

**TOWN COUNCIL  
REGULAR MEETING  
MARCH 5, 1997**

**1. PLEDGE OF ALLEGIANCE**

The meeting was called to order at 5:10 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**

Mayor Venis questioned the procedure for ranking the firms. Herb Hyman, Procurement Manager, explained that Council had requested a simplified format.

**3.1 Architectural Presentations for the Police/Fire/EMS Facility**

**BRPH Architects**

A presentation was made by Lawrence Shaw and his associates. Questions were raised by Council which were answered.

**Spillis Candela and Partners**

A presentation was made by Julio Grabiell and his associates. Questions were raised by Council which were answered.

**Borrelli and Associates**

A presentation was made by Jaime Borrelli and his associates. Questions were raised by Council which were answered.

Mayor Venis asked that item 7.2 be heard at this time.

Councilmember Santini made a motion, seconded by Vice-Mayor Cox, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - out; Councilmember Kiar - yes; Councilmember Santini - yes. (Motion carried 4-0)

7.2 Mr. Hyman distributed a ranking sheet for Council to complete with the final rankings from highest to lowest being Spillis Candela and Partners (8), Borrelli and Associates (10), and BRPH Architects (12). He indicated that by approving item 7.2, staff would be able to move forward with negotiating with Spillis Candela and Partners. Councilmember Santini made a motion, seconded by Vice-Mayor Cox, to approve the rankings [item 7.2]. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; Councilmember Santini - yes. (Motion carried 5-0)

**3.2 Delegation of Davie Residents Regarding the New Police/Fire/EMS Facility**

Broward County Commissioner Scott Cowan, Property Appraiser William Markham, Tom Gill and Jack Hardy asked that the Police/Fire/EMS facility be named in memory of past

Councilmember Dick Marant. Commissioner Cowan committed that should Council approve this request, private funds would be used to either provide a portrait or bust of Mr. Marant.

Councilmember Santini made a motion, seconded by Councilmember Bush, to name the public safety facility after Dick Marant. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; Councilmember Santini - yes. (Motion carried 5-0)

Grant Marant thanked the previous speakers for their words on his father. On behalf of his family, Mr. Marant thanked Council for honoring his father in this fashion.

4. Mayor Venis advised the speakers of the Open Public Meeting procedures.

Paula Twitty, 4020 SW 54 Avenue Avenue, asked if Council had followed up on the bus traffic on SW 77 Avenue. She indicated that she had received some complaints about the Wolfe Lake attendant's being "unruly" and questioned the status of hiring an individual for the weekends. Ms. Twitty advised that there was a problem with crime on SW 54 and 55 Avenues.

Jay Stahl, 5801 Surrey Circle West, stated that he attempted to watch the parade; however, the coverage by Jones Intercable was horrendous. He requested that the Davie/Cooper City Chamber of Commerce correct this for future parades. Mr. Stahl questioned why the Town's and Cooper City's high schools did not participate in the parade. Mr. Stahl asked for an update on the signalization at Dykes and Griffin Roads. Mr. Flatley indicated that the homeowner's association had asked that the Town not take any action unless a protected U-turn was provided which had been conveyed to the County. Assistant Town Administrator Robert Rawls explained the method for the County's decision.

Phyllis Kowal, 14491 SW 24 Street, thanked County Commissioner Lori Parrish and explained that Tree Tops Park was now checking for Cogans. She added that Commissioner Parrish had indicated that there would be eight equestrian crossing signs in the Oak Hill area. Ms. Kowal indicated that she was working on a neighborhood trail running from 26th Street to 14th Street on the eastside canal easement.

Doug Brown, 14730 SW 14 Street, stated that a dog was recently killed by a speeding car on 14th Street. He indicated that he had complained about the speeding and added that something needed to be done to curtail the speeders.

Hilda Testa, 1790 SW 139 Avenue, reiterated Ms. Kowal's and Mr. Brown's statements.

