



Meeting Minutes City Commission

Tuesday, March 28, 2023

7:00 PM

Commission Chambers

CALL TO ORDER AND ROLL CALL

The meeting was called to order on the above date by Mayor Bill Ganz at 7:00 p.m., in the City Commission Chambers, City Hall, Deerfield Beach.

Present:

Commissioner Todd Drosky
Commissioner Bernie Parness
Commissioner Ben Preston
Vice Mayor Michael Hudak
Mayor Bill Ganz

Also Present:

City Manager David Santucci
City Attorney Anthony Soroka
City Clerk Heather Montemayor

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 - March 7, 2023

MOTION was made by Commissioner Parness, seconded by Vice Mayor Hudak, to approve the meeting minutes as submitted. Voice Vote:

Yeas: 5 - Commissioner Drosky, Commissioner Parness, Commissioner Preston, Vice Mayor Hudak and Mayor Ganz

Nays: 0

ACKNOWLEDGEMENT OF CITY BOARD MINUTES

Planning & Zoning Board Meeting Minutes - December 1, 2022
Firefighter's Pension Board Meeting Minutes - December 5, 2022
Code Compliance Meeting Minutes - January 25 & February 7, 2023

MOTION was made by Vice Mayor Hudak, seconded by Commissioner Preston, to acknowledge the board minutes. Voice Vote:

Yeas: 5 - Commissioner Drosky, Commissioner Parness, Commissioner Preston, Vice Mayor Hudak and Mayor Ganz

Nays: 0

INSTALLATION CEREMONY

1. Oath of Office administered by City Clerk for incoming Commissioners

2. Induction of 2023 Vice Mayor - Commissioner Bernie Parness

Vice Mayor Parness said being a member of this Commission is the most important job he's ever held, and he thoroughly enjoys it; nonetheless, he looks forward to contributing to this Commission's success for the next two years.

Commissioner Hudak said being a member of this Commission is not about his goals and accomplishments, but about what he can do to make the City better for the residents. Thereafter, he thanked his wife for all her support and the residents who came out and voted. Commissioner Hudak commented on the voter turnout, the importance of getting involved in the community, and the relationships that were built and the conversations that were had during Broward Days. Lastly, he hopes that he can get residents more involved in the community these next four years.

Commissioner Preston thanked the voters for believing in him and providing him the opportunity to contribute to the growth of Deerfield Beach, in particularly District 2. Further, he said these chairs do not belong to an individual person, but the entire community. Commissioner Preston said throughout his campaign he spoke to a lot of people who voiced their issues, concerns, opinions, etc. and reiterated that he will ensure their voices are heard. Thereafter, he thanked his family and the residents who came out and voted. Lastly, he again thanked the community for allowing him to serve another term.

Mayor Lamar Fisher, Broward County, congratulated Commissioner Hudak and Commissioner Preston on their reelection and commended David Santucci, City Manager, for what he has done. He agreed that the seats belong to the community, not just one individual. Thereafter, he thanked those who attended Broward Days, as advocating for the City and County makes a difference. Further, he said community, collaboration, and communication are important to him and stated that he is here to serve this community. Mayor Fisher said Deerfield Beach has made a tremendous mark on Broward County and although Deerfield Beach does not fall under District 4, he still claims the City, as Deerfield Beach holds a special place in his heart.

Commissioner Drosky congratulated Commissioner Hudak and Commissioner Preston on their reelection and stated that the referendum also passed. Thereafter, he outlined the voting turnout for each district and commented on misinformation stated on social media regarding the referendum. Commissioner Drosky said there will be lots of opportunities to dissect this project but asked that staff evaluate the election results to seek ways in which staff can reach out to the community to properly inform them about the project.

3. Announcement of Vice Mayor for 2024 - 2026

Heather Montemayor, City Clerk, outlined the Vice Mayors for the upcoming years: Commissioner Todd Drosky, 2024; Commissioner Ben Preston, 2025; and Commissioner Michael Hudak, 2026.

APPROVAL OF CITY COMMISSION AGENDA

March 28, 2023

MOTION was made by Commissioner Preston, seconded by Vice Mayor Parness, to approve the agenda as amended. Voice Vote:

Yeas: 5 - Commissioner Drosky, Commissioner Hudak, Commissioner Preston, Vice Mayor Parness and Mayor Ganz

Nays: 0

AWARDS & RECOGNITION

1. Certificate of Recognition presented by Captain Hofstein to BSO Law Enforcement staff.

Captain Hofstein presented certificates of recognition to deputies for their assistance in apprehending a homicide suspect.

