

**TOWN COUNCIL
REGULAR MEETING
JUNE 18, 1997**

1. PLEDGE OF ALLEGIANCE

The meeting was called to order at 5:00 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, Cox and Kiar. Also present were Town Administrator Flatley, Assistant Town Attorney Hinden, and Town Clerk Reinfeld recording the meeting.

3. PRESENTATIONS

3.1 Presentations by Construction Managers for the Police/Fire/EMS Facility (expected duration - 5:00 p.m. to 7:00 p.m.)

Herb Hyman, Procurement Manager, explained the procedure.

A presentation was made by James Pirtle and his associates, representing James B. Pirtle Construction. Questions were raised by Council and answered by the presenter.

A recess was taken at 5:40 p.m. and the meeting reconvened at 5:55 p.m.

A presentation was made by David Sillars and his associates, representing Hardin Construction. Questions were raised by Council and answered by the presenter.

A recess was taken at 6:30 p.m. and the meeting reconvened at 6:40 p.m.

A presentation was made by James Cummins and his associates, representing James A. Cummins Construction. Questions were raised by Council and answered by the presenter.

Mr. Hyman distributed, and explained, a ranking sheet for Council to complete with the lowest total becoming the highest rank firm. Upon receipt of the sheets, he advised that the final rankings being James A. Cummins Construction (5), James B. Pirtle Construction (11), and Hardin Construction (14). Mr. Hyman indicated that staff would negotiate with James A. Cummins, Construction and he hoped to have a contract for Council's review at the July 2nd meeting.

3.2 1997 Florida College Student of the Year

Mayor Venis presented Kimara March with a certificate.

3.3 1997 Award for Excellence

Mayor Venis advised that Waste Management had sponsored the Award for Excellence presentations and several Town students were honored. He advised that certificates were being presented to Lewis Auerhahn, Jessica Bleier and Amy Treco.

3.4 Reward - Chief of Police Jack Mackie

Chief Mackie announced that Charles Medlin was given a \$500 reward for reporting theft of Town property which resulted in the Town obtaining a conviction and the stolen item being returned. Chief Mackie encouraged all citizens to report theft of Town property to the Police Department.

3.5 Susan DeSantis, Customer Relations Supervisor - Fifteen Years

Mayor Venis presented Ms. DeSantis with a service award.

3.6 Michael Panariello, Police Officer - Fifteen Years

Officer Panariello was not present.

3.7 James Bunce, Driver Engineer - Twenty Years

Mayor Venis presented Driver Engineer Bunce with a service award.

3.8 Upcoming Special Events - Bonnie Stafiej and Mark Dornacker

Bonnie Stafiej, Special Projects Coordinator, announced upcoming events included the 5 Star Rodeo (June 27th - 28th) and July 4th activities (July 4th).

Mark Dornacker, Community Services Athletic Supervisor, announced upcoming events: summer drop-in camp (beginning June 23rd); basketball practice (beginning June 14th); softball tournament (June 21st - 22nd); adult softball scholarship tournament (beginning in July); and football and cheerleading camp (July 7th - 10th). He provided statistics on the recreation program.

Chief Mackie advised that the Community Services Department and Davie Girls Softball, Inc., held a tournament on June 6th - 8th. He indicated that he had received a number of positive comments on this tournament and recommended that the Town continue its efforts to build sports fields to allow children to be involved in organized sports activities.

Rick Kieser, representing the Boy Scouts, presented Council with plaques for their participation at the Memorial Day events.

Senator Howard Forman was present and indicated that it was a pleasure to work with, and to serve, the Town. Vice-Mayor Santini stated that help was needed in the fight on school overcrowding.

3.9 Community Redevelopment Agency

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

3.10 Land Use Impact Analysis/Graphics

Christopher Wallace, Director of Budget and Finance, explained that this report was to identify the current land use mixes and to find out what impact this had on the financial capabilities and taxes. Mr. Flatley announced that the Economic Development Committee had formally approved the report. Mr. Wallace explained the report with discussion following.

Mr. Flatley indicated that input was received from various levels of Town departments. Councilmember Bush thanked staff for their input. Mayor Venis and Councilmember Kiar also thanked staff.

Vice-Mayor Santini made a motion, seconded by Councilmember Kiar, to approve the Land Use Impact Analysis. 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 - yes. (Motion carried 5-0)

Mayor Venis announced that item 7.7 needed to be tabled to July 2, 1997.

Councilmember Kiar made a motion, seconded by Councilmember Bush, to table to July 2, 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 - yes. (Motion carried 5-0)

Mayor Venis announced that item 7.13 needed to be tabled to August 6, 1997.

Councilmember Kiar made a motion, seconded by Vice-Mayor Santini, to table to August 6, 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 - yes. (Motion carried 5-0)

Mayor Venis announced that an item needed to be added to the agenda as item 11.1.

