

TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Barbara McDaniel, MMC, Assistant Town Clerk/954-797-1023

PREPARED BY: Barbara McDaniel, MMC, Assistant Town Clerk

SUBJECT: September 12, 2007 minutes

AFFECTED DISTRICT: n/a

ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: September 12, 2007 (Special Meeting)

REPORT IN BRIEF: Council minutes from the September 12, 2007 Council meeting.

PREVIOUS ACTIONS: n/a

CONCURRENCES: n/a

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

RECOMMENDATION(S): Motion to approve

Attachment(s): September 12, 2007 minutes

**TOWN OF DAVIE
SPECIAL MEETING
SEPTEMBER 12, 2007**

1. PLEDGE OF ALLEGIANCE

The meeting was called to order at 12:01 p.m.

2. ROLL CALL

Present at the meeting were Mayor Truex, Vice-Mayor Caletka, and Councilmembers Crowley, Luis and Starkey. Also present were Town Administrator Shimun, Town Attorney Rayson and Assistant Town Clerk McDaniel recording the meeting.

3. PUBLIC HEARING

Resolution

- 3.1 SOLID WASTE ASSESSMENT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, RELATING TO THE COLLECTION AND DISPOSAL OF SOLID WASTE IN THE TOWN OF DAVIE, FLORIDA; REIMPOSING SOLID WASTE SERVICE ASSESSMENTS AGAINST ASSESSED PROPERTY LOCATED WITHIN THE TOWN OF DAVIE, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2007; APPROVING THE RATE OF ASSESSMENT; APPROVING THE ASSESSMENT ROLL; AND PROVIDING AN EFFECTIVE DATE.
- R-2007-252

Mr. Rayson read the resolution by title.

Mayor Truex opened the public hearing portion of the meeting.

Judy Paul asked if the Town would have the opportunity to renegotiate the COLA. Mr. Shimun responded that this could be done when they renegotiated the contract.

Gail Nolan asked if disabled veterans could be exempted from the non-ad valorem taxes and indicated that they were already exempt from Broward County taxes. Mr. Rayson advised that there was no provision in the agreement for any exemption. Councilmember Starkey did not believe any exemption was ever given to any class of resident for waste collection. Ms. Nolan said she had heard that other cities provided these exemptions.

Mayor Truex closed the public hearing.

Mr. Rayson confirmed for Mayor Truex that if the Town exempted a resident, the Town would have to make up the fee paid to Waste Management. Councilmember Starkey wanted to know how many veteran exemptions there would be before considering this request and asked for data regarding this issue.

Mr. Shimun indicated that an exemption was similar to a water or sewer bill, and he did not feel it was fair for the rest of the citizens to be picking up the tab for the exempted individuals. Councilmember Crowley felt that other citizens, such as senior citizens, would request the exemption if it were granted for the disabled veterans.

Councilmember Luis suggested that once they had the data defining how many exemptions they were talking about, Council could approach the vendor and request a reduction.

Mr. Rayson explained that the County disabled veterans' exemption was intended to provide relief for things like this. He noted that in most cases, the veteran was not the only member of the household, and the waste assessment covered the entire household. This meant that granting an exemption would include people to whom they had not intended to provide relief.

Ms. Nolan reiterated that she and her husband were exempt from the County's ad valorem taxes because of her husband's 100% disability. She said they were paying a quarterly trash fee to Waste Management. Mayor Truex said this was incorrect and indicated that Ms. Nolan should not be paying two bills for the same service.

Program Manager Susan Dean confirmed that one household should not be paying both bills. She agreed to meet with Ms. Nolan to discuss this.

Councilmember Starkey made a motion, seconded by Mayor Truex to approve 3.1, the solid waste service assessment. In a roll call vote, the vote was as follows: Mayor Truex - yes; Vice-Mayor Caletka - no; Councilmember Crowley - no; Councilmember Luis - yes; Councilmember Starkey - yes. (Motion carried 3-2)

3.2 FIRE RESCUE ASSESSMENT - A RESOLUTION OF THE TOWN OF DAVIE,
R-2007-253 FLORIDA, RELATING TO THE PROVISION OF FIRE RESCUE SERVICES, FACILITIES AND PROGRAMS IN THE TOWN OF DAVIE, FLORIDA; REIMPOSING FIRE RESCUE ASSESSMENTS AGAINST ASSESSED PROPERTY LOCATED WITHIN THE TOWN OF DAVIE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2007; APPROVING THE RATE OF ASSESSMENT; APPROVING THE ASSESSMENT ROLL; AND PROVIDING AN EFFECTIVE DATE.

