



Meeting Minutes City Commission

Tuesday, March 2, 2021

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

Also Present: 3 – City Manager David Santucci
City Attorney Anthony Soroka
Assistant 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 - February 2, 2021

ACKNOWLEDGEMENT OF CITY BOARD MINUTES

Non-Uniform Retirement Committee Meeting Minutes - November 9, 2020

Community Redevelopment Agency Meeting Minutes - November 9, 2020

MOTION was made by Vice Mayor Parness, seconded by Commissioner Preston, to approve the February 2, 2021 regular City Commission minutes as submitted and acknowledge the board minutes. Voice Vote:

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

Nays: 0

APPROVAL OF CITY COMMISSION AGENDA

March 2, 2021

MOTION was made by Vice Mayor Parness, seconded by Commissioner Preston, to approve the agenda as submitted. 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 to Earl Dean Payne Jr. for 16 years of dedicated service as the Construction Project Manager for the Environmental Services Department.

Mayor Ganz acknowledged Mr. Payne for his 16 years of service to the City of Deerfield Beach as Construction Project Manager for the City. His notable projects included: Fire Rescue Station No. 102 (MOC); Highland Park Community Center; Bait Shop and Pier Improvements; Johnny McKeithan Park Trail; NE 3rd Avenue Roadway Improvements; and Constitution Park Boat Ramp. His meticulous eye for detail and excellent record keeping ensured the successful construction of these projects. We are grateful to him for his service to the City and wish him all the best in his future endeavors.

Mr. Payne was present via Zoom video; however, due to technical difficulties, audio was inoperable.

QUASI-JUDICIAL PUBLIC HEARINGS

2. P.H. 2021-041: SIGN VARIANCE CASE NO. 777

Applicant: SPY SPOT INV LLC represented by Jerry Baruch

Proposal: Seeking approval of a SIGN VARIANCE from the provisions of the Deerfield Beach Land Development Code Section 102-8(c)(1) to allow a freestanding sign on a lot which does not meet the minimum 100 foot wide street frontage requirement and from Section 102-8(c)(1)a. to allow a freestanding sign to be closer than the minimum required separation of 100 feet to another freestanding sign.

Location: The property is generally described as "LOTS 2 & 3 LESS THE SOUTH 5.00 FEET, PALM PLAZA SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 47 PAGE 18 as more particularly described in the file and located at **825 S. Federal Highway.**

Anthony Soroka, City Attorney, advised that this is a sign variance and approval requires a 4/5 vote of the City Commission. He also explained that the applicant has the right to a full formal quasi-judicial proceeding or may waive for an informal hearing.

Jerry Baruch, applicant, waived the quasi-judicial proceeding. Mr. Baruch said there are two (2) signs that are closer than 100 feet; otherwise, the application meets all criteria. Additional landscaping would be installed, and the sign would help patrons recognize the business and location. Thereafter, he provided a brief PowerPoint presentation.

Sign Approval Request - Mr. Baruch said the business is setback off Highway U.S. 1 (Federal Highway), so the sign will provide visibility. He also explained that the Community Appearance Board required changes to meet approval which were made.

Mayor Ganz asked if there is any signage on the front of the building facing Federal Highway.

QUASI-JUDICIAL PUBLIC HEARINGS - CONTINUED

Facing North/Facing South - Mr. Baruch replied yes; renderings were displayed of the proposed signage and landscaping as well as the existing signage on the front of the building. He explained that by the time the public sees the sign, they have already passed the business which is problematic.

Aerial View Sign Distance North/South - Mr. Baruch explained that the aerial view shows the distance between the current sign of an adjacent business and the proposed sign being less than 100 feet.

Commissioner Preston asked Mr. Baruch to outline the hardship.

Mr. Baruch replied that no one is able to see the location and there is no exposure for people driving on Federal Highway.

Commissioner Preston asked if everything to increase exposure has been done, such as increasing the existing sign's footprint in order to show hardship.