Mayor Ganz said deputies from Deerfield Beach and Coconut Creek performed a special detail on Hillsboro Boulevard from Military Trail to 441, whereby, 143 traffic citations were issued within six hours. Thereafter, he thanked BSO for their efforts.

PUBLIC COMMENT

Daniel Shanetzky, 34 Keswick B, Deerfield Beach, commented on Waste Management's previous request to expand their facility, which was defeated, thanks to Vice Mayor Parness' efforts. Further, he said Broward County leaders agreed to create a trash and recycling program that would be independent of Waste Management, which he spoke in favor of. Thereafter, he commented on an Interlocal Agreement that the City can enter into, which he briefly explained and asked for clarification on.

Roger Freitag, 418 SE 2nd Street, Deerfield Beach, expressed concerns with two properties, one residential, the other a business. He stated that both properties have been allowed to build in the City but have not adhered to what they promised. Thereafter, he provided a brief overview of the properties, and asked that the City keep a close eye on them.

Willie Graham-Bracy, 501 NW 1st Terrace, Deerfield Beach, said the boat ramp has increased traffic and speeding on 1st Terrace, and when the area gets flooded, water gets extremely close to her front door. Further, she commented on solicitation and asked that it be stopped. Ms. Graham-Bracy said the north side of Hillsboro Boulevard looks more like businesses than residential homes and asked that it be addressed. Lastly, she said there are trailers on properties that are housing large amounts of individuals.

Willis Moorer, 331 NW 2nd Terrace, Deerfield Beach, said the trees on NW 2nd Terrace are covering the streetlights and asked that it be addressed. Thereafter, he commented on the tragedy that occurred in Nashville and asked what the City's stance is regarding the concealed weapon permit.

Mayor Ganz answered questions/comments posed by the public. He said a certificate of occupancy will not be granted to property owners unless they meet the criteria that was originally submitted and approved. Further, he said traffic calming devices may need to be installed near Johnnie McKeithen Park; nevertheless, the request must come from the surrounding community. Mayor Ganz said there is a solicitation policy, so if they do not have the proper permit, he urged residents to call the police, code enforcement or himself. The increase in traffic on 1st Terrace is due to the reopening of the boat ramp. Thereafter, he commended staff for the upkeep of Johnnie McKeithen Park, but said he did notice homes with various vehicles in their yards, which staff is aware of and will handle accordingly. Mayor Ganz said the screening near the Braithwaite Center was previously mentioned by Mr. Moorer and does need to be readjusted. He also asked that staff look at the trees on NW 2nd Terrace.

Continuing, Mayor Ganz said Commissioner Drosky was correct, whereby, there is a running list in Tallahassee regarding who is opposing what and governmental agencies will be punished, i.e. lack of funding. He stated that individuals of this city have more power and more of a voice in Tallahassee than the Elected Officials. Thereafter, he encouraged residents to contact the State and Governor's office and share their opinions.

CONSENT - BOARD APPOINTMENTS

Mayor Ganz opened the public hearing for Items 2 & 3; however, there were none to speak and the public hearing was closed.

There was no discussion amongst the Commission.

CONSENT - BOARD APPOINTMENTS - CONTINUED

2. Resolution 2023/046 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, appointing Joseph Cummings as an alternate member to the Community Appearance Board to fulfill an unexpired term; and providing for an effective date.
3. Resolution 2023/047 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, reappointing Annette Mitchell as a Commissioner of the Deerfield Beach Housing Authority; and providing for an effective date.

MOTION was made by Commissioner Hudak, seconded by Vice Mayor Parness, to approve Items 2 & 3. Voice Vote:

Yeas: 5 - Commissioner Drosky, Commissioner Hudak, Commissioner Preston, Vice Mayor Parness and Mayor Ganz

Nays: 0

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS

Mayor Ganz opened the public hearing for Items 4 - 8; however, there were none to speak and the public hearing was closed.

There was no discussion amongst the Commission.

4. Resolution 2023/048 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, accepting the certified election results for the Municipal Election and Referendum Election held on March 14, 2023, as provided by the Broward County Supervisor of Elections; providing for an effective date.
5. Resolution 2023/049 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the settlement of all claims against the City in the litigation styled *Landon Martini vs. City of Deerfield Beach*; authorizing execution of documents necessary to effectuate the Settlement; providing for an effective date. (Funds from Account #606-0900-519-37-70 - Risk Management/General Liability Legal)
6. Resolution 2023/050 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving a second amendment to Contract #JP022-06-2023 with the Areawide Council on Aging of Broward County, Inc. to extend the Contract term to September 30, 2023; authorizing execution of the Second Amendment; providing for implementation and an effective date.
7. Resolution 2023/051 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, accepting a utility easement related to the Crystal Lake Drive outfall from Club House Cove Condominium; providing for implementation and an effective date.
8. Resolution 2023/052 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the issuance of a purchase order with CNH Industrial America, LLC, for the purchase of a New Holland tractor, utilizing the Florida Department of Management Services State Term Contract No. 25101900-21-STC in the amount of \$105,947.62; providing for implementation and an effective date. (Funds from Account #399-7020-539-64-20 - Cap Projects-Park Maintenance/Automobile Vehicle)

