

**TOWN COUNCIL  
REGULAR MEETING  
APRIL 2, 1997  
7:00 P.M.**

**1. PLEDGE OF ALLEGIANCE**

The meeting was called to order at 7:00 p.m. by Mayor Venis and was followed by the Pledge of Allegiance.

**2. ROLL CALL**

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

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

**3. OPEN PUBLIC MEETING**

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

Kathleen Bleier, 3200 Old Hickory Court, invited Council to the Davie/Cooper City Chamber of Commerce membership breakfast being held on April 16th.

Linda Williams, 3653 SW 59 Avenue, presented Councilmember Cox with a plaque for her efforts in rebeautifying the Townhouses at Nova Condo #3 neighborhood.

**4. PRESENTATIONS**

**4.1 Under 12 Traveling Soccer Team**

This item was deferred to the April 16th Council meeting.

**4.2 Introduction of Davie Firefighter/Paramedics**

Fire Chief Michael Donati updated Council on the progress that the Fire Department had made on establishing cross trained firefighter/paramedics. He introduced Dr. Joseph Nelson, the Town's medical director, and Jose Rivera, the Town's EMS Coordinator. He also introduced the newly certified/licensed firefighter/paramedics: Lieutenant Dan Frost, Lieutenant Brian Nolte, Lieutenant Thomas Reifsnyder, Firefighter Robert Belizaire, Firefighter Patrick Brady, Firefighter Steven Clements, Firefighter Michael Crosse, Firefighter Rodrigo Gomez, Firefighter Allen Holzman, Firefighter Anthony Longo, Firefighter Michael Malvasio, Firefighter Rudy Marsala, Firefighter Wales Martindale, Firefighter Ed O'Brien, and Firefighter Dean Richards. Chief Donati advised that Lieutenant Ron Riggs, Firefighter Nelda Rubiera, and Firefighter David Dunn were unable to attend.

Chief Donati displayed the new department patch which was designed by Firefighter Rudy Napolitano, Jr., and provided patches to the Mayor/Council, Mr. Flatley and Dr. Nelson.

**4.3 Davie/Cooper City Chamber of Commerce**

Cara Pasquale, representing the Chamber, advised of upcoming events.

**4.4 Upcoming Special Events - Bonnie Stafiej and Sharon Pierce-Kent**

Bonnie Stafiej, Special Projects Coordinator, announced upcoming events: oldies concert (April 5th); Annual Bullriding Competition (April 12th); blue grass concert (April 12th); Annual Horse Tack and Auction Show (April 19th); Five Star Rodeo (April 25th - 26th); and 14th Annual Take-A-Kid Fishing Tournament (April 19th). Sharon Pierce-Kent, Director of Community Services, announced upcoming events: eastside community clean-up (April 5th); youth basketball registration (beginning April 21st); pool party (June 14th); recruiting teens to create a Teen Board; and Aquatic Awareness Month (every Saturday in April).

**5. OCCUPATIONAL LICENSES**

*Home Occupational Licenses*

### 5.1 Krystyna's Kreations, 4030 SW 106 Terrace

Gary Kaminski, the applicant, was present. He confirmed that the request was for mail and phone use only. Vice-Mayor Santini made a motion, seconded by Councilmember Cox, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - absent. (Motion carried 4-0)

### 5.2 Novel Publishing, Inc., 2190 SW 115 Terrace

Andrea Shahin, the applicant, was present. She confirmed that the request was for mail and phone use only. Councilmember Bush made a motion, seconded by Councilmember Cox, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - absent. (Motion carried 4-0)

### 5.3 Quality Splicing and Terminating, 14371 SW 23 Street

Thomas Petoskey, the applicant, was present. He confirmed that the request was for mail and phone use only. Vice-Mayor Santini made a motion, seconded by Councilmember Cox, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - absent. (Motion carried 4-0)

Mayor Venis announced that items 7.20 and 7.21 needed to be tabled to April 16, 1997.