David Sabahe, owner of Spy Spot Investigations, explained that when people come from either the south or north, they cannot see the business; nevertheless, lights were installed but to no avail. Also, the shopping center needs attention and he has tried to contact different owners to see about giving the buildings a facelift for visibility.

Commissioner Preston said he is amenable to hardships when proven and after driving by the location several times, he is not convinced that everything has been done to meet the criteria of a hardship. Thereafter, he commented on how the Commission has taken a hard stance in the past which he understands. Commissioner Preston reiterated that the hardship has not been proven and that the business needs additional exposure; if it does not work, the applicant needs to illustrate it.

Mr. Sabahe advised that he has lost business, as this location was opened 18 months ago; whereby, the other location has not closed, but both locations have decreased in business. He further commented on how people cannot see the sign as it is tilted and they are in the type of business that people do not call, they just show up.

Commissioner Drosky agreed with Commissioner Preston. The Code specifically states that a freestanding sign must have at least 100 feet of street frontage; this business has 40 feet. Next, the Code states that in no instance shall one (1) freestanding sign be within 100 feet of another freestanding sign; there are two (2) in this situation. The variance is the hardship and it is innate to the property which he has not heard.

Mr. Sabahe reiterated that the lighting has been added to the entire building, and people still miss the business. He explained that they do not receive the amount of traffic like on Hillsboro. The new shopping center just built to the north has signs that are not even 30 feet from the other.

Commissioner Drosky said the variance is not about other signs around him but focuses on the specific location. Furthermore, Commissioner Drosky opined that there is an opportunity to fix the problem without a variance.

Mr. Sabahe advised that the building is very close behind the MetroPCS building.

Commissioner Drosky said there is prime frontage on Federal Highway and a sign is facing Federal Highway.

Mr. Sabahe explained how MetroPCS building detracts from people being able to see his business, from the south to the north.

Mr. Baruch agreed with Mr. Sabahe as the setback makes it difficult to see the business. He said he is not sure what else can be done to enhance visibility as other ways have been exhausted.

QUASI-JUDICIAL PUBLIC HEARINGS - CONTINUED

Mr. Sabahe suggested turning the parking lot into a garden and installing a sign. He further offered to create a clear video to show the Commission what the public experiences when driving from the south, going north.

Commissioner Hudak said although the applicant does not meet the requirements for a variance, they are proposing a benefit to the City for granting it. The MetroPCS building, directly south, received the same approval for a variance because of the beautification of the area. He asked that the photos of Spy Spot and MetroPCS be shown. Currently, the front of the Spy Spot building is asphalt and the area designed for parking does not meet Code. For the required depth of the stall and location of the parking spaces, which backs directly onto Federal Highway is prohibited; therefore, it is not usable space. The photo showing landscape improvements to the current parking lot were displayed.

Continuing, Commissioner Hudak said if the variance is approved, Spy Spot bears the cost of beautifying and maintaining the area as per the application which has been done by other City Commissioners. Commissioner Hudak explained how FDOT changed Federal Highway; whereby, the medians are asphalt and the trees are gone. The rendering exemplifies what Federal Highway once looked like. The variance aspect does not qualify but asked that the Commission consider how the applicant would be improving the area. Having black asphalt is an eyesore and does not appeal to customers and drivers; moreover, it is an improvement and gives the business an opportunity to attract customers. Furthermore, the application was approved by the Community Appearance Board and it is his opinion they did so because they realized that it would be an asphalt jungle without incentives to improve the area. Thus, Commissioner Hudak spoke in support of the variance.

Vice Mayor Parness spoke in opposition to the variance; wherein, approving variances to increase business will give the City a contrary look and feel. He suggested finding a better way to advertise the business than having a sign against Code.

Mayor Ganz opened the public hearing.

There was an individual connected via Zoom phone but was unable to connect.

Mayor Ganz closed the public hearing.

Commissioner Preston said although he is not in favor of the variance, he is considering Commissioner Hudak's stance regarding landscape improvements.