MOTION was made by Vice Mayor Parness, seconded by Commissioner Preston, to approve Items 4 - 8 in concert. Roll Call:

Yeas: 5 - Commissioner Drosky, Commissioner Hudak, Commissioner Preston, Vice Mayor Parness and Mayor Ganz

Nays: 0

DEPARTMENTAL BUSINESS

9. **Resolution 2023/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, awarding RFP #23-01-PC for citywide median landscaping maintenance to A Picture Perfect Landscaping & Lawncare, LLC; approving a contract with A Picture Perfect Landscaping & Lawncare, LLC for a two-year term, with three additional one-year renewal options, in an annual amount not to exceed \$1,304,558.00; ratifying execution of the Contract; providing for implementation and an effective date. (Funds from Account #001-7020-539-32-16 - Park Maintenance/Landscaping Services)**

Item 9 was tabled during the approval of the agenda.

COMMENTS BY ADMINISTRATION & LEGAL**CITY ATTORNEY**

Private Beach Lot - Anthony Soroka, City Attorney, said the purchase of a private beach lot was previously discussed, but the sellers had to go through probate; nevertheless, the City will close on the lot March 29, 2023.

Affordable Housing - Mr. Soroka provided a brief overview of Senate Bill 102. He advised that the Bill passed the House and Senate and is currently awaiting the Governor's signature. He said the Bill has several incentives to promote affordable housing, but there are preemption components with respect to some of the City's regulations, i.e. density, location, etc.

CITY MANAGER

Broward Days - David Santucci, City Manager, stated that the two City's appropriations, Alzheimer's transportation funding and MLK stormwater design, have passed the Senate. The two appropriations still need to go through the House and the Office of Budget and Management and be signed by the Governor.

Short Term Rentals - Mr. Santucci said there is a bill floating around that is better than what is currently in place but still does not allow cities to regulate them; nevertheless, the Bill will provide stricter registration requirements.

Solid Waste Working Group - Mr. Santucci advised that he will be going to Sunrise on March 30th, along with the City Attorney and Director of Sustainable Management to review the final version of the Interlocal Agreement. Once analyzed by staff, recommendations will be brought to the Commission as the County is requesting that it be passed by June.

Mayor Ganz said affordable housing is a need not only in the City, but in Broward County; however, there is a negative connotation to the term affordable housing, as people automatically think of Section 8 or public housing, which it is not. Thereafter, he commented on a conversation he had with an individual who referenced affordable housing as attainable housing, which is more fitting.

10. Presentation regarding noise control.

Eric Power, Director of Planning & Development Services, provided a brief PowerPoint presentation. He stated that noise control is outlined in the Code of Ordinances and includes definitions, maximum noise levels, and exemptions; nevertheless, mechanical equipment falls under yard encroachments, which is outlined in the Land Development Code and is not defined, i.e. generator, pool pump, etc. He explained that mechanical equipment must be three feet from a lot line and screened from public view. Mr. Power said the noise ordinance was amended February 6, 2018, and limits construction noise to Monday - Friday, 7:00 a.m. to 7:00 p.m.; Saturday, 9:00 a.m. to 5:00 p.m.; and none on Sunday's and US holidays. Thereafter, he displayed the construction hours for other local municipalities, which showed that Deerfield Beach is consistent; therefore, staff is not recommending any changes to construction noise.

Continuing, Mr. Power said there have not been any recent updates to the Land Development Code regarding mechanical equipment, nor has it been specifically addressed in the noise ordinance. Thereafter,

COMMENTS BY ADMINISTRATION & LEGAL - CONTINUED

he displayed the setback to lot line, buffer requirements, additional regulations, and decibel level for other local municipalities, which showed that Deerfield Beach has one of the lowest decibel levels. Further, he said staff did notice that other cities regulate when generators can be tested; therefore, staff is recommending allowing individuals to test a generator once for no more than 30 minutes in any seven-day period from 11:00 a.m. to 5:00 p.m. Monday - Saturday. Additionally, a new definition, method of measurement, will be added to allow for a clear description for how noise is measured.

In response to Commissioner Hudak's question, Mr. Power replied that the recommendation is to allow testing Monday - Saturday only. No testing is to be done Sunday and on federal holidays, but the final approval will come from the Commission.