Vice-Mayor Santini made a motion, seconded by Councilmember Cox, to add. 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 - yes. (Motion carried 5-0)

4. MAYOR/COUNCILMEMBER COMMENTS COUNCILMEMBER BUSH

DAVIE DOLPHIN NIGHT. Councilmember Bush announced that the Third Annual Davie Dolphin Night was held on June 12th which was well attended.

VICE-MAYOR SANTINI

POOL. Vice-Mayor Santini stated that ten Brazilians utilized the Pine Island Community Center pool to train for a competition Hawaii.

SCHOLARSHIPS. Vice-Mayor Santini stated that 100 Swim America scholarships were awarded to children within the Town.

OLD DAVIE SCHOOL. Vice-Mayor Santini recommended that parties and dances be held at the Old Davie School.

FLAMINGO ELEMENTARY SCHOOL. Vice-Mayor Santini stated that Council attended a ribbon cutting ceremony for the new athletic field.

JULY 4TH. Vice-Mayor Santini reminded everyone to attend the Town's events and indicated that private funds had been obtained to pay for the events.

COUNCILMEMBER COX

TREE DISCOUNT PROGRAM. Councilmember Cox stated that 165 trees had been sold at discount prices to the Town's residents. She thanked all the nurseries and residents who participated in the program.

SCHOOL COOPERATION. Councilmember Cox stated that Council worked hard to cooperate with the schools to bring better services to the children.

COUNCILMEMBER KIAR

HAPPY BIRTHDAY. Councilmember Kiar wished his son and daughter, Martin and Casey, a happy birthday.

FLAMINGO ELEMENTARY SCHOOL. Councilmember Kiar stated that Mayor Venis caught the first pitch at the grand opening.

COMPLAINTS. Councilmember Kiar stated that he had received complaints on speeding dump trucks on Shotgun Road and asked Chief Mackie to place an officer in this area.

KEEP DAVIE BEAUTIFUL PROGRAM. Councilmember Kiar stated that he and Councilmember Cox toured District 3 and handed out T-shirts for the Keep Davie Beautiful program.

SPEEDERS. Councilmember Kiar asked that there be selective traffic enforcement on 30th Street.

BROOKWOOD. Bea Schwartz thanked Council for its gift to Brookwood. She also thanked Public Relations Coordinator Susan Dean for the article that was published and Councilmember Cox on the furniture donation.

GOLF CLASSIC. Councilmember Kiar thanked everyone who participated in the Hope Outreach golf classic.

MAYOR VENIS

CONGRATULATIONS. Mayor Venis congratulated Vice-Mayor Santini on being a recipient of the American Woman Society of Certified Public Accountants annual award.

FLAMINGO ELEMENTARY SCHOOL. Mayor Venis stated that Council attended the dedication of the new athletic field and indicated that it was a team effort. He advised that an oak tree had been dedicated in the memory of Barbara Murray who had been a teacher at the School for 18 years.

BINGO. Mayor Venis stated that he had called the numbers for the seniors at the Ivanhoe Community Center and thanked the seniors for the invitation.

SOUTH BROWARD UTILITIES. Mayor Venis stated that he would be meeting with the mayors from Pembroke Pines and Sunrise regarding the water plant. He indicated that he would provide a report of the results to Council.

CONGRATULATIONS. Mayor Venis congratulated Captain John George who would be graduating from the Federal Bureau of Investigation's National Academy. He also congratulated Anthony Hernandez who became an Eagle Scout on June 14th.

ADOPT-A-HIGHWAY. Mayor Venis stated that he and Assistant Town Administrator Robert Rawls formally dedicated the Adopt-A-Highway sign on Boy Scout Road to the Boy Scouts.

5. CONSENT AGENDA

Minutes

5.1 June 4, 1997 - Regular Meeting

Resolutions

5.2 AMENDMENT TO LOCAL HOUSING ASSISTANCE PLAN - A RESOLUTION OF THE R-97-208 TOWN OF DAVIE, FLORIDA, APPROVING AN AMENDMENT TO THE 1996-1998 LOCAL HOUSING ASSISTANCE PLAN FOR THE STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) PROGRAM; AND PROVIDING AN EFFECTIVE DATE.

5.3 REVISING CLASS SPECIFICATIONS - A RESOLUTION OF THE TOWN OF DAVIE, R-97-209 FLORIDA, REVISING THE CLASS SPECIFICATIONS FOR POLICE SERVICE AIDE AND POLICE SERVICE AIDE (SPECIAL ASSIGNMENT) IN THE FEDERATION OF PUBLIC EMPLOYEES, WHITE COLLAR UNIT TO BE IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT.