Mr. Sabahe explained that the photo rendering is not exactly how it is as there was a problem with the electrical and he had FP&L remove and replace a crooked wooden pole with a concrete pole which is about 5-feet high.

Mayor Ganz asked how the business is identified traveling westbound on Hillsboro.

Mr. Sabahe replied that the shopping center and sign are directly on Hillsboro and people will always stop at the train tracks at some point. Also, the sign on U.S. 1 is tilted to the left.

Mayor Ganz said it is angled, but the road is also angled as shown in the aerial. Much like the store on Hillsboro, the road is also angled but does not pull away from the store and the Federal Highway location is flush with MetroPCS.

Discussion continued between Mr. Sabahe and Mayor Ganz regarding the site location, visibility and accessibility.

Mayor Ganz said he would be more amenable if there were a further setback into Palm Plaza and he is struggling with hardship. He thanked the applicant for the willingness to add landscaping which is a consideration as well.

QUASI-JUDICIAL PUBLIC HEARINGS - CONTINUED

Mr. Sabahe said he decided on that location because the original plan for the building proposed a second floor, but it was never done.

Commissioner Drosky said although the area can use a facelift, he does not agree with bartering landscaping and variances as it sets a dangerous precedent. The purpose of a variance is to consider whether there is a hardship or not. Each variance should be judged on its merit and still does not see the hardship. He reiterated that bartering for variances is a complicated proposition and he does not want to go down that road.

Commissioner Hudak commented on the variance and landscaping; whereas, it has been approved in the past. He disagreed with aesthetics of the business location and how businesses around it have a different presentation. Additionally, he said you cannot see Spy Spot traveling south and that the signs would be close together. The Community Appearance Board agree with the positive impact the facelift would have on the business and the area. Furthermore, this approval would take the burden off the City and allow the business to assume the responsibility for landscaping.

Commissioner Preston said he understands Commissioner Drosky's viewpoint but would not consider the approval as bartering; nevertheless, the Commission must be careful with any decision made. If the City's aesthetics will be improved, it will look better as well as the surrounding businesses. His challenge is whether the applicant did as much as possible to increase visibility, which he is not convinced. Commissioner Preston reiterated that the applicant needs to build a case showing steps taken to improve the business and then a variance can be reconsidered.

MOTION was made by Vice Mayor Parness, seconded by Commissioner Drosky, to deny Item 2, adopted Resolution 2021/022. Roll Call:

Yeas: 4 - Commissioner Drosky, Commissioner Preston, Vice Mayor Parness and Mayor Ganz

Nays: 1 - Commissioner Hudak

PUBLIC HEARING

3. P.N. 2021-042: Resolution 2021/023 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the submission of an application to the Florida Department of Economic Opportunity for the Community Development Block Grant - Coronavirus Program; authorizing execution of a Grant Agreement; and providing for an effective date.

The Resolution was read by title only.

David Santucci, City Manager, outlined Item 3, to accept funding which is being administered through the Department of Economic Opportunity, so it is a little different than the first round which was administered by Housing and Urban Development (HUD). In compliance with the requirements of the funding source, staff compiled various needs that focus on economic activity as well as resources to the community.

Mayor Ganz opened the public hearing; however, there were none to speak and the public hearing was closed.

MOTION was made by Vice Mayor Parness, seconded by Commissioner Drosky, to approve Item 3, adopted Resolution 2021/023. Roll Call:

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

Nays: 0

PUBLIC COMMENT

Leonard Arabia, 2051 SE 3rd Avenue, Deerfield Beach, thanked Commissioner Preston for meeting with him on South Ocean Way regarding public safety. He also thanked Mayor Ganz for speaking with him today to discuss a few items. Mr. Arabia advised that he submitted an e-mail to the City on March 1st and would like a response in the near future. Thereafter, Mr. Arabia commented on public safety and how he and Mayor Ganz disagree with the City's responsibility in that area. Continuing, Mr. Arabia said he met with the City's engineer who advised that there is a five-foot wide public right-of-way in front of the Wyndham and as an engineer, he said the road was either built on a public way, or the Wyndham has taken over that public way. He asked for a follow up to find out which.