Mr. Rayson read the resolution by title.

Mayor Truex opened the public hearing portion of the meeting.

Ms. Paul encouraged Council to lower the rate as they had last year.

Ms. Nolan asked that disabled veterans in single-family homes be exempted from this assessment as well.

Mayor Truex closed the public hearing.

Vice-Mayor Caletka wanted to roll back the assessment one dollar and thought there was room in the budget to accommodate this. Mr. Shimun informed Mayor Truex that each dollar reduction cost the Town approximately \$60,000. Mayor Truex favored a three-dollar per household reduction, provided no money was taken from Police or Fire or Parks and Recreation, and that the difference be paid out of the general budget from somewhere else. Mr. Shimun advised that Council had been presented with a balanced budget, and he would need to know where the cuts should be made to accommodate \$180,000. Mayor Truex responded that Mr. Shimun should make recommendations for this reduction.

Councilmember Luis said that fire response times in District 4 were worse than any other district. He stated that he would not support a reduction of the assessment if it would affect the construction or staffing of the Shenandoah fire station.

Councilmember Starkey did not support any reduction, since public safety was Council's primary concern. Councilmember Crowley also would not support a reduction unless he knew exactly where the funds would be made up. Vice-Mayor Caletka said that staff had been preparing for a one-dollar rollback and agreed to take the time to identify where cuts could be made to accommodate a three-dollar rollback.

Councilmember Luis remarked that Davie was already "way, way below the average in the County" assessment rate, and said he did not favor reducing the assessment.

Councilmember Starkey said they had conducted a study a few years ago regarding the fire assessment. She asked staff when this had been done and what amount had been suggested by staff for the fire assessment. Assistant Town Administrator Ken Cohen explained that this study did not concern the rates, but the ratio paid by residential versus nonresidential properties. He reminded Council that there were some vacant positions in anticipation of the additional fire stations opening. He said this could represent a substantial amount for the three-dollar reduction.

Councilmember Starkey did not support a rollback "just for the sake of a symbolic dollar or two" because public safety was much more important. Vice-Mayor Caletka noted that there were two assistant fire chief positions vacant, each of which paid approximately \$140,000 per year. He stated that at least one of these positions would go unfilled, but had been included in the budget.

Mayor Truex indicated that if there was extra money in the Fire Department budget because of vacant positions, it should be utilized within the Fire Department. He would not do anything that would take away from the Police or Fire Departments or Parks and Recreation.

Mr. Shimun reminded Council that the State legislature would require additional rollbacks. He stated that the Town's strong fiscal position had enabled them to absorb this year's rollback, but the next round would cut much deeper. Mr. Shimun recommended that the budget remain as presented.

Councilmember Crowley made a motion, seconded by Councilmember Starkey to approve.

Councilmember Luis stated that response times were a bigger factor in a town the size of Davie than in smaller municipalities. This was why they were having response time problems in District 4.

Vice-Mayor Caletka said, "By saying that you don't want to cut fire any further, I think that's a very reckless position to take." He felt there was always room to increase efficiency. Vice-Mayor Caletka was opposed to the fire assessment in general, because he felt it was not equitable and felt it should be based on home value.

Councilmember Starkey felt Council should have considered assessing the emergency response calls on I-595 for nonresidents. She thought this could have enabled them to roll back the fire assessment.

In a roll call vote, the vote was as follows: Mayor Truex - yes; Vice-Mayor Caletka - no; Councilmember Crowley - yes; Councilmember Luis - yes; Councilmember Starkey - yes. (Motion carried 4-1)

There being no further business to discuss and no objections, the meeting was adjourned at 12:46 p.m.

Approved _____

Mayor/Councilmember

Town Clerk