5.4 CREATING CLASS SPECIFICATION - A RESOLUTION OF THE TOWN OF DAVIE R-97-210 FLORIDA, CREATING THE CLASS SPECIFICATION FOR FIRE TRAINING OFFICER IN THE NON-REPRESENTED PAY AND CLASSIFICATION PLAN TO BE IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT.

5.5 CREATING AND REVISING CLASS SPECIFICATION - A RESOLUTION OF THE R-97-211 TOWN OF DAVIE, FLORIDA, CREATING THE CLASS SPECIFICATION FOR DEPUTY FIRE CHIEF AND REVISING THE CLASS SPECIFICATIONS FOR FIRE CHIEF, BATTALION CHIEF AND EMS OPERATIONS COORDINATOR IN THE NON-REPRESENTED PAY AND CLASSIFICATION PLAN TO BE IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT.

Ordinances - First Reading (Public Hearing to be held July 2, 1997)

5.6 CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF DAVIE, SECTION 12-34, ENTITLED, "STANDARDS ENUMERATED," PARAGRAPH (A), "ADULT FACILITIES," ELIMINATING THE TERM "HEAD SHOP" AND DIRECTLY REGULATING THE SALE OF PARAPHERNALIA THAT IS ASSOCIATED WITH ILLICIT DRUG USE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

5.7 CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING ARTICLE VIII, SIGNS, LIGHTING, SECTION 12-238(A), PROVIDING FOR FREESTANDING SIGN DESIGN STANDARDS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

5.8 CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING ARTICLE X, PLANNING AND DEVELOPMENT, SECTIONS 12-302, 12-303, 12-304, 12-306 AND 12-307, REVISING A SUBMITTAL DEADLINE; REVISING PUBLIC NOTICE AND APPLICATION SUBMITTAL REQUIREMENTS; PROVIDING FOR AN ADDITIONAL TOWN COUNCIL REVIEW CRITERION FOR LAND USE PLAN AMENDMENT AND REZONING APPLICATIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

5.9 CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING SECTION 12 OF THE CODE OF DAVIE ENTITLED, "REQUIREMENTS FOR OFF-STREET PARKING", BY ADDING SECTION 12-208(A)(5)(a) ENTITLED "COMMERCE CENTER"; AND PROVIDING AN EFFECTIVE DATE.

Town Clerk Reinfeld read the ordinances-first reading by title only. Mayor Venis advised that a public hearing on

items 5.6 through 5.9 would be held on July 2, 1997.

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

11.1 A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE BID FOR UV R-97-214 PROTECTION SCREEN SHADES.

Councilmember Santini explained the resolution.

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 - yes. (Motion carried 5-0)

6. SITE PLAN

6.1 SP 3-3-97, Lil' Rascals Academy, 6550 SW 39 Street (B-2) *Planning and Zoning Division approved subject to the planning report; Site Plan Committee approved subject to the planning report, the addition of wood texture and colored concrete walkways, replacing the Ligustrum with 48-inch high Podocarpus, planted three-feet center, and providing a sample of the vinyl siding Council's consideration*

Mark Saltz, representing the petitioner, was present. Gayle Easterling, Planning and Zoning Manager, read the planning report. Discussion followed.

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

7. PUBLIC HEARINGS

Mayor Venis opened the public hearing.

Ordinance - First Reading (Public Hearing to be held July 2, 1997)

7.1 LAND USE PLAN AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING APPLICATION LABC 96-2, AMENDING THE TOWN OF DAVIE COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE PLAN MAP DESIGNATION OF CERTAIN LANDS FROM "RESIDENTIAL 5 D.U./ACRE" TO "COMMERCIAL" AND "RESIDENTIAL/OFFICE"; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (tabled from June 4, 1997) (LA BC 96-2, Sunnyslakes Land Use Amendment, Griffin Road at the Turnpike)

Town Clerk Reinfeld read the ordinance by title.

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

Dick Coker, representing the petitioner, was present.

Mr. Hinden explained the rules concerning the admission of evidence. Mr. Hinden swore in the witnesses.

Ms. Mellgren explained the ordinance.

Mr. Hinden closed the public hearing.

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

Ordinances - Second and Final Reading

7.2 CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, 97-31 AMENDING THE TOWN CODE BY AMENDING SECTION 9-25(b)(1) REGARDING LOCATION OF TRASH RECEPTACLES; 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 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 - yes. (Motion carried 5-0)

7.3 CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, 97-32 AMENDING SECTIONS 12-238(H) AND 12-242, CREATING SUBSECTION 12-242(G), PERMITTING HORIZONTAL ROOFTOP SIGNS AND PROVIDING FOR PERMITTED LOCATIONS AND PERFORMANCE STANDARDS; 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 Cox stated that the section explaining the permitted location included east of Davie Road and she did not believe this to be correct. She said that the area should be from Davie Road to University Drive and from Orange Drive to Nova Drive.