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

Mayor Venis announced that items 9.4, 9.5 and 9.6 needed to be tabled to April 16, 1997.

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

## **6. MAYOR/COUNCILMEMBER COMMENTS**

### **COUNCILMEMBER BUSH**

**CLEANUP.** Police Chief Jack Mackie advised that a cleanup would be held in the Potter Park area on April 5th and a number of people had volunteered.

### **VICE-MAYOR SANTINI**

**COMMUNITY POLICING.** Vice-Mayor Santini stated that the community police officers had gone beyond the call of duty and had been involving the entire community in events. She congratulated the Police Department for its efforts.

**FIREFIGHTER/PARAMEDICS.** Vice-Mayor Santini congratulated the newly certified/licensed firefighter/paramedics and she thought it was the Town's final goal to become a full serviced town.

**SCHOLARSHIPS.** Vice-Mayor Santini stated that Dr. Glen Rose, Provost at Broward Community College, had provided 20 scholarships to attend the two week away camp. She added that she hoped the Town would consider providing funding for the College's Seahawk Camp.

**COLLEGE PARKING.** Vice-Mayor Santini stated that she and Mr. Flatley had met with officials from Florida Atlantic University, Florida International University, Broward Community College and University of Florida on the building of a parking garage.

**CONDOLENCES.** Vice-Mayor Santini extended her condolences to Chief Mackie on the passing of his wife.

### **COUNCILMEMBER COX**

**SPELLING BEE CHAMP.** Councilmember Cox congratulated Erin Condon on winning the Spelling Bee Championship and added that Miss Condon was a member of the South Florida Trailriders.

**CANAL CLEANUP.** Councilmember Cox thanked everyone who helped with the canal cleanup.

**PLAQUE.** Councilmember Cox thanked the residents from the Town Houses at Nova for the plaque but said that they deserved the plaque for providing the motivation.

## **COUNCILMEMBER KIAR**

Councilmember Kiar was absent.

## **MAYOR VENIS**

**SOUTH BROWARD UTILITIES.** Mayor Venis stated that he and Mr. Flatley had met with the residents of Waverly Hundred regarding the South Broward Utility plant. He indicated that another meeting was scheduled to be held within the next 45 days to provide answers to the residents.

**SCHOOL CONSTRUCTION MEETING.** Mayor Venis stated that Mr. Flatley and Councilmember Cox had attended a meeting with the Broward County School Board regarding the Board's position papers on school construction. He advised that another meeting had been scheduled for April 9th which he was going to try to attend.

**POLICE ATHLETIC LEAGUE BUILDING.** Mayor Venis stated that he had received a call from Mr. Engel from the American Legion regarding the plans for the building. Chief Mackie announced that a meeting with Mr. Engel had been scheduled for the following week.

**FLAGS.** Mayor Venis stated that he had met with individuals from VFW Post 1048 which had donated flags to the Town. He thanked the VFW for this contribution.

**REESE ROAD.** Mayor Venis asked for an update on the realignment of Reese Road with Assistant Town Administrator Robert Rawls provided.

## **7. CONSENT AGENDA**

### *Minutes*

7.1 March 3, 1997 - Tour Meeting

7.2 March 5, 1997 - Regular Meeting

7.3 March 19, 1997 - Regular Meeting

### *Proclamations*

7.4 National Aquatic Awareness Month - April

7.5 Mentoring Awareness Month - April

### *Resolutions*

7.6 **FORECLOSURES** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-97-112 AUTHORIZING THE APPROPRIATE ACTION TO PROCEED WITH FORECLOSURE ON CERTAIN SPECIAL MASTER LIENS AND/OR ADMINISTRATIVE FINES; AND PROVIDING AN EFFECTIVE DATE. (Case 96-461, Johnson; Case 96-490, Chase Manhattan Mortgage Corp.; Case 96-266, Stahl d/b/a C.D. Music and Video Connection)

