

**TOWN COUNCIL
REGULAR MEETING
JANUARY 22, 1997**

1. PLEDGE OF ALLEGIANCE

The meeting was called to order at 7:05 p.m. by Mayor Venis and was followed by the Pledge of Allegiance.

2. ROLL CALL

Present were Mayor Venis, Vice-Mayor Cox and Councilmembers Bush, Kiar and Santini. Also present were Town Administrator Flatley, Town Attorney Webber, and Town Clerk Reinfeld recording the meeting.

3. PRESENTATIONS

3.1 Florida Government Finance Officers Association Award

Merv Timberlake, representing the Government Finance Officers Association of the United States and Canada, presented Budget and Finance Director Christopher Wallace with a Certificate of Excellence in reporting for the year ending September 1995. Mr. Wallace introduced Assistant Director of Budget and Finance Carol Menke and stated that she was instrumental in the Town's receiving the award.

3.2 Chinese Cultural Center

Gow Low advised that a Chinese/American Cultural Center would be built on the Nova Southeastern University campus. Mayor Venis presented Mr. Low with a Key to the City and in turn, Mayor Venis was presented with a picture of the proposed facility.

3.3 Gerlinde Photography - Kids' Crown Award and VISTA Award

Councilmember Santini presented Gerlinde Hopkins with a certificate of appreciation and a Key to the City.

3.4 National Boys Football League Champions - Davie 122 lb Tackle Football Squad

Mayor Venis presented Coach Gary Shimko with a plaque for his dedicated service to the Town's youth sports program. Certificates of appreciation were presented to Brandon Baggett, Angel Colon, Mike Doetzer, Chris Edwards, Michael Egan, Mike Funaro, Paul Hardy, Alex Hebert, John Kellerman, Jan Korvick, Keith Lawrence, Kevin Lewis, Steven Lovingshimer, Jon McCandless, Kieron McClinton, Robby Mills, Nick Moses, and Robert Tabora. Certificates would be presented to individuals who were unable to be present: Christopher Abramovitz, Beau Blazer, Trevor Butcher, Vick Davanzo, Chris Garbutt, Kyle Gompertz, Donnell Lewis and Nick Woods.

3.5 1997 WestFair Update - Tim Sheehan

Mr. Sheehan provided an update on the WestFair events that would be held February 21 - March 2, 1997.

Mr. Flatley indicated that last year, Council had waived the fee for outside sales in downtown and questioned if the fee should again be waived.

Councilmember Kiar made a motion, seconded by Councilmember Santini, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

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3.6 Community Redevelopment Agency
Neal Kalis, Chairman, updated Council on the Agency's efforts.

3.7 Lanny Smith, "Earthman"
Councilmember Santini presented Mr. Smith with a certificate of appreciation for his dedication to the ecology.

3.8 Public Works Appreciation for Holiday Decorations
Mayor Venis presented a certificate of appreciation to Dan Oyler, Development Programs Manager, and Stan Wagner, Maintenance Technician I.

3.9 Davie Fire Department Holiday Food and Toy Drive
Mayor Venis presented a certificate of appreciation to Lieutenant Brian Nolte.

3.10 EASE Holiday Food and Toy Drive
Mayor Venis presented a certificate of appreciation to Linda Owen, Executive Director of the Emergency Assistance Service Efforts program.

3.11 Davie Police "Care Bear" Program - Worthy Matron Pro Tem of the Fort

Lauderdale No. 59 Order of the Eastern Star

Peggy Hodgkins announced that her order of Eastern Star had concentrated its efforts for the Care Bear Program to the Davie area. She presented Chief Jack Mackie with a stuffed animal who indicated that the animals would be given to children in crisis/stress situations. Ms. Hodgkins added that more stuffed animals would be delivered to the Police Department. Mayor Venis presented a certificate of appreciation to Ms. Hodgkins.

3.12 John White, Utilities Field Technician I - Five Years
Mayor Venis presented a service award to Mr. White.

3.13 Lesley Arico, Officer Supervisor - Ten Years
Mayor Venis presented a service award to Ms. Arico.

3.14 Cynthia Hoxie, Administrative Secretary - Ten Years
Ms. Hoxie was not present.

3.15 Greg Mize, Police Officer - Ten Years
Mayor Venis presented a service award to Officer Mize.

3.16 James Weaver, Driver Engineer - Ten Years
Driver Engineer Weaver was not present.

3.17 William Busker, Fire Lieutenant - Fifteen Years
Lieutenant Busker was not present.

3.18 Jamie Costas, Driver Engineer - Fifteen Years
Driver Engineer Costas was not present.

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3.19 First Quarterly Status Report - Goals, Capital, Finance