Vice-Mayor Santini made a motion, seconded by Councilmember Bush, to approve with the adjustment. 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 - yes. (Motion carried 5-0)

7.4 WARRANTY DEED - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, 97-33 ACCEPTING A WARRANTY DEED FROM K2 DEVELOPMENT, LTD. CONVEYING CERTAIN PROPERTY FOR USE AS A PUBLIC RIGHT-OF-WAY; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

(3000 block of University Drive, generally known as the Rolling Hills Commercial development)

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 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 - yes. (Motion carried 5-0)

7.5 VACATION - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, VACATING A 97-34 PORTION OF RIGHT-OF-WAY FOR SW 136 AVENUE AND RIGHT OF WAYS LOCATED ADJACENT TO THE NORTHEAST 1/4 OF SECTION 27, TOWNSHIP 50 SOUTH, RANGE 40 EAST; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (VA 4-1-97, 14001 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 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 - yes. (Motion carried 5-0)

7.6 VACATION - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, VACATING A 97-35 24' ACCESS EASEMENT SHOWN WITHIN THE DAVIE-39 STREET PLAT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (VA 4-3-97, 6550 - 6590 SW 39 Street)

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 - yes. (Motion carried 5-0)

7.7 STAFF REQUESTING A TABLING TO JULY 2, 1997

LAND USE PLAN AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING APPLICATION LABC 96-2, AMENDING THE TOWN OF DAVIE COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE PLAN MAP DESIGNATION OF CERTAIN LANDS FROM "RESIDENTIAL 5 D.U./ACRE" TO "COMMERCIAL" AND "RESIDENTIAL/OFFICE"; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (LA BC 96-2, Sunnyslakes Land Use Amendment, Griffin Road at the Turnpike)
This item was tabled earlier in the meeting.

Resolution

7.8 FEE SCHEDULE - A RESOLUTION OF THE TOWN OF DAVIE REVISING AND R-97-212 ADDING TO THE FEE SCHEDULE FOR CERTAIN SPORTS AND RECREATION ACTIVITIES 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 Kiar 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 - yes. (Motion carried 5-0)

Quasi Judicial Hearings

7.9 VACATION/ABANDONMENT - VA 4-2-97, Town of Davie, Westpark Boulevard between Fairfax and Greaton Avenues (to vacate a portion of right-of-way known as West Park Boulevard) (tabled from May 21, 1997) *Planning and Zoning Division approved; Planning and Zoning Board approved*

Mr. Hinden reviewed the presentation of evidence. As staff were the only witnesses, Mr. Hinden swore staff in for the remaining items. Ms. Easterling summarized the planning report and offered the planning report into evidence.

Mr. Hinden asked if anyone wished to provide testimony in favor of or opposition to the vacation/abandonment. No one spoke.

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

Councilmember Kiar made a motion, seconded by Councilmember 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)

7.10 VARIANCE - V 3-1-97, Broward County Housing Authority, 4881 Griffin Road (RM-10) (to reduce the required landscape buffer adjacent to Griffin Road from 20 feet to 0 feet; to reduce the required front setback from 25 feet to 5 feet) (tabled from May 21, 1997) *Planning and Zoning Division approved subject to the planning report; Planning and Zoning Board approved subject to the submitted landscape plan*

Ms. Easterling summarized the planning report and offered the planning report into evidence.

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

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

Councilmember Cox made a motion, seconded by Vice-Mayor Santini, to approve subject to staff recommendations. 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)

7.11 VARIANCE - V 3-2-97, Aucamp/Letto, 13201 SW 16 Street (A-1) (to reduce the required rear yard from 40 feet to 20 feet) (tabled from May 21, 1997) *Planning and Zoning Division approved; Planning and Zoning Board approved*

Mr. Hinden swore in the witnesses. Ms. Easterling summarized the planning report and offered the planning report into evidence.

An unidentified man (Jim Aucamp), representing the petitioner, indicated that he was in agreement with staff.

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

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

Vice-Mayor Santini indicated that Mr. Aucamp was her client and questioned if she should abstain from voting. Mr. Hinden asked Vice-Mayor Santini if she had a financial interest with the variance being approved with Vice-Mayor Santini replying negatively. Mr. Hinden indicated that Vice-Mayor Santini did not need to abstain from voting.

Vice-Mayor Santini 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)

Mr. Aucamp indicated that he paid a \$930 fee for a variance request and if HE HAD waited to obtain his permits for the house, the permit would have only been \$400. He asked if he could have the difference towards his permits. Ms. Mellgren explained that the cost of the variance was for a single family developed lot versus an undeveloped lot. Council was in concurrence that there should not be a difference in cost.