Vice Mayor Parness spoke in opposition of not allowing testing to occur on Sundays.

COMMENTS BY MAYOR & CITY COMMISSION**COMMISSIONER DROSKY****DISTRICT 4**

Broward Days - Commissioner Drosky reiterated that state legislators want to hear from the residents, not elected officials; therefore, he encouraged individuals to reach out to the State so your voice is heard.

Florida League of Cities (FLC) - Commissioner Drosky advised that he will be going to the FLC event April 4th, which conflicts with the Commission meeting; nevertheless, he will participate via Zoom.

Saturday Office Hours - Commissioner Drosky said his office hours will be on April 1st from 10:00 a.m. to noon and appointments can be made with him or the City Manager's Office.

Joint Meeting - Commissioner Drosky said prior to COVID, the City of Deerfield Beach and City of Pompano Beach discussed having a joint meeting, so he asked that the City Manager contact the City of Pompano.

School Resource Officer - Commissioner Drosky said this issue was supposed to be discussed today, but he is unsure of the outcome; nevertheless, the School Board has the money to support the school resource officers and should provide the funding, not the cities.

VICE MAYOR PARNESS**DISTRICT 3**

Florida Legislature - Commissioner Parness agreed that residents have more of a voice than Elected Officials and urged them to contact the State. Further, he said gun violence is the leading cause of death in children. Thereafter, he commented on the ever-changing gun laws.

COMMISSIONER PRESTON**DISTRICT 2**

Thank You - Commissioner Preston thanked BSO police and fire for keeping them informed.

Stormwater Drainage - Commissioner Preston stated that he is glad the project is becoming successful in Tallahassee, as the residents of District 2 will be extremely grateful.

City Programming - Commissioner Preston requested that staff set up a meeting with Mr. Marlow to discuss the possibility of establishing a high school city commission. He explained that students would be elected by their classmates to represent each district, as well as a mayor at large, and would meet in the same type setting as this commission to train them on how to become leaders. Further, he spoke in support of the sports leagues the City offers but suggested that a public art program be developed.

COMMENTS BY MAYOR & CITY COMMISSION - CONTINUED**COMMISSIONER HUDAK****DISTRICT 1**

Thank You - Commissioner Hudak thanked his constituents for allowing him to be their representative for the next four years.

Broward Days - Commissioner Hudak provided a brief overview of Broward Days. He said when he first went to Tallahassee four years ago, no one knew Deerfield Beach, but this last time the City was very well received. Thereafter, he explained why these trips are important, i.e. building relationships, etc.

MAYOR GANZ

Congratulations - Mayor Ganz congratulated Commissioner Hudak and Commissioner Preston on being reelected.

Municipal Elections - Mayor Ganz encouraged everyone in the community to get involved and if an individual decides to run, run for the right reasons, to help the entire community. Further, he encourages criticism and debate and understands that not everyone is always going to agree with what is done, but there is a creative and productive way to get your point across. Mayor Ganz explained that many candidates try and make city elections partisan and there is even legislation floating around in Tallahassee trying to make city elections partisan, which he does not understand. Lastly, he said win or lose, all candidates should remain engaged.

Broward Days - Mayor Ganz said the residents' concerns, i.e. Airbnb's, were brought to Tallahassee. Further, he said in 2021, 7,600 carry permit applications were denied, whereby, if the new bill passes, those individuals will now be allowed to carry. Thereafter, he reiterated a very effective argument he heard in Tallahassee, whereby, if you don't need a license to own a gun, why do you need to register to vote. Mayor Ganz said Deerfield Beach is highly respected in Tallahassee, which he is proud of because it has not always been the case. Thereafter, he thanked the Elected Officials for all their hard work as it has not gone unnoticed. He also thanked Jonathan Salas, Director of Community Services, and David Santucci, City Manager, for the phenomenal job they did in Tallahassee. He also stated that the City's legislative agenda was well received and greatly appreciated by the legislators.

BSO - Mayor Ganz thanked police and fire for keeping them well informed, as the work they do is phenomenal.

Student Government - Mayor Ganz spoke in support of Commissioner Preston's idea, but advised that the high schools do have a student government, so if something new cannot be created, he suggested getting those who are already involved, involved with this commission.

ADJOURNMENT

There was no additional business to discuss.

MOTION was made by Vice Mayor Parness, seconded by Commissioner Preston, to adjourn the meeting at 8:27 p.m. Voice Vote:

Yeas: 5 - Commissioner Drosky, Commissioner Hudak, Commissioner Preston, Vice Mayor Parness and Mayor Ganz

Nays: 0

CITY OF DEERFIELD BEACH

BILL GANZ, MAYOR

Heather Montemayor, CMC, City Clerk