Mr. Flatley provided a status report on the Town's goals which included the EMS service; the new Police/Fire/EMS facility; downtown streetscape; constructing of the trail system and a bikeway system; recreational programs; major roadway medians; updating the Davie Comprehensive Plan to include special area plans; preparing for a telecommunication impact; reviewing land use patterns along Griffin Road; implementing an Economic Development Plan; searching for a public/private management firm for the area; redeveloping the Bergeron Rodeo Grounds; developing a new library; finishing the Old Davie School project; beginning the aquaculture program; enclosing of dumpsters; continuing the annexation program; coordinating the South Florida Education Complex, the Education, Research and Training Authority and the Traffic Management Association; providing informational and welcome signs; implementing the alarm ordinance; promoting WestFair; and creating new revenue sources.

Mr. Flatley indicated that a report on the Town's finance would be provided at the next meeting.

Councilmember Santini recommended that the trees be removed at the Bamford Sports Complex and signs be posted showing future parks.

3.20 Upcoming Special Events - Bonnie Stafiej

Ms. Stafiej, Special Projects Coordinator, announced the following events: 5 Star Rodeo (January 24th - 25th); Country Craft Show (February 8th - 9th); Jazz on the Ridge Concert (February 15th); Horse and Tack Auction (February 16th - 17th); and the grand opening of the Bergeron Rodeo Grounds (February 19th). She added that volunteers were needed in March for a waterway cleanup.

Sharon Pierce-Kent, Director of Community Services, announced the following events: girls softball tryouts (January 25th); boys baseball tryouts (February 8th); and Hawaiian Luau (February 15th). She added that volunteers were needed for the youth sports programs.

3.21 Bike Safety/Helmet Awareness

Kathleen Bleier advised that Jones Intercable had provided three 30-second public service announcement spots. Frank Bianco, Jones Intercable, aired the announcements which would be aired throughout the year. Chief Mackie presented certificates to the individuals involved with the public service announcements: Frank Bianco, Kathleen Bleier, Connie Schoonover, Juan Palacios, Karen Johnson, Stephanie Kaminsky, Adam Finch, Nicole McDaniels, Lenore Fetcher, Adam Diaz, Brett Diaz, Jennifer Eschbaugh, Robert Eschbaugh, Richard Bleier, Officer Barry Dodge, Officer Robert Frailing, Officer Kathy Hart and Officer Jay Seiler.

Chief Mackie announced that Officer Seiler had been honored as one of the three top motorcycle officers in the State of Florida on driver safety against drunk driving.

Design Discussion

3.22 Davie Road Extension (Stirling Road to University Drive)

Peter Cowick, representing Broward County's Engineering Division, provided a report on the proposed Davie Road Extension design which would cost \$3.5 million. Assistant Town Administrator Roberts Rawls advised that this matter was noticed to the community to elicit as

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many comments as possible. He added that an informal meeting was held with the residents prior to the Council meeting and asked that Council allow the residents to speak. Mayor Venis asked if anyone wished to comment on this matter:

David Kaplan discussed his concerns with traffic and empty school buses utilizing the area as a cut through. Councilmember Kiar requested that the County be contacted to reroute the school buses. A lengthy discussion followed.

Laura Kaplan, 7791 NW 33 Place, discussed the speeders.

Carlos Suarez, 3321 NW 78 Avenue, voiced his concern over the speeders.

Mr. Rawls stated that Council had tried to find ways to discourage traffic from driving through the Driftwood community. He indicated that the proposed plan was a compromise which tried to reflect the interests and desires of the business community and religious institutions and the impact on the residential areas. Mr. Rawls stated that at initial meetings, strong support was not shown to close the access at 77th and 78th; however the traffic professionals did not have an objection to this closing. He cautioned that all the input from the Hollywood residents and businesses may not have been received. Mr. Rawls indicated that he had some alternatives and suggested that he return with some recommendations on the problem areas. He recommended that Council advise the County of the problem areas.

Vice-Mayor Cox suggested that staff look into the California speed bumps to obstruct traffic on 77th and 78th without closing the streets. Mr. Rawls advised that he had researched these speed bumps and indicated that he had reviewed other types of devices that were considered traffic calming devices.

Mayor Venis questioned when a workshop with the residents and business owners could be held. Mr. Rawls responded that notices could be mailed in four to six weeks.

Vice-Mayor Cox made a motion, seconded by Councilmember Bush, giving a vote of approval to the project with the caveat that in the ensuing few months that the County, residents, businesses and the Town meet to explore the closure of the 77th and 78th Avenue intersection. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

4. OCCUPATIONAL LICENSES

Home Occupational License

4.1 Made With Pride Baskets & Gifts, 14701 SW 17 Court

Laura House, the applicant, was present. She confirmed that the request was for mail and phone use only.