7.12 VARIANCE - V 4-2-97, Furia/Digital Comm Link, Inc., 10450 State Road 84 (CC) (to increase the height for an existing tower from 160 feet to 200 feet; to increase the height of a new tower from 150 feet to 250 feet; to reduce the separation from 750 feet to 50 feet) *Planning and Zoning Division approved subject to the planning report; Planning and Zoning Board approved subject to the applicant's voluntary stipulation*

Mr. Hinden swore in the witnesses. Ms. Mellgren read the planning report and stated that the following documents were to be included into the record: the application, the subject site map, planning report, and an aerial. She offered the planning report into evidence.

An unidentified man (Mr. Furia), representing the petitioner, was present and explained the location of the tower. Mr. Hinden asked if anyone wished to provide testimony in favor of or opposition to the variance.

Dean Alexander, 13820 SW 16 Street, spoke in favor.

Michael Davenport, 14041 SW 22 Place, spoke in favor.

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

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 Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

7.13 VARIANCE - V 4-3-97, Jeffery Gross Associates, Architects/Hulmes, Trustee, 4320 SW 64 Avenue (B-2) (to reduce the minimum lot depth from 200 feet to 120.53 feet; to reduce the required open space ratio from 30% to 20%; to reduce the required landscape strip from 4 feet to 3.2 feet along the north property line) *Planning and Zoning Division approved subject to the planning report; Planning and Zoning Board approved subject to the planning report*

This item was tabled earlier in the meeting.

7.14 VARIANCE - V 4-4-97, Fairbanks, 8860 Lake Park Circle North (PRD 3.6) (to reduce the required rear setback for a screen enclosed patio from 10 feet to 2.2 feet) *Planning and Zoning Division subject to the planning report; Planning and Zoning Board approved*

Mr. Hinden swore in the petitioner. Ms. Easterling summarized the planning report and offered the planning report into evidence.

Jerry Fairbanks, the petitioner, was present and explained the request.

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

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

Councilmember Kiar made a motion, seconded by Councilmember 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)

7.15 VARIANCE - V 4-8-97, Shapiro, 7276 SW 44 Court (PRD 6.6) (to reduce the required setback from 50 feet to 20 feet adjacent to Orange Drive) *Planning and Zoning Division approved subject to the planning report; Planning and Zoning Board approved*

Mr. Hinden swore in the petitioner. Ms. Easterling read the planning report and stated that the following

documents were to be included into the record: the application, the subject site map, planning report, and an aerial. She explained the location of the property and offered the planning report into evidence.

An unidentified man (Mr. Shapiro), the petitioner, was present and explained the request. Discussion followed on the request and landscaping.

Mr. Hinden asked if anyone wished to provide testimony in favor of or opposition to the variance. No one spoke. Mr. Hinden stated that the hearing was concluded and Council could deliberate.

Councilmember Cox 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)

7.16 SPECIAL PERMIT- SE 4-1-97, Furia/Digital Comm Link, Inc., 10450 State Road 84 (CC) (to increase the maximum diameter of satellite dish antennae from 37 feet (existing) to 43 feet; to allocate a new telecommunication tower) *Planning and Zoning Division approved subject to the planning report; Planning and Zoning Board approved subject to the petitioner's voluntary stipulation*

Mr. Hinden swore in the petitioner. Ms. Easterling summarized the planning report and offered the planning report into evidence.

An unidentified man (Mr. Furia), the petitioner, was present.

Mr. Hinden asked if anyone wished to provide testimony in favor of or opposition to the variance. No one spoke. Mr. Hinden stated that the hearing was concluded and Council could deliberate.

Councilmember Kiar made a motion, seconded by Councilmember 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)

7.17 SPECIAL PERMIT- SE 4-2-97, Hurley/Shapiro, 3500 Peaceful Ridge Road (A-1) (to allow a dude ranch and boarding stable pursuant to Town Code) *Planning and Zoning Division subject to the planning report; Planning and Zoning Board denied*

Councilmember Kiar disclosed that he had spoken with Mr. Bergeron, Mr. Shapiro, and Mr. Cerola.

Councilmember Cox disclosed that she had spoken with Joyce Steward, Phyllis Kowal, and Mr. Bergeron and indicated that she had received a letter from Imperial Electric Lighting. Vice-Mayor Santini disclosed that she had also received a letter from Imperial Electric Lighting. Councilmember Bush disclosed that he had spoken with Mr. Bergeron. Mayor Venis disclosed that he had spoken with Mr. Bergeron and had met with Mr. Shapiro, Mr. Hurley and Ms. Steward. He added that he had also received a letter from Imperial Electric Lighting.

Mr. Hinden swore in the witnesses.

Mr. Hinden advised that due to the number of speakers, the public testimony should be limited to two minutes. In a voice vote, Council voted in favor of the two minute limit.