Vice Mayor Parness discussed the issue concerning public safety with Mr. Arabia; whereby, he disagreed with Mr. Arabia's assessment of the lack of public safety on Ocean Way.

Mr. Arabia said it is the City's responsibility to provide a safe area to walk along South Ocean Way with their dog.

Mayor Ganz said it is the person's choice to walk in the road. He further advised that a vast majority of people do not want dogs on the boardwalk; thus, it eliminates that option. While he is very concerned about public safety, Mayor Ganz said at some point common sense must step in. The City restricts animals in public parks which the Commission has that right as related to public safety.

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS

- 4. Resolution 2021/024 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the purchase of comprehensive geographic information system software solutions license and services pursuant to Master Agreement No. 310196 with Environmental Systems Research Institute, Inc., a sole source vendor; providing for execution, implementation, and an effective date. (Funds from Account #001-1400-513-30-04 - Software Maintenance & Account #001-1400-513-32-99 - Other Contractual Services)**

The Resolution was read by title only.

Mayor Ganz opened the public hearing; however, there were none to speak and the public hearing was closed.

David Santucci, City Manager, outlined Item 4, which is considered on a contractual basis and is a sole source.

MOTION was made by Commissioner Preston, seconded by Vice Mayor Parness, to approve Item 4, adopted Resolution 2021/024. Roll Call:

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

Nays: 0

DEPARTMENTAL BUSINESS

- 5. ORDINANCE 2021/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING CHAPTER 66 "TRAFFIC AND VEHICLES," ARTICLE I "IN GENERAL," SECTION 66-13 "NO THROUGH TRUCK ZONES" OF THE CITY CODE OF ORDINANCES TO DESIGNATE ADDITIONAL STREETS AS NO THROUGH TRUCK ZONES; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.**

DEPARTMENTAL BUSINESS - CONTINUED

The Ordinance was read by title only.

Mayor Ganz opened the public hearing; however, there were none to speak and the public hearing was closed.

There was no discussion amongst the Commission.

MOTION was made by Vice Mayor Parness, seconded by Commissioner Hudak, to approve Item 5 on first reading. Voice Vote:

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

Nays: 0

6. ORDINANCE 2021/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING THE CITY CODE OF ORDINANCES CHAPTER 34 "ENVIRONMENT," ARTICLE II "NOISE CONTROL," SECTION 34-35 "SPECIFIC NOISE PROHIBITIONS" TO REGULATE THE USE OR OPERATION OF EXTERIOR LOUDSPEAKERS, AMPLIFIERS, AND SIMILAR DEVICES ON PUBLIC RIGHTS-OF-WAY; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

The Ordinance was read by title only.

Mayor Ganz opened the public hearing; however, there were none to speak and the public hearing was closed.

Commissioner Drosky said there have been a plethora of people standing on the street corners with megaphones and amplifiers lately and opined that the ordinance addresses it. It is a distraction to drivers and those in adjacent shopping centers as he has heard it himself throughout the City. While he does not have an issue with regulating, he does not agree with paying a fee for a permit as the City is charging people to express their first amendment rights to free speech. Although he struggles with regulating, given that it is a distraction to drivers, he can go along with it, but reiterated his concern with charging the fee. Commissioner Drosky asked that the fee be removed as part of the application process unless someone helps him understand its necessity.

Commissioner Hudak said he is opposed to the proposed ordinance as the Country was built on the right of expression. Though there could be a distraction to drivers or individuals, this American right needs to be protected. Furthermore, he disagreed with charging and does not see how he can support this.

Vice Mayor Parness said this is an infringement on first amendment rights of free speech. The City currently has a decibel law and if someone exceeds it, they can be ticketed. Therefore, the proposed ordinance is not needed. He motioned to defeat the Ordinance.