Vice-Mayor Cox made a motion, seconded by Councilmember Santini, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

Carnival - Waiver of Fees

4.2 St. Bernadette Catholic Church, 7450 Stirling Road (February 13-16, 1997)

Richard Cohen, representing the applicant, was present.

Councilmember Santini made a motion, seconded by Vice-Mayor Cox, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

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Mayor Venis announced that items 6.6 and 6.8 had been withdrawn by staff and would be resubmitted. He added that item 6.14 had been withdrawn by staff.

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Mayor Venis advised that a request had been made to table item 6.16 to February 5, 1997.

Councilmember Kiar made a motion, seconded by Vice-Mayor Cox, to table item 6.16 to February 5, 1997. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

Mayor Venis advised that a request was made to table item 6.17 to February 5, 1997.

Vice-Mayor Cox made a motion, seconded by Councilmember Kiar, to table item 6.17 to February 5, 1997. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

Mayor Venis advised that a request had been made to table item 7.1 to February 5, 1997.

Councilmember Santini made a motion, seconded by Vice-Mayor Cox, to table item 7.1 to February 5, 1997. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

Mayor Venis announced that item 7.3 had been withdrawn by staff.

Mayor Venis advised that a request had been made to table item 7.5 to February 19, 1997.

Councilmember Kiar made a motion, seconded by Vice-Mayor Cox, to table item 7.5 to February 19, 1997. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

Mayor Venis announced that staff was requesting that a site plan, SP 11-2-96, Davie Professional Center, be added to the agenda as item 8.1. He indicated that this item would be heard after the Consent Agenda.

Councilmember Kiar made a motion, seconded by Vice-Mayor Cox, to add a site plan to the agenda as item 8.1. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

Mayor Venis announced that staff was requesting that a resolution, LA BC 97-1A, be added to the agenda as item 8.2.

Councilmember Santini made a motion, seconded by Councilmember Kiar, to add a resolution to the agenda as item 8.2. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

5. COUNCILMEMBER COMMENTS

COUNCILMEMBER BUSH

ROAD IMPROVEMENTS. Councilmember Bush stated that he had met several times with the residents of Davie Lakes Estates regarding the improvements along Pine Island Road between Griffin and Stirling Roads. He added that he, Mr. Rawls and the residents had also met with the County's Public Works Department and had worked out quite a

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few concessions. Councilmember Bush stated that the residents would like the southbound left turn lane from the new Pine Island Road to 55th Court to be eliminated. Mr. Rawls advised that the project was already under construction but the element could be redesigned; however, the Town needed to provide a position on this matter.

Councilmember Bush made a motion, seconded by Vice-Mayor Cox, to send a formal letter to the County requesting consideration. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

FUNERAL. Councilmember Bush advised that he had attended the funeral of George Platt's 15 year old daughter and read one of her poems.

VICE-MAYOR COX

OLDDAVIESCHOOL. Vice-Mayor Cox announced that the grand opening of the School would be held on February 1st at 10:00 a.m.

AREA AGENCY ON AGING. Vice-Mayor Cox stated that the Town was presented with a plaque from the Area Agency on Aging for providing five years of fair share money.

RIDE-A-THON. Vice-Mayor Cox announced that the South Florida Trailriders would be holding a ride-a-thon on January 25th to benefit the Boys and Girls Club.

COUNCILMEMBER SANTINI

BIKE PATH. Councilmember Santini stated that Mr. Rawls had worked on a bike path along Hiatus Road; however, help was needed from the residents in obtaining easements on the north side of Hiatus Road.

NEIGHBORHOOD BEAUTIFICATION. Councilmember Santini stated that she, Councilmember Bush and Vice-Mayor Cox had been out over the weekend congratulating residents for beautifying their neighborhood.

CONGRATULATIONS. Councilmember Santini congratulated the Finance Department on its award making financial statements easy to read.

WESTFAIR. Councilmember Santini stated that the banners had been posted along Davie Road for the WestFair events which began February 21st.

"DAVIE UPDATE." Councilmember Santini stated that Mr. Flatley was doing a fantastic job with the "Davie Update" and she had heard positive comments from the residents.

PUBLIC SERVICE ANNOUNCEMENTS. Councilmember Santini thanked Jones Intercable on their work for the public service announcements and suggested that local events also be televised.

Vice-Mayor Cox advised that Public Relations Coordinator Susan Dean was the one who prepared the "Davie Update" and she deserved to be mentioned.