7.7 **AMENDMENT TO CONTRACT** - A RESOLUTION OF THE TOWN OF R-97-113 DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT NUMBER 1 TO THE CONTRACT BETWEEN THE TOWN AND THE DEPARTMENT OF MANAGEMENT SERVICES. (Clarification of Section 4)

7.8 **ARCHITECTURAL SERVICES** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A TRI-PARTY CONTRACT WITH THE STATE OF FLORIDA, DEPARTMENT OF MANAGEMENT SERVICES, DIVISION OF BUILDING CONSTRUCTION AND SPILLIS CANDELA & PARTNERS, INC. FOR ARCHITECTURAL SERVICES.

7.9 **EXTENDING CONTRACT** - A RESOLUTION OF THE TOWN OF DAVIE, R-97-114 FLORIDA, EXTENDING THE CONTRACT FOR ELECTRICAL SERVICES. (Mills Electric Service, Inc. and Florida Electric Service Co., Inc.)

7.10 **EXTENDING CONTRACT** - A RESOLUTION OF THE TOWN OF DAVIE, R-97-115 FLORIDA, EXTENDING THE CONTRACT FOR CHAIN LINK FENCE. (Tropic Fence, Inc.)

**7.11 RENTAL AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, R-97-116 FLORIDA, AUTHORIZING THE TOWN OF DAVIE TO ENTER INTO AN AGREEMENT WITH THE GEHL GROUP FOR THE RENTAL OF THE BERGERON RODEO GROUNDS OF DAVIE, FLORIDA. (April 5, 1997; rental fee - \$1,000)

**7.12 RENTAL AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, R-97-117 FLORIDA, AUTHORIZING THE TOWN OF DAVIE TO ENTER INTO AN AGREEMENT WITH THE HOLLYWOOD DOG CLUB, INC. FOR THE RENTAL OF THE BERGERON RODEO GROUNDS OF DAVIE, FLORIDA. (April 9 - June 2, 1997; rental fee - \$780)

**7.13 USE PERMIT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-97-118 AUTHORIZING THE TOWN OF DAVIE TO ENTER INTO A USE PERMIT WITH THE BROWARD COUNTY PARKS AND RECREATION DIVISION. (Take-A-Kid Fishing Rodeo; April 19, 1997)

**7.14 WAIVER OF FEES** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-97-119 AUTHORIZING THE TOWN OF DAVIE TO WAIVE BALLFIELD PERMIT AND LIGHT FEES FOR THE PERIOD OF MAY-AUGUST, 1997 FOR THE DAVIE GIRLS SOFTBALL, INC. (\$5,720)

**7.15 SUMMER DAY CAMP** - A RESOLUTION OF THE TOWN OF DAVIE, R-97-120 FLORIDA, EXTENDING THE AGREEMENT WITH THE YMCA OF BROWARD COUNTY, FL, INC., FOR THE OPERATION OF A SUMMER DAY CAMP PROGRAM. (\$160/two week session for residents; \$200/two week session for non-residents; Town will receive 20% of the net income)

**7.16 ON-SITE BEFORE/AFTER SCHOOL CHILD CARE AND/OR SUMMER R-97-121 RECREATION PROGRAMS** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING AN ADDENDUM TO AN AGREEMENT BETWEEN THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA, WHICH IS A GOVERNING BODY OF THE SCHOOL DISTRICT OF BROWARD COUNTY, FLORIDA, AND THE TOWN OF DAVIE, A NON-PROFIT PROVIDER FOR BEFORE AND AFTER SCHOOL CHILD CARE AND/OR ON-SITE SUMMER RECREATION PROGRAMS. (through August 1, 1997)

**7.17 CITIZENS WAIVER COMPLAINT PROCEDURE** - A RESOLUTION OF THE R-97-122 TOWN OF DAVIE, FLORIDA, PROVIDING FOR THE ESTABLISHMENT OF PROCEDURES WITH RESPECT TO CITIZENS COMPLAINTS CONCERNING WATER QUALITY AND WATER SERVICE ISSUES; AND PROVIDING AN EFFECTIVE DATE.