Ms. Mellgren read the planning report and stated that the following documents were to be included into the record: the application, the subject site map, planning report, and an aerial. She distributed an additional aerial which showed the access to Robbins Lodge and the tree buffers around the eastern portions of the site which she offered into evidence.

Ms. Mellgren advised that one concern raised by the residents at the Planning and Zoning Board meeting regarded the number of horses allowed on the site. She explained that the Code allowed four horses per acre in residential developments in R-1, A-1, and AG and added that the petitioner had offered to voluntarily restrict the number of horses to an equal number of horses. She added that another concern dealt with traffic which the petitioner had agreed to voluntarily stipulate that any access or directions provided would be via Flamingo Road and not through the interior of other neighborhoods. Ms. Mellgren indicated one concern dealt with traffic on 121st and if this request should be approved, the petitioner would be required to provide a site plan concerning parking and activities. She stated that at this time, staff would work with the petitioner to obtain orientation concerning equestrian and vehicular traffic to orient toward the southern edge of the site. Ms. Mellgren indicated that a fourth concern was the impact of the individuals who rent horses and rode on the Ridge property purchased with Town funds. She added that one solution was to establish a franchise fee agreement so that anyone who profited by using Town property (i.e. bike rental concession, organized hiking group, riding, etc.) would pay a fee to the Town which could be placed in the maintenance program. Ms. Mellgren advised that the petitioner had agreed to work with the appropriate people to designate certain trails which could be used.

Mr. Hinden explained the rules concerning the admission of evidence.

An unidentified man (Mr. Hurley), the petitioner, was present and distributed information regarding the ranch's history and its activities, the location site, a traffic count estimate and a photograph of his current property. Mr. Hinden accepted the evidence into record and indicated that some of the information distributed was probably hearsay and should be considered as such.

Mr. Shapiro explained the request. During the explanation, Mr. Hurley advised that he had agreed to widen 36th Court if needed and to install a guard rail if needed. Mr. Hurley had also agreed that if there was a brochure, he would put in the directions to utilize the light by Flamingo Gardens.

Mr. Hinden asked Mr. Hurley if he had seen the staff report and the stipulations placed on their recommendation of approval. Mr. Hurley replied affirmatively and indicated that he was in agreement.

Mr. Hinden asked if anyone wished to provide testimony in favor of the special permit. The following individuals spoke in favor:

Brenda Hacker, 1032 NW 105 Avenue - Plantation.

P.J. Maher, 16238 Emerald Cove Road - Weston.

Amy Sisholtz, Pembroke Pines.

Patricia Eileen Clawsen, 20907 #255 Leeward Court - Aventura.

Diane Pence, 13240 SW 32 Court - Davie.

Phyllis Kowal, 14491 SW 24 Court - Davie.

Richard Nielsen, 15062 SW 13 Place - Sunrise.

Dave Chechila, 15461 Dover Court - Davie.

Ellen Morslimco, 3232 NW 123 Terrace - Sunrise.

Happy Alter, 2800 Paddock Road - Weston.

Omar Ortiz, 4710 SW 10 Street - Plantation.

Tiffany LaCreek, 11960 Brim Way - Cooper City.

Diana Holt, 4851 SW 128 Avenue - Ft. Lauderdale.

Charlie Fernandez, Plantation Acres.

Adriana Cronin, 11960 Brim Way - Cooper City

Debbie Apolinario, 2940 SW 148 Avenue - Davie, spoke in favor and expressed her concerns.

Bill Sirola, 2681 SW 155 Lane - Davie.

Michele Welter, 6371 Hood Street - Hollywood.

Bonner Griner, 2675 SW 121 Terrace - Davie.

Dan Salcedo, 20117 SW 54 Place - Ft. Lauderdale.

Judy Paul, 14421 SW 24 Street - Davie, spoke in favor and expressed her concerns.

Mr. Hinden asked if anyone wished to provide testimony in opposition to the special permit.

Jeff Price, 3301 SW 118 Terrace - Davie, spoke in opposition and provided pictures of Mr. Hurley's property which Mr. Hinden indicated could be entered into evidence.

Maurice Mercer, 12030 SW 32 Street - Davie.

Mary Tahmassebi, 12020 SW 32 Street - Davie. Mr. Hurley asked Ms. Tahmassebi on the type of septic system on her property which Ms. Tahmassebi replied that it was septic and there was a well on the property. Mr. Hurley asked if the well was polluted by the septic system in which Ms. Tahmassebi replied "obviously".

Tom Tahmassebi, 12020 SW 32 Street - Davie.

Pete Williams, 12050 SW 32 Street - Davie.

Roy Diaz, 12041 SW 32 Street - Davie. Mr. Hurley asked how much of Peaceful Ridge Road would Mr. Diaz have to travel on if he traveled from SW 32 Street. Mr. Massa replied that it would be a short distance and indicated that he had seen nothing that would prevent people from traveling on 26th to Peaceful Ridge Road.