### 3.3 Davie/Cooper City Chamber of Commerce

John Rushing stated that WestFair was very successful and thanked the Town for its support. He recognized Special Projects Coordinator Bonnie Stafiej and Recreation Leader Anne Romano for their on-site assistance and thanked the volunteers who helped make the event a success.

Mr. Rushing advised that a Candidate's Night was held on March 4th and thanked Jones Intercable for airing the debate. He advised of upcoming events.

### 3.4 Brookwood - Bea Schwartz

This item was deferred to the March 19th Council meeting.

### 3.5 Greyhound Adoption Program - Debra Raskin

This item was deferred to the March 19th Council meeting.

### 3.6 Davie Water Advisory Board

David Brown, Board Chair, advised of the Board's activities. He advised that the Board was requesting approval on the implementation of a resident water/sewer inquiry form and requested that the other provider of utilities also utilize this form. Chair Brown indicated that the other providers would complete the form and fax the form to the Town and would also immediately notify the Town of any violations. Mayor Venis asked Mr. Webber to review the form and provide a report to Council at its next meeting.

### 3.7 Upcoming Special Events - Bonnie Stafiej and Sharon Pierce-Kent

Ms. Stafiej announced upcoming events: Annual Airboat Show (March 9th); Tack and Horses Auction (March 15th); Waterway Cleanup (March 22nd); and the Annual Egg Hunt at Robbins Lodge (March 29th).

Sharon Pierce-Kent, Director of Community Services, announced upcoming events: opening day of baseball season (March 8th); Ice Cream Social (March 17th); Spring Break Soccer Camp (March 27th - April 4th); National Pool and Waterpark Lifeguard Training Program (March 22nd and 29th), and installation of Open Space signs.

## 4. OPEN PUBLIC MEETING

This item was previously discussed.

## 5. OCCUPATIONAL LICENSES

### *Home Occupational Licenses*

5.1 Novel Publishing, Inc., 2190 SW 115 Terrace (deferred from February 19, 1997)

No action was taken on this item as the applicant was not present.

5.2 A Professional Billing Agency, Inc., 6050 SW 55 Place

Rosanne Pio, representing the applicant, was present. She confirmed that the request was for mail and phone use only.

Councilmember Bush made a motion, seconded by Vice-Mayor Cox, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; Councilmember Santini - out of room. (Motion carried 4-0)

5.3 Answertel Unlimited, 6050 SW 55 Place

Rosanne Pio, representing 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 Kiar, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; Councilmember Santini - out of room. (Motion carried 4-0)

5.4 Imagination Ent., 2985 SW 136 Avenue

Albert Hall, the applicant, was present. He confirmed that the request was for mail and phone use only.

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

5.5 Museum Quality, 1300 Danbury Avenue

No action was taken on this item as the applicant was not present.

## **6. COUNCILMEMBER COMMENTS**

### **COUNCILMEMBER BUSH**

**AQUACULTURE FACILITY.** Councilmember Bush stated that he attended the dedication of the aquaculture facility that was raising talapea. He explained that a defunct water facility was being used in partnership with Nova Southeastern University. Mr. Flatley announced that CNN would be providing television coverage of the facility on March 11th.

**FIRST PITCH.** Councilmember Bush stated that he threw out of the first pitch for girl's softball at Bill Gestner's Sports Complex.

**HORSESHOE TOSS.** Councilmember Bush advised that during the WestFair events, he and Mr. Flatley represented the Town in the horseshoe toss and were still undefeated.

### **VICE-MAYOR COX**

**AQUACULTURE FACILITY.** Vice-Mayor Cox recommended that tours be available for the residents.

**WESTFAIR.** Vice-Mayor Cox stated that WestFair was a successful and indicated that a Key to the City was given to Larry Mayhan, nine time World Rodeo Cowboy Champion and three time World Bullriding Champion.

**TRAILS.** Vice-Mayor Cox stated that a workshop with the residents of Oak Hill needed to be held regarding the trails but was unsure if Council or the Open Space Advisory Committee should participate.

### **COUNCILMEMBER SANTINI**

**EDUCATIONAL COMPLEXES.** Councilmember Santini thanked the educational complexes for their working relationship with the Town.