**7.18 NOTIFICATION OF UTILITY VIOLATIONS** - A RESOLUTION OF THE R-97-123 TOWN OF DAVIE, FLORIDA, AUTHORIZING THE TOWN COUNCIL TO REQUIRE ANY UTILITY SERVING THE RESIDENTS OF DAVIE TO NOTIFY THE TOWN OF ANY VIOLATIONS; AND PROVIDING AN EFFECTIVE DATE.

**7.19 SUBDIVISION PLAT** - A RESOLUTION OF THE TOWN OF DAVIE, R-97-124 FLORIDA, APPROVING A SUBDIVISION PLAT AND AUTHORIZING THE MAYOR AND TOWN CLERK TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING THE MAYOR'S SIGNATURE AND THE TOWN SEAL TO SUCH PLAT; AND PROVIDING AN EFFECTIVE DATE. (P 10-1-96, Simonson Estates, southeast corner of SW 26 Street and SW 148 Avenue) *Planning and Zoning Division approved subject to the planning report; Planning and Zoning Board approved subject to the planning report*

**7.20 REVISION TO RESTRICTIVE NOTE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING A REVISION TO THE RESTRICTIVE NOTE ASSOCIATED WITH THE S & Z SUBDIVISION PLAT AND PROVIDING AN EFFECTIVE DATE. (DG 2-2-97, south side of State Road 84 approximately 1/2 mile east of University Drive)

**7.21 TRANSFER OF COMMITTED TRIPS** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR AND TOWN ADMINISTRATOR TO ENTER INTO AN AGREEMENT BETWEEN THE TOWN OF DAVIE, BROWARD COUNTY, FRANK AND GARY SHEAR, MARIO AND KARON ZACCO, AND CARMAX AUTO SUPERSTORES, INC., RELATING TO THE TRANSFER OF COMMITTED TRIPS BETWEEN CONTIGUOUS PLATTED PARCELS; TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING THEIR SIGNATURE TO SAID AGREEMENT.

**7.22 REVISION TO PLAT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-97-125 AUTHORIZING REVISIONS TO THE SCARBOROUGH I PLAT AMENDING THE NON-VEHICULAR ACCESS LINE, TURN LANE CONFIGURATIONS, AND BONDING REQUIREMENTS; AND PROVIDING AN EFFECTIVE DATE.

**7.23 NEW POLICE OFFICERS** - A RESOLUTION OF THE TOWN OF DAVIE, R-97-126 FLORIDA, AUTHORIZING EXTENDED TRAVEL FOR TEN NEWLY HIRED POLICE OFFICERS OF THE DAVIE POLICE DEPARTMENT. (183rd Broward Police Academy, April 7 - August 26, 1997; \$13,750)

Councilmember Cox asked that item 7.8 be removed from the Consent Agenda. Vice-Mayor Santini asked that item 7.16 be removed.

Councilmember Bush made a motion, seconded by Councilmember Cox, to approve the Consent Agenda without items 7.8 and 7.16. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - absent. (Motion carried 4-0)

7.8 Herb Hyman, Procurement Manager, explained revisions that had been made to the contract. Mr. Hyman, Tom Berley representing Department of Management Services, and Craig Kenyon representing Spillis Candela & Partners, Inc., explained the contract. After a lengthy discussion, Vice-Mayor Santini suggested that this item be tabled to allow for additional review. Council was in agreement.