COUNCILMEMBER KIAR

CONDOLENCES. Councilmember Kiar extended his condolences to the Platt family.

WRESTLING/WESTFAIR. Councilmember Kiar congratulated Mayor Venis on his wrestling match. He added that Mayor Venis would be defending the championship belt during the WestFair events. Councilmember Kiar stated that WestFair would benefit the Boys and Girls Club and volunteers were needed.

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TWINS. Councilmember Kiar advised that Ms. Menke was back from maternity leave and announced that three Town employees had sets of twins.

FUNDRAISING. Councilmember Kiar asked for an update on the fundraiser for the masks for the firefighters. Mr. Flatley advised that McDonald's owner Mickey Maros had requested that the fundraiser be postponed because of the recent holidays. Fire Chief Michael Donati indicated that he would be meeting with Mr. Maros on January 23rd.

MAYOR VENIS

CONDOLENCES. Mayor Venis extended his condolences to the Platt family.

FUNDRAISER. Mayor Venis stated that a wrestling fundraiser was held to benefit Flamingo Elementary School and approximately \$6,000 was raised. He thanked everyone for their help.

PROCLAMATION. Mayor Venis advised that United Way was requesting that a week be proclaimed as United Way Appreciation Week.

MEETING. Mayor Venis stated that he attended an annual homeowners' meeting at the Townhomes of Orange Drive and he asked Chief Mackie to schedule a meeting with the president of the homeowners' association to discuss the community's concerns.

ADDITIONAL SCHOOL BUSES. Mayor Venis stated that the Broward County School Board had appropriated additional buses for the children who attend Indian Ridge Middle School.

NOB HILL HOMEOWNERS. Mayor Venis stated that a meeting needed to be scheduled with the Nob Hill Palms homeowners to alleviate some concerns with the buffering of the proposed police/fire/EMS facility.

KOREAN NATIONAL TAI KWAN DO. Mayor Venis stated that he had attended a demonstration by the Korean National Tai Kwan Do champions on January 17th and added that the competitors stayed at different homes throughout the Town. He indicated that he had been made an official fourth degree black belt and had registered his name in Korea.

DINNER/AUCTION. Mayor Venis announced that the Fraternal Order of Police Lodge 100 would be holding its annual spaghetti dinner/auction on January 25th.

6. CONSENT AGENDA

Proclamation

6.1 Crime Stoppers Week - February 16 - 23, 1997

Parade Permit

6.2 Boys & Girls Clubs of Broward County - February 22, 1997 (10:00 a.m. to 12 noon) (route: south on Davie Road from SW 39 Street to Orange Drive)

Resolutions

R-97-18 6.3 **AQUACULTURE FACILITY - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING AN AMENDMENT TO A MANAGEMENT AGREEMENT WITH NOVA SOUTHEASTERN UNIVERSITY FOR THE OPERATION OF AN AQUACULTURE FACILITY. (tabled from January 8, 1997)**

R-97-19 6.4 **EMS ASSESSMENT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, RELATING TO THE PROVISION OF FIRE RESCUE SERVICES, FACILITIES, AND PROGRAM IN THE TOWN OF DAVE, FLORIDA; DESCRIBING THE METHOD OF ASSESSING FIRE RESCUE ASSESSED COSTS AGAINST ASSESSED PROPERTY LOCATED WITHIN THE TOWN OF DAVIE; REMOVING CERTAIN INSTITUTIONAL PROPERTY FROM THE NON AD VALOREM ROLL; AND**

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PROVIDING AN EFFECTIVE DATE.