Commissioner Preston said if a person has no guidelines, that means s/he is free to express the first amendment right in any manner. If someone is blasting a blow horn or other audible device on a street corner, which can be distracting, there is a real possibility that people can be hurt trying to listen or understand what is happening. Commissioner Preston commented on a situation his constituents have faced, whereby, the noise ordinance is normally violated. Additionally, he agreed that the Country was built on free speech; however, there are regulations on free speech, i.e. yelling fire in a movie theater when there is none. The proposed ordinance is not all bad and gives some ability for regulation and still allows people to express themselves and stay within the guidelines. Commissioner Preston agreed that the fee should be removed.

DEPARTMENTAL BUSINESS - CONTINUED

David Santucci, City Manager, advised that the proposed ordinance is a response to numerous complaints about loud, excessive noise, music and other disturbances in the public rights-of-way. There are issues throughout the entire City and residents have asked the City to respond to excessive amplification of sound in the public right-of-way, which this ordinance attempts to address.

Mayor Ganz said the interpretation that the proposed ordinance being an infringement on free speech is misguided and inaccurate. This is about amplification; no one is preventing anyone from going on a street corner and saying what they want, which would be an infringement on freedom of speech. The public has a right to public safety, and he explained how the use of an amplifier or blow horn could impede that, especially with the number of drivers on the road as well as people being disturbed in their homes. Mayor Ganz said this is a safety issue, but if someone has to pay for a permit, that still creates a safety issue if someone is using an amplifier. If the City had flexibility to assure that certain situations can allow such conduct, like a closed road that does not create a public health, safety and welfare issue, then it should be allowed. There could be certain situations that warrant it which is why he suggested revising the ordinance. Lastly, Mayor Ganz said he supports the proposed ordinance as it is not an infringement on people's rights.

Commissioner Hudak expounded on comments by Commissioner Preston, wherein, his issue was resolved with the current noise ordinance, as well as Mayor Ganz's comments. He said since the City would decide who receives a permit and who doesn't, is that based on location and/or subject, how loud it will be as there are people who will take advantage of whatever the Commission approves. The City currently has a police department and ordinances in place to address issues that arise; thus, he does not agree with having City staff approve or deny a permit.

In response to Vice Mayor Parness' question, Anthony Soroka, City Attorney, replied that there may not be anything specific in the noise ordinance addressing amplification devices on public rights-of-way; however, there is a provision addressing things in other areas. Additionally, there is a chart in the Code that addresses decibel levels, but it may be by zoning district; thus, this provides for a mechanism to address amplification devices. Also, the proposed ordinance is not about going out to speak but use of the amplification device. There are regulations within the Ordinance as to what the manager would need to consider for denial or approval of an application. The Ordinance is designed to be content neutral which is important for first amendment considerations as the permit does not ask what a person will say or what group is represented.

Vice Mayor Parness asked who will decide who does or does not receive a permit and will everyone receive a permit since no one will know what is to be said. This is a slippery slope when choosing who will receive a permit and if everyone will be approved, there is no need for the Ordinance. Vice Mayor Parness said the decision could be subjective and if so, an infringement on first amendment rights. Lastly, Vice Mayor Parness said he cannot support the proposed ordinance.

Commissioner Preston said there are limits on first amendment rights for consideration of other issues. He said he believes everyone would agree with having first amendment rights no matter how inconvenienced others would be. Commissioner Preston continued to express the importance of the Commission carefully considering the proposed ordinance and the possibility of discrimination. Lastly, he said if the Commission finds that it was wrong in approving the Ordinance that it be taken away.

Mayor Ganz said since the City Attorney authored the Ordinance, he is sure that he would not create something that infringes on first amendment rights. He said he is concerned about the permit as he believes the Ordinance focuses on public safety and with or without a permit, a distraction can disrupt safety for drivers. Mayor Ganz reiterated that the City Attorney will not lead the City down a bad path; nevertheless, he understands the Commission's stance. Furthermore, there needs to be a rule in place to address amplification; without it, the police have no way of enforcement. Lastly, he said the City has a problem which will get worse and will not allow someone to be hurt because the Commission did not act.