Danny Massa, 3320 SW 118 Terrace - Davie. Mr. Hurley asked Mr. Massa where he lived with Mr. Massa replying that he lived on the cul-de-sac next to Mr. O'Quinn's property. Mr. Hurley questioned the zoning on Mr. Massa's property who indicated that he did not know; however, the audience indicated it was R-1.

Lud O'Quinn, 3320 SW 121 Avenue - Davie.

An unidentified woman (Linda Altschuler, 11640 SW 37 Court - Davie).

Linda Williams, 12050 SW 32 Street - Davie.

Micki Kuhlmann, 12010 SW 32 Street - Davie.

Nancy McGoron, 3300 SW 118 Terrace - Davie.

Michael Davenport, 14041 SW 22 Place, advised that the concerns mentioned at the Planning and Zoning Board meeting included: 1) the traffic pattern out of 36th Court making only a left turn; 2) hayrides did not belong on Peaceful Ridge Road as there was no shoulder; and 3) Robbins property was extremely sensitive and the route onto the property should be limited. He discussed his concerns.

Mr. Hurley addressed Mr. Price's comments and the pictures that were submitted. He indicated that if guardrails and road widening were required, he would do so.

Councilmember Kiar asked if a guardrail be beneficial. Assistant Town Administrator Robert Rawls responded that this site would require correction of the access deficiency by widening the pavement to allow a minimum of two vehicles to pass on a paved surface and a guardrail section on the north side. He indicated that an alternative requirement would be to fill the canal and widen the road to the north.

Discussion followed on utilizing the Robbins property for commercial uses. Councilmember Cox indicated that the Town needed to develop a management plan for the Town's Open Space property which the Open Space Advisory Committee had embarked upon. She added that franchise fees and controls needed to be included in the management plan. Councilmember Cox recommended that Council direct the Town Attorney's Office to develop language to allow the Town to obtain fees and agreements to control the activity. Mr. Hurley reaffirmed that he was willing to meet with the Town on where the trail riding activities could be conducted. He indicated that as long as the fee was charged to all commercial operation and the fee was reasonable, he would pay the fee. Mr. Hinden advised that the Town could require a user fee and the Town could grant non-exclusive franchises for use of the trail system and other Open Space sites. He indicated that the motion could include that the special permit would be granted upon execution of a franchise agreement after the appropriate ordinance had been established.

Councilmember Cox questioned the number of horses Mr. Hurley had. Mr. Hurley replied that he had 30 of his own horses, 9 ponies and 17 borders. He indicated that he did not anticipate ever increasing to the 80 horses that were permitted. Councilmember Cox questioned Mr. Hurley's insurance in which Mr. Hurley replied that he was self-insured.

Councilmember Cox discussed the pictures that Mr. Price had submitted and indicated that she hated to see the road widened and was reluctant to pave the road. She advised that she would prefer that Mr. Hurley bond for the road widening and then wait 6 to 12 months to determine if widening was needed. Councilmember Cox asked if a special permit was tied to the property or to the owner with Mr. Hinden replying that the special permit was tied to the owner.

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

Councilmember Cox indicated that she felt that the petitioner should bond for the road improvements and then conduct a traffic study. She agreed with staff's four recommendations with bonding for the road and guardrail.

Councilmember Cox stated that another caveat would be for staff to draft a franchise agreement and when the site plan was prepared, the residences would be located on the north end of the property with the more intense activities located on the south side. She added that traffic should use 36th Court and use as little of Peaceful Ridge Road as possible. Mr. Hurley indicated that these conditions were acceptable. Vice-Mayor Santini indicated that she was in favor of this request with Mr. Hurley's acceptance. Mayor Venis indicated that he agreed with the bond for the road improvements.

Councilmember Bush indicated that he had a problem with the request as the petitioner had not responded to the residents who lived near by and the request was premature. He added that he was voting against the request.

After further discussion, Councilmember Cox made a motion, seconded by Vice-Mayor Santini, to approve subject to the number of horses being restricted to four per acre; that the petitioner bond for the construction of SW 36th Court to a width of 20 to 22 feet from Flamingo Road to SW 121st Avenue; that the petitioner bond for the construction of a guardrail along the north side of 36th Court adjacent to the canal; after the Town had the opportunity to study the impacts of the traffic on the road, the Town may ask the petitioner to do these improvements; that the advertising information and brochures direct traffic to the facility via SW 36th Court from Flamingo Road and not use 26th Street or SW 121st Avenue as a public access to the best of the petitioner's ability; that the petitioner participate willingly with the execution of a franchise agreement when the Town generated the ordinances that spoke to the franchise agreement if the petitioner wanted to use the Robbins Lodge property and the Town's trail for his public trail rides; and when the petitioner prepared his site plan, the site plan seek to restrict the more intense activity on the site to the southern portion of the property. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - no; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 4-1)

The meeting recessed and then reconvened at 12:25 a.m.