Vice-Mayor Santini made a motion, seconded by Councilmember Bush, to table item 7.8 to April 16, 1997. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - absent. (Motion carried 4-0)

7.16 Ms. Pierce-Kent explained that the Town would only be providing a summer program at Silver Ridge Elementary School.

Vice-Mayor Santini made a motion, seconded by Councilmember Bush, to approve item 7.16. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - absent. (Motion carried 4-0)

## **8. SITE PLANS**

8.1 SP 11-5-96, Poinciana Parc, west of the northwest corner of SW 136 Avenue and Shenandoah Boulevard (PURD) *Planning and Zoning Division approved subject to the planning report; Site Plan Committee approved subject to the planning report; field adjusting proposed trees within the existing trees; adding a Cassia surattensis at 15 to 20 feet on center in the island where the jasmine and liriopse were proposed; deleting the areca palm hedge on the property line facing the FPL easement; substituting the periwinkle with one gallon day lilies; properly intermixing the coconut palms with the mahoganies; relocating plants numbered 52, 53, 54, and 55 to more appropriate areas; substituting the proposed poinciana at the entrance with a canary island date palm or multi trunk Phoenix reclinata with eight stems; having beds of Ixora nora grant around the queen palms in the sales area; bringing the wall around 40 feet in either direction of the sign to provide uniformity; substituting Ixora nora grants for the oleander; and planting seven gallon areca palms on the west side of the property at five to six feet high, four foot on center*

Courtney Callahan, representing the petitioner, was present. Walter Fluegel read the planning report.

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

Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - absent. (Motion carried 4-0)

## **9. PUBLIC HEARINGS**

Mayor Venis opened the public hearing portion of the meeting.

### *Ordinances - Second and Final Reading*

**9.1 CODE AMENDMENT** - AN ORDINANCE OF THE TOWN OF DAVIE, 97-18 FLORIDA, AMENDING CHAPTER 2, ARTICLE III OF THE TOWN CODE BY ADDING THERETO SECTION 2-41 ENTITLED "QUALIFYING DISTRICT BOUNDARIES"; ESTABLISHING FOUR GEOGRAPHICAL DISTRICTS FROM WHICH FOUR COUNCILMEMBERS SHALL QUALIFY; PROVIDING FOR SEVERABILITY; AND PROVIDING 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 Bush made a motion, seconded by Councilmember Cox, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - absent. (Motion carried 4-0)

Vice-Mayor Santini announced that because of recent the annexations, the Florida Atlantic University/Florida International University would be working on the redistricting. No objections were noted.

**9.2 CODE AMENDMENT** - AN ORDINANCE OF THE TOWN OF DAVIE, 97-19 FLORIDA, AMENDING CHAPTER 2, ARTICLE VII OF THE TOWN CODE ENTITLED "DEPARTMENTS" BY ADDING THERETO DIVISION 6, SECTIONS 2-310 THROUGH 2-311, CREATING A FINANCE DEPARTMENT AND PROVIDING FOR RESPONSIBILITIES OF THE DEPARTMENT; PROVIDING FOR SEVERABILITY; AND PROVIDING 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.

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

**9.3 CODE AMENDMENT** - AN ORDINANCE OF THE TOWN OF DAVIE, 97-20 FLORIDA, AMENDING CHAPTER 2, ARTICLE III OF THE TOWN CODE ENTITLED "TOWN COUNCIL" BY DELETING SECTIONS 2-36 ENTITLED "SALARY OF COUNCIL MEMBERS" AND 2-37 ENTITLED "SALARY OF MAYOR"; AND ADDING A NEW SECTION 2-36 ENTITLED "SALARY OF MAYOR AND COUNCILMEMBERS"; PROVIDING FOR A SALARY TO THE MAYOR AND COUNCILMEMBERS IN THE AMOUNT OF \$600.00 PER MONTH; PROVIDING FOR AN ANNUAL COST OF LIVING ADJUSTMENT; PROVIDING FOR SEVERABILITY; AND PROVIDING 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 Bush made a motion, seconded by Councilmember Cox, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - absent. (Motion carried 4-0)

### **9.4 STAFF REQUESTING A TABLING TO APRIL 16, 1997**

**VACATION** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, VACATING A PORTION OF ROAD RIGHT-OF-WAY FOR SW 75TH AVENUE AND SW 71ST TERRACE ADJACENT TO THE SOUTH 84 PLAT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (VA

12-2-96, 7420 State Road 84)

This item was tabled earlier in the meeting.