**SIDEWALK.** Councilmember Santini stated that she hoped that the sidewalk connection for the linear park and Robbins property would be completed by the following year

**WEDDING CHAPEL.** Councilmember Santini stated that she represented the Town at the ribbon cutting ceremony for a drive through wedding chapel. She advised that the second bride and groom were Town employees who drove through in a horse drawn carriage.

**WESTFAIR.** Councilmember Santini stated that the carnival lacked the country fair and she would be in charge

of this event the following year.

### **COUNCILMEMBER KIAR**

**DICK MARANT.** Councilmember Kiar stated that at the request of civic leaders, Council approved the police/fire/EMS facility be named in honor of Dick Marant.

**WESTFAIR.** Councilmember Kiar stated that he enjoyed WestFair and had volunteered to work.

**POLICE HONOR GUARD.** Councilmember Kiar stated that the Davie Police Honor Guard was the honor guard for the Miss America Pageant and traveled to the pageant at their own expense. He requested that the money saved in the purchase of trucks could be used to help defray the costs of the honor guard. Councilmember Kiar also suggested that the money saved be used to purchase a street sweeper.

**CANDIDATE'S NIGHT.** Councilmember Kiar congratulated the Davie/Cooper City Chamber of Commerce on its Candidate's Night and the four individuals who participated. He reinforced his endorsement of Mayor Venis and reminded everyone to vote.

### **MAYOR VENIS**

**BROWARD COUNTY SCHOOL BOARD.** Mayor Venis stated that the Broward County School Board was holding a special meeting on March 12th to receive public input on accountability, capital review, construction, technology, funding, administrative costs, the lottery and diversity. He indicated that he would be attending and thought it was important for the Town to participate in the forum.

**CAMPAIGNING.** Mayor Venis thanked the residents for their response while he was out campaigning.

**MISCELLANEOUS MATTERS.** Mayor Venis advised that the new flashing school light on Shenandoah Park was installed, however, the timing of the light needed to be extended to 8:45 a.m. He said that the Waterford Homeowner's Association had problems in the community stemming from entranceway curbing; broken equipment and maintenance problems in the park; graffiti inside the barbecue area; draining around the pool area off South Waterford Drive; and a cracked sidewalk on Stirling and Volunteer Roads. Mayor Venis asked Mr. Rawls to look into these issues.

**FIELDS.** Mayor Venis stated that the principal of Flamingo Elementary had advised that the new athletic field was almost completed and indicated that additional lights were needed on the fields.

**TREE CITY USA.** Mayor Venis stated that he had received a letter from the Department of Agriculture designating the Town as a Tree City USA.

**COMMUNITY DEVELOPMENT WEEK.** Mayor Venis stated that the County wanted the Town to proclaim March 24th - 30th as National Community Development Week.

**WILTON MANORS.** Mayor Venis stated that the City of Wilton Manors had asked the Town to participate in its 50th birthday celebration.

Mayor Venis advised that items 7.20 and 8.1 had been withdrawn by staff. He advised that item 7.6 needed to be tabled for two weeks.

Councilmember Kiar made a motion, seconded by Councilmember Santini, to table [item 7.6 to March 19, 1997]. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; Councilmember Santini - yes. (Motion carried 5-0)

## **7. CONSENT AGENDA**

### *Resolutions*

**7.1 SCHOOL DISTRICTING - A RESOLUTION OF THE TOWN OF DAVIE, R-97-75 FLORIDA, SUPPORTING A SENATE BILL BY SENATOR KEN JENNE WITH REFERENCE TO AN ACT RELATING TO DISTRICT SCHOOL BOARD ELECTION; REQUIRING CERTAIN SCHOOL DISTRICTS TO ELECT SCHOOL DISTRICT BOARD MEMBERS FROM SINGLE-MEMBER RESIDENCE AREAS; AS PRESENTED DURING THE 1997 LEGISLATIVE SESSION. (tabled from February 19, 1997)**

**7.2 RANKING OF ARCHITECTURAL SERVICES - A RESOLUTION OF THE R-97-76 TOWN OF DAVIE, FLORIDA, APPROVING THE RANKINGS FOR ARCHITECTURAL**

SERVICES TO DESIGN THE NEW POLICE AND FIRE/EMS FACILITIES AND AUTHORIZING THE TOWN ADMINISTRATOR OR HIS DESIGNEE TO NEGOTIATE A CONTRACT WITH THE HIGHEST RANKING FIRM.