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- R-97-20 6.5 **EXPENDITURE OF FUNDS** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING EXPENDITURE OF FUNDS FROM THE LAW ENFORCEMENT TRUST FUND FOR DONATION TO THE BROWARD COUNTY CRIME STOPPERS. (\$3,500 donation)
- R-97-21 6.6 **LEASE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING A FLEX LEASE WITH INTERAMERICAN CAR RENTAL, INC., PIGGYBACKING THE CITY OF HOLLYWOOD BID 3237 TO LEASE VEHICLES FOR THE POLICE DEPARTMENT. (\$12,600 for two vehicles for one-year period)
- R-97-21 6.7 **GRANT AWARD** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE ADDITIONAL \$900,000.00 GRANT AWARD FROM THE U.S. DEPARTMENT OF JUSTICE UNDER THE UNIVERSAL HIRING PROGRAM ADMINISTERED BY THE DEPARTMENT OF JUSTICE'S OFFICE OF COMMUNITY POLICING SERVICES (funds to hire twelve full time Community Oriented Police Officers)
- R-97-22 6.8 **BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE BID FOR POLICE VEHICLES, FLORIDA SHERIFF'S ASSOCIATION BID NO. 9604-0918. (Lakeland Chrysler Plymouth, \$229,080, for twelve Dodge Intrepids)
- R-97-22 6.9 **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE TOWN OF DAVIE TO ENTER INTO AN AGREEMENT BETWEEN BOYS AND GIRLS CLUB OF BROWARD COUNTY AND THE TOWN OF DAVIE (waiver of fees for arena rental for Second Annual WestFair Festival, February 21 to March 2, 1997)
- R-97-23 6.10 **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE TOWN OF DAVIE TO ENTER INTO AN AGREEMENT WITH THE BROWARD COUNTY SCHOOL BOARD (for parking at Nova High School for WestFair events - no cost - February 21, 22, 23 and March 1, 2, 1997)
- R-97-24 6.11 **BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE BIDS FOR ATHLETIC EQUIPMENT. (lowest bidder for each item)
- R-97-25 6.12 **EXTENDING A BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, EXTENDING THE BID FOR PHOTOGRAPHIC FILM DEVELOPING SERVICES. (L.F.D. Photographic Corporation)
- R-97-26 6.13 **EXTENDING A BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, EXTENDING THE BID FOR SCHOOL CROSSING GUARD SERVICES. (Kemp Services, Inc. \$151,620/year.)
- R-97-26 6.14 **BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE BID FOR UNARMED SECURITY GUARD SERVICE AT WOLF LAKE PARK. (Dadeline Corporation, \$27,740/year)

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- R-97-27 6.15 **GENERAL OBLIGATION BONDS - A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS, SERIES 1997, OF THE TOWN OF DAVIE, FLORIDA, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$9,800,000 FOR THE PURPOSE OF FINANCING OR REIMBURSING THE COST OF ACQUISITION, CONSTRUCTION OR FURNISHING OF A POLICE, FIRE, EMERGENCY MEDICAL SERVICES AND TOWN HALL ANNEX FACILITY OF THE TOWN, AND PAYING COSTS OF ISSUANCE OF THE BONDS; AWARDED THE SALE OF THE BONDS TO FIRST UNION NATIONAL BANK OF FLORIDA; PROVIDING FOR SECURITY FOR THE BONDS; PROVIDING OTHER PROVISIONS RELATING TO THE BONDS; MAKING CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; AND PROVIDING AN EFFECTIVE DATE.**
- 6.16 **SUBDIVISION PLAT REVISION - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING A REVISION TO THE SCARBOROUGH I SUBDIVISION PLAT, PROVIDING FOR A REVISION TO THE RESTRICTIVE NOTE TO DELETE COMMERCIAL USES AND INCREASE THE NUMBER OF MULTI-FAMILY DWELLING UNITS AND PROVIDING AN EFFECTIVE DATE. (DG 12-4-96, Scarborough I, southeast corner of State Road 84 and Hiatus Road)**
- 6.17 **SUBDIVISION PLAT REVISION - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING A REVISION TO THE SCARBOROUGH II SUBDIVISION PLAT, PROVIDING FOR A REVISION TO THE RESTRICTIVE NOTE TO CHANGE COMMERCIAL USES TO RESIDENTIAL USE, AND PROVIDING AN EFFECTIVE DATE. (DG 12-5-96, Scarborough II, southeast corner of State Road 84 and Hiatus Road)**
- R-97-28 6.18 **SUBDIVISION PLAT REVISION - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING A REVISION TO THE VISTA LAKES WEST SUBDIVISION PLAT, PROVIDING FOR A REVISION TO THE RESTRICTIVE NOTE TO CHANGE THE NAME OF THE PLAT, CHANGE TO A LOT SPECIFIC PLAT AND DECREASE THE NUMBER OF SINGLE FAMILY DWELLING UNITS AND PROVIDING AN EFFECTIVE DATE. (DG 1-1-97, Highland Ranch Estates (FKA: Vista Lakes West), southwest corner of SW 14 Street and SW 154 Avenue)**
- R-97-29 6.19 **LAND USE APPLICATION AMENDMENT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA AMENDING TOWN OF DAVIE APPLICATION LABC 97-1A BY REPLACING THE REQUEST FOR INDUSTRIAL LAND USE WITH A REQUEST FOR COMMERCIAL LAND USE (Marina Mile)**
- R-97-30 6.20 **LAND USE APPLICATION AMENDMENT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA SUPPORTING AN AMENDMENT TO APPLICATION LABC 96-2 THAT WOULD REPLACE ALL OR PART OF THE AREA PROPOSED FOR A COMMERCIAL LAND USE DESIGNATION WITH AN EMPLOYMENT CENTER LAND USE DESIGNATION (Sunny Lakes)**
- R-97-31 6.21 **AGREEMENT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE APPROPRIATE TOWN OFFICIALS TO ENTER INTO AN AGREEMENT BETWEEN THE TOWN OF DAVIE AND PASADENA AT IMAGINATION FARMS, INC. RELATING TO THE PROVISION OF A LIEN FOR THE SECURITY TO SECURE THE REQUIRED SUBDIVISION IMPROVEMENTS FOR THE PASADENA ESTATES AT IMAGINATION FARMS; AND TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING THEIR SIGNATURES TO**