**9.5 STAFF REQUESTING A TABLING TO APRIL 16, 1997**

VACATION - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, VACATING A PORTION OF ROAD RIGHT-OF-WAY FOR SW 44 STREET WITHIN THE DAVIE CHAMBER OF COMMERCE SUBDIVISION PLAT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (VA 1-1-97, 5700 SW 44 Street)

This item was tabled earlier in the meeting.

**9.6 STAFF REQUESTING A TABLING TO APRIL 16, 1997**

REZONING - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM B-3 TO B-3; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB 12-1-96, 1100 SW 101 Avenue)

This item was tabled earlier in the meeting.

*Quasi Judicial Proceedings*

**9.7 VARIANCE - V 1-1-97**, David Posnack Hebrew Day School/Jewish Federation of Broward County, 5850 South Pine Island Road (CF) (tabled from March 19, 1997) (to reduce the required number of parking spaces from 521 parking spaces to 463 parking spaces) *Planning and Zoning Division approved; Planning and Zoning Board approved*

Mr. Webber explained the rules concerning the admission of evidence. Town Clerk Reinfeld swore in the witnesses. Mr. Webber asked if anyone would be speaking in opposition to the variance. No one spoke. Michele Mellgren, Director of Development Services, summarized the request.

An unidentified man, representing the petitioner, was present.

Mr. Webber asked if anyone wished to provide testimony on the vacation. No one spoke.

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

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

**9.8 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 March 19, 1997) *Planning and Zoning Division approved; Planning and Zoning Board approved subject to the planning report*

No one was sworn in. Gayle Easterling, Planning and Zoning Manager, summarized the request.

An unidentified man, representing the petitioner, was present.

Mr. Webber stated that the public hearing was closed.

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

**10. ORDINANCE - FIRST READING (Public Hearing to be held on April 16, 1997)**

**10.1 VACATION - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, VACATING RECREATIONAL PATH EASEMENTS LOCATED WITHIN THE BUCKRAM OAK FARM PLAT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (VA 1-2-96A, 3001 Nob Hill Road)**

Town Clerk Reinfeld read the ordinance by title. Mayor Venis advised that a public hearing on this item would be held on April 16, 1997.

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

Mayor Venis closed the public hearing.

## **11. APPOINTMENTS**

### **11.1 Broward County League of Cities Voting Delegate and Alternate**

Councilmember Bush nominated Councilmember Kiar as Voting Delegate with Councilmember Cox seconding the nomination. Vice-Mayor Santini nominated Councilmember Bush as Voting Alternate with Councilmember Cox seconding the nomination. In a voice vote, with Councilmember Kiar being absent, all voted in favor.

### **11.2 Davie Water Advisory Board (exclusive appointment by Mayor Venis; term expires December 1997) Mayor Venis appointed Tom Green.**

### **11.3 Unsafe Structures Board (4 non-exclusive appointments - plumbing contractor, engineer, real estate broker, general building contractor; terms expire April 2000)**

Vice-Mayor Santini made a motion, seconded by Councilmember Cox, reappointing Ron Tomecek and Daniel Lavrich. Council indicated that the other two appointments would be made in two weeks. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - absent. (Motion carried 4-0)

### **11.4 Community Redevelopment Agency (exclusive appointment by Councilmember Santini; term expires April 2001)**

Councilmember Santini reappointed Neal Kalis.

## **12. DISCUSSION AND POSSIBLE ACTION**

### **12.1 Old Davie School Update**

Mr. Flatley asked approval for the School's Executive Director, Mary Delborella, to purchase tables and chairs and added that this expenditure would be repaid to the Town under a 36 month payment agreement.