**7.3 MITIGATION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-97-77 APPROVING A REQUEST FOR MITIGATION OF THE CODE ENFORCEMENT FINES IN CASE NO. 94-33 FROM \$12,500 IN AMOUNT TO \$1,000; AND PROVIDING AN EFFECTIVE DATE. (Interamerican Bank F.S.B.)

**7.4 MITIGATION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-97-78 APPROVING A REQUEST FOR MITIGATION OF THE CODE ENFORCEMENT FINES IN CASE NO. 94-366 FROM \$12,500 IN AMOUNT TO \$1,000; AND PROVIDING AN EFFECTIVE DATE. (Interamerican Bank F.S.B.)

**7.5 MITIGATION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-97-79 APPROVING A REQUEST FOR MITIGATION OF THE CODE ENFORCEMENT FINES IN CASE NO. 95-28 FROM \$12,000 IN AMOUNT TO \$2,000; AND PROVIDING AN EFFECTIVE DATE. (Rita Eva Gopman)

**7.6 MITIGATION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A REQUEST FOR MITIGATION OF THE CODE ENFORCEMENT FINES IN CASE NO. 96-249 FROM \$60,500 IN AMOUNT TO \$6,000; AND PROVIDING AN EFFECTIVE DATE. (Sterling Stores, Inc.)

**7.7 AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-97-80 RATIFYING AN AMENDMENT TO ARTICLE 16 ENTITLED PROMOTIONAL EXAMS OF THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE TOWN OF DAVIE AND THE FRATERNAL ORDER OF POLICE.

**7.8 BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING R-97-81 THE BID FOR CHLORINE, CO-OP BID 97-C-012F. (Allied Universal Corporation - \$46,899)

**7.9 BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING R-97-82 THE BID FOR CONVERSION OF A WATER TRUCK. (Rowland Equipment, Inc. - \$13,595)

**7.10 BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING R-97-83 THE BID FOR ASPHALT RECREATIONAL PATHS. (Terra Mar Construction)

**7.11 EXTENDING BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-97-84 EXTENDING THE BID FOR LASER PRINTING SERVICES. (First Image Management Company)

**7.12 WAIVING FORMAL BID** - A RESOLUTION OF THE TOWN OF DAVIE, R-97-85 FLORIDA, WAIVING FORMAL BIDDING AND ACCEPTING A QUOTE FOR SEVEN FORD RANGERS. (Koon's Ford - \$11,544.10/unit)

**7.13 FLEX LEASE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-97-86 AUTHORIZING A FLEX LEASE WITH INTERAMERICAN CAR RENTAL, INC., PIGGYBACKING THE CITY OF HOLLYWOOD BID 3423 TO LEASE VEHICLES FOR THE POLICE DEPARTMENT. (2 vehicles for a one year period in an amount not to exceed \$13,884)

**7.14 PURCHASE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-97-87 AUTHORIZING THE PURCHASE OF VEHICLE EMERGENCY EQUIPMENT SYSTEMS FROM FEDERAL SIGNAL CORPORATION, THROUGH STATE CONTRACT #070-00196-1 AND OMB POLICE SUPPLY THROUGH CO-OP BID #97-C013F FROM THE LAW ENFORCEMENT TRUST

FUND. (Federal Signal Corporation - \$10,644.64)

**7.15 AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-97-88 AUTHORIZING THE TOWN OF DAVIE TO ENTER INTO AN AGREEMENT BETWEEN HELLO FLORIDA AND THE TOWN OF DAVIE, FLORIDA FOR THE RENTAL OF THE BERGERON RODEO GROUNDS, OF DAVIE FLORIDA. (March 13, 1997; arena rental fee - \$500)

