fire Department.

Commissioner McGilvray questioned how often the generators and tanks would be inspected, and Chief Haupt indicated there would be an inspection at installation and then annually.

Mayor Udine commented that he agreed with the revisions. He had personally received many phone calls, and he explained his understanding of the issues.

Mayor Udine opened to the public. There were no comments or questions, and the Mayor closed to the public.

**MOTION** made by Commissioner Smith to approve the second reading of Ordinance No. 2006-15, Emergency Generator Text Amendment. Seconded by Commissioner McGilvray.

**ROLL CALL VOTE:**

Commissioner Smith	Yes
Commissioner Moskowitz	Absent
Commissioner McGilvray	Yes
Mayor Udine	Yes

**MOTION** passed unanimously.

**6. ORDINANCE NO. 2006-17: SIGN ZONING  
TEXT AMENDMENT**

COMMENTS: SECOND READING OF AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PARKLAND, FLORIDA, RELATING TO UNDER CANOPY SIGNAGE AND WALL SIGNS; AMENDING SECTION 15-2 ENTITLED "DEFINITIONS" AND AMENDING SECTION 15-38 ENTITLED "PERMANENT SIGNS; LOCATION" OF THE CODE OF ORDINANCE; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

(first reading 7/5/06)

City Manager Mark Lauzier read the second reading of Ordinance No. 2006-17.

Planning Director Roberta Moore explained the changes made to the Ordinance since first reading.

Commissioner McGilvray hoped that the new Ordinance would be sent to commercial property managers, storeowners, and the Chamber of Commerce so that they would be informed.

Mayor Udine opened to the public.

Salon/Salon business owner Joseph Vizzini thanked the Commission for their assistance, and he was provided clarification regarding the signage for his business.

There were no further comments or questions, and the Mayor closed to the public.

**MOTION** made by Commissioner McGilvray to approve the second reading of Ordinance No. 2006-17, Sign Zoning Text Amendment. Seconded by Commissioner Smith.

**ROLL CALL VOTE:**

Commissioner Smith	Yes
Commissioner Moskowitz	Absent
Commissioner McGilvray	Yes
Mayor Udine	Yes

**MOTION** passed unanimously.

**7. ORDINANCE NO. 2006-16: ABOLISHING THE BOARD OF ADJUSTMENT**

COMMENTS: SECOND READING OF AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PARKLAND, FLORIDA, RELATING TO ABOLISHING THE BOARD OF ADJUSTMENT AND TRANSFERRING ITS RESPONSIBILITIES TO THE PLANNING AND ZONING BOARD; AMENDING CHAPTER 13, ARTICLE II OF THE CODE OF ORDINANCE ENTITLED PLANNING AND ZONING BOARD; AMENDING CHAPTER 22, ARTICLE XXII, ENTITLED "BOARD OF ADJUSTMENT/VARIANCES"; PROVIDING A

CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE;  
AND PROVIDING AN EFFECTIVE DATE.

(first reading 7/5/06)

City Manager Mark Lauzier read the second reading of Ordinance No. 2006-16.

Mayor Udine opened to the public. There were no comments or questions, and the Mayor closed to the public.

**MOTION** made by Commissioner McGilvray to approve Ordinance No. 2006-16, Abolishing the Board of Adjustment. Seconded by Commissioner Smith.

**ROLL CALL VOTE:**

Commissioner Smith	Yes
Commissioner Moskowitz	Absent
Commissioner McGilvray	Yes
Mayor Udine	Yes

**MOTION** passed unanimously.

**8. ORDINANCE NO. 2006-11: FIRE STATION/MARGATE BLOUNT REZONING**

COMMENTS: SECOND READING OF AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PARKLAND, FLORIDA, REZONING APPROXIMATELY 1.12 ACRES FROM AGRICULTURAL DISTRICT (A1) TO COMMUNITY FACILITIES (CF)(FIRE STATION/MARGATE BLOUNT); CONTAINING A SEVERABILITY CLAUSE; AND CONTAINING AN EFFECTIVE DATE; CASE NO. 01-Z-06. (Quasi-Judicial)  
(first reading 7/5/06)

City Manager Mark Lauzier read the second reading of Ordinance No. 2006-11. He waived quasi-judicial on behalf of the City.

Mayor Udine opened to the public, noting this laid the groundwork for the eventual western Fire Station. There were no comments or questions, and the Mayor closed to the public.

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**MOTION** made by Commissioner Smith to approve the second reading of Ordinance No. 2006-11, Fire Station/Margate Blount Rezoning. Seconded by Commissioner McGilvray.

**ROLL CALL VOTE:**

Commissioner Smith	Yes
Commissioner Moskowitz	Absent
Commissioner McGilvray	Yes
Mayor Udine	Yes

**MOTION** passed unanimously.

**9. ORDINANCE NO. 2006-12: EQUESTRIAN CENTER EXPANSION REZONING**

COMMENTS: SECOND READING OF AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PARKLAND, FLORIDA, REZONING APPROXIMATELY 9.644 ACRES FROM AGRICULTURAL ESTATE (AE-1) TO RECREATION/OPEN SPACE (OS) (EQUESTRIAN CENTER EXPANSION); CONTAINING A SEVERABILITY CLAUSE; AND CONTAINING AN EFFECTIVE DATE; CASE NO. 02-Z-06 (Quasi-Judicial)  
(first reading 7/5/06)

City Manager Mark Lauzier waived quasi-judicial on behalf of the City and read the second reading of Ordinance No. 2006-12.