Commissioner Hudak proposed that the Ordinance be tabled until the next meeting and amended through individual discussions with the City Commission.

DEPARTMENTAL BUSINESS - CONTINUED

Commissioner Preston motioned approval with the exception of the permit.

Mr. Soroka said this ordinance was based on a similar ordinance that was upheld by the Court on first amendment consideration. He said he will meet with each Commissioner one-on-one to discuss their concerns based on direction given tonight.

Commissioner Drosky said he is not in favor of removing the permit requirement completely, and motioned approval as written without the fee requirement.

Commissioner Preston withdrew his motion.

Mayor Ganz said there is an ongoing situation which has not been addressed and does not think the item should be tabled. Mayor Ganz reopened the public hearing.

Gwyndolen Clarke-Reed, 1430 SW 6th Way, Deerfield Beach, asked how much of a difference is this from the noise ordinance currently in place. Also, she asked if the police address noise pollution when the noise ordinance is abused.

Mayor Ganz replied that the noise ordinance applies to certain zoning districts.

Mr. Soroka said there is a provision that regulates sound from motor vehicles on streets that has a distance requirement, but it does not speak to people outside the motor vehicle which is the gap. Law Enforcement has also expressed this concern.

Mayor Ganz closed the public hearing.

MOTION was made by Commissioner Drosky, seconded by Commissioner Preston, to approve Item 6 as amended, removing the permit fee. Roll Call:

Yeas: 3 - Commissioner Drosky, Commissioner Preston and Mayor Ganz

Nays: 2 - Commissioner Hudak and Vice Mayor Parness

Motion passed by a 3-2 vote.

COMMENTS BY ADMINISTRATION & LEGAL

CITY ATTORNEY - *No Report.*

CITY MANAGER - *No Report.*

CITY COMMISSION BUSINESS

- 7. Resolution 2021/025 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, urging the Florida Legislature to approve Florida Senate Bill 596/House Bill 6023 repealing Section 163.045, Florida Statutes, and restoring local governments' ability to regulate matters relating to pruning, trimming and removal of trees on residential properties; providing for transmittal and an effective date.**

The Resolution was read by title only.

CITY COMMISSION BUSINESS - CONTINUED

Commissioner Drosky said the Resolution supports home rule and seeks to restore local governments' ability to regulate pruning of trees. This was a big issue last year and asked that it be supported.

Mayor Ganz opened the public hearing; however, there were none to speak and the public hearing was closed.

Vice Mayor Parness asked if the Resolution limits the County on regulating trees in cities, i.e. the number of trees required on a property. If not, he does not see the advantage of approving or disapproving the bill.

Eric Power, Director of Planning & Development Services, replied that Broward County has rescinded to the State rule and passed code which regulating the number of trees is no longer required. Since the original statute was written unclearly, cities have been left in limbo as to whether or not a resident or association is required to replant a tree to the minimum.

Mayor Ganz reopened the public hearing- however, there was none to speak and the public hearing was closed.

MOTION was made by Commissioner Drosky, seconded by Commissioner Hudak, to approve Item 7, adopted Resolution 2021/025. Roll Call:

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

Nays: 0

COMMENTS BY MAYOR & CITY COMMISSION**VICE MAYOR PARNESS****DISTRICT 3**

Municipal Election - Vice Mayor Parness said the municipal election will be held for Tuesday, March 9, 2021 for District 3 only. He was thankful to staff for all their assistance and said he hopes he will be reelected as the Commission does good work together.

COMMISSIONER DROSKY**DISTRICT 4**

City Commission - Commissioner Drosky also applauded the Commission for their ability to work together as it is recognized by other localities.

Office Hours - Commissioner Drosky said he will hold Saturday office hours on March 6th from 10 a.m. - 12 p.m.; appointments are still available.