**7.16 CHANGE ORDER** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-97-89 AUTHORIZING THE MAYOR TO EXECUTE CONTRACT CHANGE ORDERS FOR BERGERON RODEO GROUNDS IMPROVEMENTS. (Change Order No. 1 - net increase of \$11,200; Change Order No. 4 - net increase of \$12,600)

**7.17 CONTRACT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-97-90 AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH ENVIROCON FOR THE CONSTRUCTION OF A WASTEWATER TREATMENT PLANT EXPANSION.

**7.18 RESTRICTIVE NOTE REVISION** - A RESOLUTION OF THE TOWN OF R-97-91 DAVIE, FLORIDA, AUTHORIZING A REVISION TO THE RESTRICTIVE NOTE OF THE "DAVIE - 39 STREET PLAT", AND PROVIDING AN EFFECTIVE DATE. (DG 2-6-97, 6550 SW 39 Street)

**7.19 TRAVEL** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-97-92 AUTHORIZING EXTENDED TRAVEL FOR PSA JAZMIN ESTRAVIT AND PSA JEFFREY YAEGER OF THE DAVIE POLICE DEPARTMENT. (\$710 - Police Service Aide Academy)

**7.20 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 JOLMY ENTERPRISES, INC. RELATING TO THE PROVISION OF A LIEN FOR THE SECURITY TO SECURE THE REQUIRED IMPROVEMENTS ASSOCIATED WITH THE ECONOMIC DEVELOPMENT GRANT RECEIVED BY THE TOWN OF DAVIE FOR INFRASTRUCTURE IMPROVEMENTS NECESSARY FOR THE JOLMY ENTERPRISES DEVELOPMENT; AND TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING THEIR SIGNATURES TO SAID AGREEMENT.

**7.21 AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-97-93 AUTHORIZING THE APPROPRIATE TOWN OFFICIALS TO EXECUTE AN INTERLOCAL AGREEMENT WITH THE SCHOOL BOARD OF BROWARD COUNTY, PROVIDING FOR AN EXCHANGE OF SUPPORT SERVICES TO THE E.A.S.E. FOUNDATION; AND PROVIDING AN EFFECTIVE DATE.

*Ordinances - First Reading (Public Hearing to be held on March 19, 1997)*

**7.22 TELECOMMUNICATIONS** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING CHAPTER 12 OF THE CODE OF ORDINANCES BY CREATING ARTICLE XV, ENTITLED "TELECOMMUNICATIONS TOWERS AND ANTENNAS", PROVIDING INTENT AND DEFINITIONS; PROVIDING MINIMUM STANDARDS FOR LOCATION AND APPROVAL OF TELECOMMUNICATIONS TOWERS; PROVIDING MINIMUM STANDARDS FOR LOCATION AND APPROVAL OF COMMUNICATIONS ANTENNAS; PROVIDING FOR SHARED USE OF COMMUNICATIONS ANTENNAS; PROVIDING FOR OCCUPATIONAL LICENSES; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

**7.23 EXTENDING SUSPENSION OF REVIEW OF SITE PLANS OR BUILDING PERMITS FOR SPECIAL RESIDENTIAL FACILITIES** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING ORDINANCE NOS. 96-29 AND 96-52 BY EXTENDING TO NOVEMBER 5, 1997, THE SUSPENSION OF REVIEW OF SITE PLANS OR BUILDING PERMITS FOR ANY AND

**ALL EXISTING OR PROPOSED SPECIAL RESIDENTIAL FACILITIES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

Councilmember Kiar asked that items 7.8, 7.12, 7.13, and 7.14 be removed from the Consent Agenda.

Town Clerk Reinfeld read the ordinances - first reading by title only. Mayor Venis advised that a public hearing on items 7.22 and 7.23 would be held on March 19, 1997.