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SAID AGREEMENT.

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R-97-32 **6.22 AGREEMENT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE APPROPRIATE TOWN OFFICIALS TO ENTER INTO AN AGREEMENT BETWEEN THE TOWN OF DAVIE, BROWARD COUNTY AND PASADENA AT IMAGINATION FARMS, INC. RELATING TO THE ISSUANCE OF BUILDING PERMITS WHILE PLATTING IS IN PROGRESS; AND TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING THEIR SIGNATURE TO SAID AGREEMENT.**

R-97-33 **6.23 AGREEMENT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE APPROPRIATE TOWN OFFICIALS TO ENTER INTO AN AGREEMENT WITH BROWARD COUNTY PROVIDING FOR THE JOINT FUNDING OF THE DAVIE SOUTHWEST 36TH STREET AND PINE ISLAND ROAD INTERSECTION IMPROVEMENT WITHIN THE TOWN OF DAVIE, AND AUTHORIZING THE APPROPRIATE TOWN OFFICIALS TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING THEIR SIGNATURES TO SUCH DOCUMENT.**

Ordinance - First Reading (Public Hearing to be held February 5, 1997)

6.24 CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING SECTION 15-8 OF THE TOWN CODE BY EXEMPTING THE BERGERON RODEO GROUNDS OF DAVIE, FLORIDA, INCLUDING THE RODEO ARENA FROM THE PROVISIONS OF THE NOISE DISTURBANCE ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

6.25 CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, CREATING A RURAL RANCHES ZONING DISTRICT WITH PERMITTED, PROHIBITED AND CONDITIONAL USES AND DEVELOPMENT STANDARDS BY AMENDING THE CODE OF THE TOWN OF DAVIE SECTION 12-21 ENTITLED, "ZONING DISTRICTS," SECTION 12-24 ENTITLED, "STATEMENT OF PURPOSE AND INTENT OF ZONING DISTRICTS," SECTION 12-32 ENTITLED, "TABLE OF PERMITTED USES, (A) RESIDENTIAL DISTRICTS GENERAL USE," SECTION 12-33 ENTITLED, "GENERAL REGULATIONS," SECTION 12-34 ENTITLED, "STANDARDS ENUMERATED," SECTION 12-38 ENTITLED, "NONCONFORMING LOTS," AND SECTION 12-81 ENTITLED, "RESIDENTIAL, NEIGHBORHOOD CONSERVATION AND MOBILE HOME STANDARDS, TABLE 12-81A CONVENTIONAL SINGLE-FAMILY DEVELOPMENT STANDARDS"; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (creates rural ranches zoning district)

Councilmember Kiar asked that items 6.4 and 6.22 be removed from the Consent Agenda. Vice-Mayor Cox asked that item 6.25 be removed.

Councilmember Bush made a motion, seconded by Councilmember Kiar, to approve the Consent Agenda without items 6.4, 6.22, and 6.25. Town Clerk Reinfeld read the ordinances - first reading by title only. Mayor Venis advised that a public hearing [on items 6.24 and 6.25] would be held on February 5, 1997. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

6.4 Mr. Flatley explained the resolution which removed churches and church schools from the EMS assessment. He indicated that it had been determined that the educational category could be separated from the institutional category.

Councilmember Kiar made a motion, seconded by Councilmember Bush, to approve item 6.4. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

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6.22 Councilmember Kiar stated that he had previously voted against this project because of his concerns with blasting. He advised that Council recently visited the site to watch a machine that eliminated blasting and he was thrilled that an alternative to blasting had been found. Councilmember Kiar thanked the petitioner for keeping his word.

Councilmember Kiar made a motion, seconded by Councilmember Santini, to approve item 6.22. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

6.25 Vice-Mayor Cox requested that transporting livestock be added to Exhibit C. She added that she did not think that the "enclosure" portion of the ordinance should be changed to allow that items be screened from the street.