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

Mr. Flatley announced that the Second Annual Helicopter Ball Drop would be held on May 9th. He added that Flamingo Elementary School would receive a two hour program at the Old Davie School on April 16th.

Vice-Mayor Santini asked if someone had purchased the doll house which was a replica of the Old Davie School. Councilmember Cox responded affirmatively and added that the man who purchased the doll house had donated it to the Old Davie School for a future fundraiser.

Councilmember Cox stated that she thought the building in front of the Old Davie School would be demolished in the spring of 1998.

Mr. Flatley advised that Ms. Delborella was asking for approval for a proposed lease agreement [provided in the Council packet].

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

### **12.2 Second Annual Tree Discount Program**

Mr. Flatley announced that this program would be held May 3rd through May 10th and added that the event would be advertised in the Community News and the Davie Update.

### **12.3 Arena Management Update**

Mr. Flatley advised that three companies had submitted request for proposals to manage the arena. Mr. Hyman questioned if Council wanted to sit on the selection committee, if proposals should be made directly to Council or if the regular staff selection committee should proceed. Vice-Mayor Santini indicated that she liked the method of

Council hearing an abbreviated final presentation. Councilmember Cox indicated that she was comfortable with staff making the selection with Council making the final decision. Mr. Hyman added that Council always had final approval by approving the resolution. After a brief discussion, it was decided that the three companies would each provide a 15 minute presentation to Council on April 16th beginning at 6:00 p.m.

**RESOLUTION.** Mr. Flatley advised that a resolution needed to be added to the agenda as item 12.4. Councilmember Cox made a motion, seconded by Vice-Mayor Santini, to add a resolution as item 12.4. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - absent. (Motion carried 4-0)

**12.4 A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, SUPPORTING THE R-97-127 AREA AGENCY ON AGING OF BROWARD COUNTY WHICH PROVIDES SERVICES FOR ELDERLY RESIDENTS IN OUR COMMUNITY**

Mr. Flatley explained the resolution and indicated that the request for \$13,302.

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

**RESOLUTION.** Mr. Flatley advised that a resolution needed to be added to the agenda as item 12.5. Councilmember Cox made a motion, seconded by Councilmember Bush, to add a resolution as item 12.5. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - absent. (Motion carried 4-0)

**12.5 A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, SUPPORTING THE STARTING PLACE WHICH PROVIDES COUNSELING SERVICES FOR CHILDREN, ADOLESCENTS AND ADULTS WITH SUBSTANCE ABUSE AND ADDICTION PROBLEMS**

Mr. Flatley advised that the request was for \$7,500. Vice-Mayor Santini asked that this item be deferred to the next meeting to determine what other organizations had requested funds. After a brief discussion, Mr. Flatley advised that figures should be available by the April 16th Council meeting.

Vice-Mayor Santini made a motion, seconded by Councilmember Bush, to table [to April 16, 1997]. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - absent. (Motion carried 4-0)

**13. TOWN ADMINISTRATOR'S REPORT**

**13.1 Pending Legislative Bills for Council Consideration**

Mr. Flatley stated that the Ranches bill continued to undergo significant revisions and the Town would need to provide a resolution of confirming or denying its support. He added that there was another bill that was going through the House and Senate regarding the provision of exemptions for EMS assessments for religious institutions, and elementary, middle and high schools; however, the bill was recently amended to add that the municipality had to desire the exemptions. Mr. Flatley stated that a third bill authorized a university resource fee that may be expended for the construction of parking facilities; however, this appeared to be dying. A brief discussion followed on the possibility of charging for parking.

**PROTECTED U-TURN.** Mr. Flatley advised that a letter from Broward County had been received agreeing to a protected U-turn phase at the Griffin and Dykes Roads intersection. He said that if Council agreed, staff would move forward. No objections were noted.

**14. ADJOURNMENT**

There being no objections or further business, the meeting was adjourned at 9:21 p.m.