Vice-Mayor Cox made a motion, seconded by Councilmember Santini, to approve without items 7.8, 7.12, 7.13 and 7.14. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; Councilmember Santini - yes. (Motion carried 5-0)

7.8 Councilmember Kiar questioned if only one bid was received. Mr. Hyman replied affirmatively and explained that only a few firms provided this service in the State of Florida. Councilmember Kiar questioned firms outside the State of Florida with Mr. Hyman replying that he would look into how far reaching the contract city's bid provided.

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

7.12 Councilmember Kiar stated that he was pleased that the Town received a better price which saved the Town approximately \$14,000. He indicated that he thought it was important to research other avenues than always utilizing the co-op contracts. Councilmember Kiar reiterated his previous comments regarding utilizing the savings for a street sweeper and to help defray the costs of the Police Honor Guard.

Councilmember Kiar made a motion, seconded by Vice-Mayor Cox, to allot \$2,000 to offset the Honor Guard's cost and that \$5,000 for the purchase of the sweeper. Councilmember Santini recommended that Budget and Finance Director Christopher Wallace review other items that the money could be utilized for. Councilmember Kiar agreed and withdrew his motion.

Councilmember Santini recommended that staff research local companies in the future.

Councilmember Kiar made a motion, seconded by Vice-Mayor Cox, to approve item 7.12. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; Councilmember Santini - yes. (Motion carried 5-0)

7.13 Councilmember Kiar questioned the bids received which Captain John George explained.

Councilmember Kiar made a motion, seconded by Councilmember Santini, to approve item 7.13. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; Councilmember Santini - yes. (Motion carried 5-0)

7.14 Councilmember Kiar questioned the bids received which Captain John George explained.

Councilmember Kiar made a motion, seconded by Councilmember Bush, to approve item 7.14. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - out; Councilmember Bush - yes; Councilmember Kiar - yes; Councilmember Santini - yes. (Motion carried 4-0)

**8. SITE PLANS**

8.1 SP 8-5-96, Carmax, 7420 State Road 84 (CC) *Planning and Zoning Division approved subject to the planning report; Site Plan Committee approved subject to the planning report and having the property screening wall in light gray*

This item was withdrawn earlier in the meeting.

8.2 SP 12-4-96, Office for James B. Pirtle Const. Co., Inc., 4740 Davie Road (B-2) *Planning and Zoning Division approved subject to the planning report; Site Plan Committee approved subject to the planning report and having the property screening wall in light gray*

James Pirtle, the petitioner, was present. Michele Mellgren, Director of Development Services, read the planning report.

Vice-Mayor Cox made a motion, seconded by Councilmember Kiar, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes;

Councilmember Santini - yes. (Motion carried 5-0)

Councilmember Santini clarified that this approval was subject to staff's recommendations. Vice-Mayor Cox and Mayor Venis replied in the affirmative.

## **9. PUBLIC HEARINGS**

### *Ordinances - Second and Final Reading*

**9.1 WARRANTY DEED - AN ORDINANCE OF THE TOWN OF DAVIE, 97-14 FLORIDA, ACCEPTING A WARRANTY DEED FROM PETER BALASKY CONVEYING CERTAIN PROPERTY FOR USE AS A PUBLIC RIGHT-OF-WAY; AND PROVIDING AN EFFECTIVE DATE. (11701 Orange Drive)**

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 vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; Councilmember Santini - yes. (Motion carried 5-0)

**9.2 REZONING - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, 97-15 CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM CR TO CC; AMENDING THE ZONING MAP OF SAID TOWN TO COMPLY THEREWITH; AND PROVIDING AN EFFECTIVE DATE. (ZB 11-5-96, 5400 South University Drive)**

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

### *Resolutions*

**9.3 COMPREHENSIVE PLAN AMENDMENT - A RESOLUTION OF THE TOWN R-97-94 OF DAVIE, FLORIDA, AUTHORIZING TRANSMITTAL OF PROPOSED AMENDMENTS TO THE TEXT, DATA, GRAPHICS, OBJECTIVES AND POLICIES OF THE TOWN OF DAVIE COMPREHENSIVE PLAN, IMPLEMENTING THE 1995 EVALUATION AND APPRAISAL REPORT AND REGULAR FIVE-YEAR UPDATE OF THE COMPREHENSIVE PLAN.**

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.