Mayor Udine opened to the public. There were no comments or questions, and the Mayor closed to the public.

**MOTION** made by Commissioner McGilvray to approve the second reading of Ordinance No. 2006-12, Equestrian Center Expansion Rezoning. Seconded by Commissioner Smith.

**ROLL CALL VOTE:**

Commissioner Smith	Yes
Commissioner Moskowitz	Absent
Commissioner McGilvray	Yes
Mayor Udine	Yes

**MOTION** passed unanimously.

**10. ORDINANCE NO. 2006-37: ALCOHOLIC BEVERAGES IN CITY PARK**

COMMENTS: FIRST READING OF AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PARKLAND, FLORIDA, AMENDING SECTION 11-74 WITH REGARD TO ALCOHOLIC BEVERAGES AND FIREWORKS IN CITY PARKS; CONTAINING A PROVISION FOR INCLUSION IN THE CITY CODE; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

City Manager Mark Lauzier read the first reading of Ordinance No. 2006-37. He pointed out this was a clean-up of the City's Ordinance, and that it represented the joint efforts of the City Attorney, Assistant City Manager, and BSO.

Assistant City Manager Caryn Gardner-Young provided explanation.

Mayor Udine suggested additional verbiage for a City designee, and Mr. Maurodis explained the reference was to the special event being conducted. The wording could remain as proposed.

Commissioner Smith suggested that the City should have ID stations and identifying bracelets at events, and he was assured by staff this was taking place.

Mayor Udine opened to the public. There were no comments or questions, and the Mayor closed to the public.

**MOTION** made by Commissioner Smith to approve the first reading of Ordinance No. 2006-37, Alcoholic Beverages in City Parks. Seconded by Commissioner McGilvray.

**ROLL CALL VOTE:**

Commissioner Smith	Yes
Commissioner Moskowitz	Absent
Commissioner McGilvray	Yes
Mayor Udine	Yes

**MOTION** passed unanimously.

At the Mayor's recognition, Commissioner Smith commented that he had received several phone calls from a resident who had recently opened a new business in the City and was having a problem with his occupational license. The Commissioner stated he had spoken with the City Manager's office and Mr. Lauzier and Ms. Gardner-Young had handled the situation. He thanked them for their involvement.

## **VII COMMENTS BY THE CITY MANAGER**

City Manager Mark Lauzier offered that he, the City Attorney, staff, and the Commission had been working diligently to "fix an anomaly" in the way the county boundaries were originally drawn, which should have followed the Hillsboro Canal. He believed the City in need of a lobbyist to provide professional strategic assistance and direction toward annexation of the "Wedge" parcel. Several individuals have expressed interest in performing this function, and he wished to solicit letters of interest for references, qualifications, and fee proposals, which would be brought back to the Commission on August 23<sup>rd</sup> for consideration. Mr. Lauzier noted that the property owners were interested in annexation, as well as both sides in government, and he believed "doing it right" would protect Parkland's interests.

Mr. Lauzier also advised that there had been an opportunity to discuss the parcel on Parkside Drive, adjoining Quigley Park, with the existing owners. The property could provide parking spaces for the park, as well as potential field space. He asked the Commission's authorization to have the property appraised.

Mayor Udine stated that he was in favor of the appraisal, and there was Commission consensus to do so.

Mayor Udine also agreed that the City should seek professional help for the "Wedge" parcel. He believed it to be the most significant thing to "come down the pike" in Parkland for a long time. While the Commission could lobby, he felt they were not "professionals." He questioned Mr. Maurodis about a "cone of silence," and Mr. Maurodis confirmed there were no restrictions.

Commissioner McGilvray asked if the strategists would be short-listed. Mr. Lauzier offered that four individuals had expressed interest, and he intended to provide specific direction that annexation of the "Wedge" was the City's objective. He would look to the Commission for their evaluation, and Mayor Udine suggested that the individuals should attend the meeting.

There was Commission consensus for the City Manager to proceed. Commissioner McGilvray clarified that the individuals could be questioned individually by the Commission. Fee structures were briefly discussed, and Mr. Lauzier indicated that he would question the applicants so that apples and apples were compared.

Commissioner McGilvray asked about the bond and the Beatty property. Mr. Lauzier indicated there had been serious discussions, and the County and the lobbying team had requested that additional family

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members become involved. While closing the gap between the appraisals and the desired price did not look promising, he offered his expectations.

**VIII COMMENTS BY THE CITY ATTORNEY**

None.

**IX ADJOURNMENT**

**MOTION** made by Commissioner McGilvray to adjourn the meeting at 8:54 p.m. Seconded by Commissioner Smith.

**MOTION** passed unanimously.

ATTEST:

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SANDRA COUZZO, C.M.C.  
City Clerk

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