Vice-Mayor Cox stated that there was a difference in the County's and the Town's Rural Ranches designation. Michele Mellgren, Director of Development Services, indicated that the County's designation was one unit per 2 1/2 gross acres and one unit per 2 net acres. She added that it appeared that the difference was after right-of-way dedications. Ms. Mellgren added that the Town was looking at 2 acres after right-of-way dedication and in addition 70,000 square feet to be net dry of water. A brief discussion followed.

Vice-Mayor Cox made a motion, seconded by Councilmember Kiar, to approve subject item 6.25 with the interjection of the livestock issue between "transport" and "votes" in F4 and with language that speaks to screening for items that were parked or stored from the front view of the home but not necessarily on all three sides. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

An unidentified woman (Edna Moore) asked if this ordinance dealt with the matter of "taking away" the agricultural designation for under five acres. Ms. Mellgren replied negatively and mentioned that a workshop would not be held on this matter as it had been withdrawn. She indicated that those individuals who had signed up for the workshop were being notified.

8.1 SP 11-2-96, Davie Professional Center, northeast corner of Orange Drive and SW 54 Avenue (RO) *Planning and Zoning Division approved subject to the planning report; Site Plan Committee approved subject to the planning report*

Al Hishimi, representing the petitioner, was present. Ms. Mellgren read the planning report. Vice-Mayor Cox discussed the Site Plan Committee's recommendations.

Councilmember Kiar made a motion, seconded by Vice-Mayor Cox, to approve subject to the three recommendations of the Site Plan Committee and the planning report. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

8.2 A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,
AMENDING TOWN

R-97-34 OF DAVIE APPLICATION LA BC 97-1A BY REDUCING THE SUBJECT

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LAND AREA OF THE APPLICATION. (LA BC 97-1A, Marina Mile)

Town Clerk Reinfeld read the resolution by title with Mr. Flatley providing an explanation.

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Councilmember Kiar made a motion, seconded by Vice-Mayor Cox, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

7. PUBLIC HEARINGS

Mayor Venis opened the public hearing portion of the meeting.

Ordinances - Second and Final Reading

7.1 REZONING - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM B-1, B-2 and RM-5 TO RM-10 and CF; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (tabled from January 8, 1997) (ZB 11-2-96, Goray Development Company/Chase Joint Venture, 10700 State Road 84)

This item was tabled earlier in the meeting.

7.2 CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE,

97-8 FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF DAVIE, ARTICLE X, PLANNING AND DEVELOPMENT, BY CREATING SECTION 12-299.1 ENTITLED, "DEFERRAL OF PUBLIC HEARING APPLICATIONS"; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Reinfeld read the ordinance by title.

Mayor Venis asked if anyone wished to speak for or against the ordinance. As no one spoke, the public hearing was closed.

Councilmember Kiar made a motion, seconded by Vice-Mayor Cox, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

7.3 WITHDRAWN BY STAFF

CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING SECTION 15-8 OF THE TOWN CODE BY EXEMPTING THE DAVIE OWNED RODEO ARENA FROM THE PROVISIONS OF THE NOISE DISTURBANCE ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

This item was withdrawn.

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7.4 CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE,

97-9

FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF DAVIE, SECTION 12-32(C) ENTITLED, "TABLE OF PERMITTED USES (C), BUSINESS PARK AND INDUSTRIAL DISTRICTS," TO PERMIT VEHICLE, BOAT AND TRUCK SALES IN THE BP DISTRICT; AMENDING SECTION 12-34(CC), ENTITLED, "DETAILED USE REGULATIONS (CC), VEHICLE, MOBILE HOME, RECREATIONAL VEHICLE, BOAT SALES, RENTALS" TO LIMIT TRUCK SALES IN THE BP DISTRICT TO AN ACCESSORY USE AND TO INCREASE THE MINIMUM LANDSCAPED AREA REQUIREMENT IN THE BP AND CC DISTRICTS RELATING TO VEHICLE, TRUCK AND RECREATIONAL VEHICLE SALES; AMENDING SECTION 12-54, TABLE 12-54, ENTITLED, "NONRESIDENTIAL PERFORMANCE STANDARDS," REFLECTING THE INCREASED MINIMUM LANDSCAPED AREA REQUIREMENT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Reinfeld read the ordinance by title.

Mayor Venis asked if anyone wished to speak for or against the ordinance.

Bill Laystrom, representing the Silverado property, asked for Council's approval.

Mayor Venis closed the public hearing.