Vice-Mayor Cox asked if the Planning and Zoning Board's recommendation regarding the arterial roads and the traffic had been incorporated into the proposed amendments. Ms. Mellgren advised that neither the transportation element nor the housing element were being transmitted at this time. She indicated that staff would be working on these two elements and submitted to the Department of Community Affairs at a later date.

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

**9.4 REVISION TO FEE SCHEDULE - A RESOLUTION OF THE TOWN OF DAVIE R-97-95 REVISING AND ADDING TO THE FEE SCHEDULE FOR CERTAIN FACILITIES FOR THE COMMUNITY SERVICES DEPARTMENT.**

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 Santini questioned if there was a difference in fees for profit organizations versus non-profit

organizations. Ms. Pierce-Kent advised that there had not been a consensus by the Parks and Recreation Board to change the exemption of non-profit organizations. Councilmember Santini questioned the four hour labor fee after hours and asked if the facilities were open at night. Ms. Pierce-Kent responded that this fee related to certain facilities if staff were not present. Councilmember Santini stated that she did not think the Town should penalize the different organizations because staff did not work certain hours and indicated that the Town may need to change its scheduling. Ms. Pierce-Kent stated that the facilities were only closed on Saturday and Sunday nights. Councilmember Santini made a motion, seconded by Vice-Mayor Cox, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; Councilmember Santini - yes. (Motion carried 5-0)

**9.5 LOCAL HOUSING ASSISTANCE PROGRAM - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA ADOPTING THE LOCAL HOUSING ASSISTANCE PROGRAM ESTABLISHED PURSUANT TO THE STATE HOUSING INITIATIVES PARTNERSHIP ACT; AND PROVIDING AN EFFECTIVE DATE.** (a second public hearing is to be held on March 19, 1997)

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.

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

Mayor Venis closed the public hearing portion of the meeting.

## **10. REZONING**

10.1 ZB 12-2-96, Way of Life Assembly of God/Andreas Holding, Corp., 12100 State Road 84 (from R-3 to CF) (tabled from February 19, 1997) *Planning and Zoning Division denied; Planning and Zoning Board approved subject to having deed restrictions against certain uses being considered by staff and the petitioner to eliminate undesirable uses*

Joseph Casteleon, representing the petitioner, was present. Mayor Venis announced that the public hearing portion for this item had been held on February 19th and the only item for discussion by Council was the staff's report.

Ms. Mellgren read the staff's report.

Timothy Talbot, representing the property owners, stated that without this rezoning, Council was denying the property owner the right to sell the property.

Mr. Casteleon addressed Ms. Mellgren's report and indicated that the petitioner would provide, in writing, the retention of 37,600 square feet for development. He asked that Council reconsider its thoughts in reference to the rezoning of the property.

Dave Norris, representing the petitioner, discussed the request.

Mr. Webber advised that maintaining the property's existing zoning would not constitute a taking of any type. Ms. Mellgren displayed the comprehensive plan map, and advised of rezoning criteria and the traffic impact on the Village of Lake Pines.

Councilmember Santini indicated that she would prefer traffic from a church versus traffic from a residential area; however, her concern was with the loss of economic impact. Councilmember Kiar recommended that this issue be tabled until this information was available. Mr. Casteleon indicated that this would cause a problem with the closing timeframe. Mr. Norris asked that Council vote on this issue tonight.

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

## **11. DISCUSSION AND POSSIBLE ACTION**

11.1 City of Sunrise Ordinance - Shopping Center Leases

Mr. Flatley explained the City of Sunrise recently passed an ordinance which found that lease provisions which prohibited shopping center owners and landlords from releasing vacant bays to new tenants was an

unconscionable business practice. He indicated that this ordinance would be provided to the Economic Development Council for its review. Vice-Mayor Cox was concerned with becoming involved with private enterprise matters.