Parking Issues - Commissioner Drosky said there is an overflow of parking onto American Way from the Sportsplex and impedes Independence Bay residents' ability to leave the community.

COMMISSIONER PRESTON**DISTRICT 2**

City Commission - Commissioner Preston applauded the Commission for being able to consider different perspectives when discussing agenda items; whereas, the decisions being made are in the best interest of the public.

Kiwanis Club West Clean-Up - Commissioner Preston said Kiwanis will have a clean-up from SW 2nd Avenue to SW 7th Court on March 13, 2021. He asked the City Manager to provide bags and gloves for the volunteers.

David Santucci, City Manager, advised that it would be handled.

COMMENTS BY MAYOR & CITY COMMISSION - CONTINUED

COMMISSIONER HUDAK

DISTRICT 1

City Commission - Commissioner Hudak said he is proud to serve with the Commission and is thankful to City staff for their service as well. He commented on unsure economic times and how everyone worked together. Lastly, Commissioner Hudak said he looks forward to the next two (2) years in service.

Drive-In Movie - Commissioner Hudak said the last drive-in movie will be held at Pioneer Park on Friday, March 5, 2021. The movie Onward will be playing, and everyone must remain in their cars. He advised that no snacks will be offered and recommended that people bring their own snacks. Furthermore, this is an opportunity for people to get out of the house as isolation this last year has been difficult.

Saturday Office Hours - Commissioner Hudak said he will have 30-minute sessions on March 13, 2021 via zoom or phone and advised that anyone wishing to meet can contact the City Manager's Office or communicate directly with him via e-mail.

MAYOR BILL GANZ

City Commission - Mayor Ganz also applauded the service provided by the Commission and their ability to debate issues and not allow it to be personal.

Right-of-Way - Mayor Ganz asked that staff provide additional information regarding dog walking and the right-of-way.

Priscilla Cygielnik, City Engineer, said she never indicated to Mr. Arabia that there was five-feet of right-of-way in front of the Wyndham, but there is a vegetative strip. The strip is constrained by various elements connected to the Sunrider property; therefore, she does not believe there is a five-foot wide area to construct a sidewalk. Additionally, to make that possible, the curb lines would have to be realigned and constrain the roadway which would be a significant undertaking for the City.

Mayor Ganz said if the strip were taken out, issues would still exist with the other businesses in the area. He clarified that the only area to walk would be across the street.

Ms. Cygielnik replied yes and said the only option is to use the boardwalk. Also, Economic Development is working on a project that could provide accessibility on a side street which is a route behind the hotel. Those are other options available to pedestrians, so they do not have to walk in the road.

Mayor Ganz said the Commission is concerned about public safety and asked Commissioner Preston if his desire is to make changes in the area.

Commissioner Preston replied no; nevertheless, he discussed possible solutions with City staff which were fully vetted, and unfortunately, nothing came to fruition. He said as the City grows, he would like there to be a possibility for all the sidewalks to connect. Regrettably, that is not possible for the area in question at this time.

Thereafter, Mayor Ganz explained how there are areas within the City where the sidewalk ends, namely, Century Village and pedestrians can choose to walk in the street. He explained that the Commission cannot make decisions based on the minority and that everyone has a right to make a choice about his/her safety.

COVID Vaccinations - Mayor Ganz said based on his information, over 2,000 Century Village residents have been vaccinated.

Mr. Santucci said 4,000 have been vaccinated which includes the first and second dose.

COMMENTS BY MAYOR & CITY COMMISSION - CONTINUED

Mayor Ganz applauded staff for their service in helping people receive the vaccine. He also debunked rumors that have started about the vaccine. Furthermore, he advised that by June 2021, Broward County hopes to have every willing person vaccinated. There are still people who do not want to be vaccinated but encouraged people to research and do what is in the best interest of public safety.

ADJOURNMENT

There was no additional business to discuss.

MOTION was made by Vice Mayor Parness, seconded by Commissioner Hudak, to adjourn the meeting at 8:48 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

Samantha Gillyard, CMC, City Clerk