Councilmember Kiar made a motion, seconded by Councilmember Santini, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

**7.5 PETITIONER REQUESTING TABLING TO
FEBRUARY 19, 1997**

VACATION/ABANDONMENT - VA 1-2-96A, G. L. Homes of Davie Corporation, 3001 Nob Hill Road (to vacate a recreational path easement within Parcel "A" of the Buckram Oak Farm Plat) (tabled from December 18, 1996) Planning and Zoning Division approved; Planning and Zoning Board approved

This item was tabled earlier in the meeting to February 19, 1997.

7.6 VARIANCE - V 10-2-96, Gross/LDG Corp., 4490 SW 64 Avenue (B-2) (1 - to reduce the required lot size from 52,500 square feet to 18,303.8 square feet; 2 - to reduce the minimum lot depth from 200 feet to 104.81 feet on Davie Road and from 200 feet to 161.33 feet on Orange Drive; 3 - to reduce the required front setback from 10 feet to 0 feet along Davie Road; 4 - to reduce the required number of landscape islands after every 10 parking spaces from 1 landscape island to 0 landscape islands; 5 - to reduce the required landscape strip from 4 feet to 0 feet adjacent to the north property line and adjacent to the north building facade; 6 - to reduce the required open space ratio from 30% to 23.6%) (tabled from December 18, 1996) Planning and Zoning Division: 1, 2 and 3 approved subject to conditions and 4, 5, and 6 denied; Planning and Zoning Board approved

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Mr. Webber explained the rules concerning the admission of evidence. Town Clerk Reinfeld swore in the witnesses. Ms. Mellgren advised that her resume was on file with the Town which qualified her as an expert witness. She offered the planning report into evidence and summarized the request.

Jeffrey Gross, representing the petitioner, explained the request.

Mr. Webber asked if anyone wished to provide testimony in favor of or opposition to the variance. No one spoke.

Mr. Webber stated that the hearing was concluded and Council could deliberate.

Mayor Venis and Vice-Mayor Cox indicated that they agreed with the Planning and Zoning Division.

Councilmember Kiar made a motion, seconded by Councilmember Santini, to approve variances numbered 1, 2, 3 and deny variances 4, 5, and 6. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0) **(This item was reconsidered on February 5, 1997.)**

Resolution - First Reading (Second Public Hearing to be held February 5, 1997)

7.7 POLICE AND FIRE IMPACT FEES - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING A CONSULTANT'S REPORT FOR A PUBLIC SAFETY IMPACT FEE AND ADOPTING THE FEE SCHEDULE CONTAINED WITHIN THAT REPORT.

Town Clerk Reinfeld read the resolution by title.

Mayor Venis asked if anyone wished to speak for or against the resolution. As no one spoke, the public hearing was closed.

Councilmember Bush made a motion, seconded by Councilmember Kiar, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

8. DISCUSSION AND POSSIBLE ACTION

No discussion/action was provided.

9. TOWN ADMINISTRATOR'S REPORT

9.1 Annexation Status Report

Mr. Flatley stated that the annexation bills that were submitted by the City of Pembroke Pines to the Broward County Legislative Delegation were denied and a substitute set of bills were approved. He explained that municipalities had until November 1997 to notify the Delegation of an interest to annex areas and a study addressing how the areas would be serviced had to be delivered by November 1998 to a group designated by the Delegation. Mr. Flatley added that the group would then have one year to analyze the studies to decide where the areas should be annexed. He stated that in September 1999, the residents would be asked to vote on the area to be annexed into and if there was not a majority, a second vote would be taken in November 1999.

Vice-Mayor Cox stated that Representative Debbie Wasserman-Schultz had proposed that the Town deannex Ivanhoe so that those unincorporated areas could consider becoming one city. She added that the residents felt as if they were being pushed and they needed time to make a decision.

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PINE ISLAND COMMUNITY CENTER. Mr. Flatley stated that lighting elements needed to be moved from Phase 3 of the Pine Island Community Center project to Phase 2. Mr. Rawls added that this request would be to move funds from Phase 3 to Phase 2 and requested Council's approval.

Councilmember Santini made a motion, seconded by Councilmember Bush, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

EASTSIDE COMMUNITY HALL DEDICATION/CONCESSION STAND OPENING AT BAMFORD PARK. Mr. Flatley announced that the dedication of the Community Hall was scheduled for February 8th at 10:00 a.m. He advised that staff needed to schedule the opening of the concession stand. After some discussion, Council was agreeable to holding the Eastside Community Hall dedication at 9:00 a.m. and the concession stand opening at 10:00 a.m.

10. ADJOURNMENT

There being no objections or further business, the meeting was adjourned at 10:33 p.m.

APPROVED _____

Mayor/Councilmember

Town Clerk