### 11.2 Council Representation on Selection Committee

Mr. Hyman advised that he had surveyed Broward County entities on including elected officials on selection committees. He stated that of the 19 entities surveyed, the County decided on a case-by-case basis; Ft. Lauderdale's Commission was given the option when the service was above \$250,000, however, this option was never accepted; and Wilton Manors' Commission was on the Committee, however, this was a small municipality without a purchasing or engineering department.

Councilmember Kiar stated that he thought the Town should utilize Ft. Lauderdale's method. Vice-Mayor Cox indicated that if a Councilmember had an interest in a particular item and wanted to sit on the Committee, she did not have a problem. Councilmember Santini asked if there was something which prohibited Council from sitting on the Committee. Mr. Webber replied negatively.

Councilmember Kiar indicated that he liked tonight's method of three presentations instead of Council being provided with only one company. Vice-Mayor Cox questioned if a monetary amount should be established before Council became involved. The consensus was that major items should be provided for Council's review.

**POLICE/FIRE/EMS FACILITY.** Vice-Mayor Cox stated that she would like to provide input on the lay out of the building and suggested that Council be interviewed on its wishes. Mr. Hyman indicated that he would provide this information to the architect and added that he would keep Council advised as to the design meetings.

### 11.3 Community Development Block Grant

Mr. Flatley advised that on October 1st, the Town would become an entitlement city for block grants. He asked that money not to exceed \$60,000 be appropriated from the 1997 general fund contingency. Mr. Flatley stated that the cost of the study that was required would be reimbursed by the federal government.

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

## 12. TOWN ADMINISTRATOR'S REPORT

### 12.1 Arena Contracts

Mr. Flatley advised that Council currently approved all arena rental contracts; however, the individuals who had responded to the request for proposal to privatize the arena's management were inquiring if all contracts would have to be approved by Council. Mayor Venis questioned who would be approving the contracts. Mr. Flatley responded that Council would be approving the management company and the company would approve the contracts based upon the parameters that were established. Mayor Venis was concerned that contracts would be denied which Council had approved in the past and wanted safeguards provided. Ms. Stafiej responded that certain events [ie, rodeos, WestFair, non-profit group functions] were written into the contract. She added that she would still be overseeing the arena's operation.

Vice-Mayor Cox suggested that Council review the process after six months or one year. She added that some events may not need to utilize the arena but could utilize the Bergeron Rodeo Grounds.

**RESOLUTION.** Mr. Flatley stated that a resolution needed to be added to the agenda with Mr. Rawls explaining the resolution.

Councilmember Santini made a motion, seconded by Councilmember Kiar, to add a resolution to the agenda as item 12.2. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; Councilmember Santini - yes. (Motion carried 5-0)

**12.2 A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, WAIVING FORMAL R-97-96 BIDDING AND ACCEPTING THE BID FROM L. W. ROZZO, INC. FOR THE LOADING AND HAULING OF FILL MATERIALS FOR THE ROBBINS OPEN SPACE PRESERVE AND PINE ISLAND PARK.**

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

**NATIONAL GUARD.** Councilmember Santini advised that the National Guard would help clear Pine Island if the Town asked.

**WESTFAIR COMMITTEE.** Vice-Mayor Cox asked if there was a problem with she and Councilmember Santini working on the same WestFair committee. Mr. Webber responded that there was not a problem as long as nothing from this committee came before Council. Vice-Mayor Cox questioned if there would be a problem if the discussion involved expenditure of Town funds. She added that if this was to occur, the meeting could be advertised. Mr. Webber replied that Council could not conduct the Town's business out of the sunshine, even if the matter was advisory.

**MIAMI HERALD RETRACTION.** Mayor Venis read a retraction from the Miami Herald regarding his receiving an individual campaign contribution of more than \$500; however, this was an expenditure.

### **13. ADJOURNMENT**

There being no objections or further business, the meeting was adjourned at 10:53 p.m.