7.18 **REZONING** - ZB 3-1-97, Kalis/McHugh, 7550 Griffin Road (from A-1, B-1 and B-2; to B-3) (tabled from May 21, 1997) *Planning and Zoning Division approved; Planning and Zoning Board approved subject to voluntary deed restrictions as amended*

Mr. Hinden swore in one witness. Councilmember Kiar advised that he had received a call from Colleen Wittcop. Ms. Mellgren read the planning report and stated that the following documents were to be included into the record: the application, the subject site map, planning report, an aerial, conceptual master plan and proposed use restrictions. She explained staff's recommendations.

An unidentified man (Neal Kalis), representing the petitioner, explained the request and the discussions held with the neighbors. Mr. Kalis advised that the voluntary deed restrictions had been agreed to and the petitioner had also agreed to the following primary uses on the overall property: convenience store, machine shop, free standing lounge not including restaurant where alcoholic beverages were served, vehicle/boat/truck repair major, and car and truck sales and rental. He added that the petitioner had also agreed to expend up to \$4,000 to design, permit fees and construction of an entry monument feature that would identify the Griffin Park Estates community and the feature would be installed to the south of the petitioner's driveway with the understanding that: 1) the petitioner was agreeable to providing an easement acceptable to the Town for the entry monument on the west side of 74th Terrace; 2) the homeowner's would be responsible for obtaining the necessary easement for a monument on the east side; 3) the homeowner's would be responsible for drafting an easement from the homeowner; 4) the monument would be placed on the site plan as long as the approval process was not delayed; and 5) the petitioner would provide a buffer which included a two foot berm with a six foot chain link fence and a hedge with whatever plant materials were required.

Mr. Hinden asked the individual who was sworn in to testify.

Colleen Wittcop, 4781 SW 74 Terrace, advised that the residents would support the B-3 zoning and indicated that the residents would like the agreements discussed made part of the site plan. Ms. Wittcop questioned who would carry the liability on the monument on the east side and advised that she agreed with Mr. Kalis' representations.

Mr. Kalis stated that the homeowners would be responsible for the liability. He indicated that the petitioner was offering to provide the monument, however, the monument would be turned over to the residents.

Ms. Mellgren indicated that Mr. Kalis had previously mentioned additional deed restrictions on uses as primary uses and she was not comfortable with the word primary uses. She suggested that Council consider deed restricting just the use and not primary or otherwise. Ms. Mellgren discussed her concerns with the loading dock with discussion following. Councilmember Cox indicated that she did not like the location of the loading dock and indicated that she would like to see a signed agreement from the neighbors regarding the berm and landscaping. Mr. Kalis indicated that he did not think it was fair to his client to obtain an agreement when he had agreed to a wall. He discussed the loading dock and indicated that trucks had been parking in the same area for many years probably before the residences were built. Mr. Kalis added that this condition had existed on the property for over 20 years. Councilmember Cox explained her concerns and recommended that the building be turned and the loading dock be placed on the west side of the building. Discussion followed with Ms. Mellgren recommending that the loading dock be removed from the conceptual master plan and leave it for a site plan issue which was agreeable to Mr. Kalis.

Councilmember Kiar asked Ms. Wittcop if an agreement had been reached. Ms. Wittcop replied that she never actually saw the plan and had been told that there were no exits off Griffin Road as the only entrance/exit would be off 74th Terrace. She added that the residents did not want any entrance/exit off 74th Terrace. Mr. Kalis indicated that at the Planning and Zoning Board meeting, the actual construction plans for the road had been presented which included two entrances into the property from Griffin Road which had been explained. He added that the only way to have turning movement was off 74th Terrace. Mr. Kalis added that this was also explained to Ms. Wittcop in his office. Mr. Hinden agreed that these discussions had taken place.

Vice-Mayor Santini questioned if this item should be tabled as it appeared that the request was not ready for Council's action.

Ms. Mellgren indicated that her request to remove the loading dock from the conceptual master plan was not a wise move as "it was at issue" and recommended that this be left on the plan but not at the location indicated.

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

After a brief discussion regarding a tabling, Councilmember Kiar made a motion, seconded by Vice-Mayor Santini, to table to July 16, 1997 [items 7.18 and 9.1]. Town Clerk Reinfeld asked if this motion also included a tabling for the ordinance first reading [item 9.1]. Mayor Venis replied affirmatively. 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)

7.19 LAND USE PLAN AMENDMENT - LA BC(SS) 97-4(A), Westwind Contracting, Inc., 11800 State Road 84 (from Residential 5 du/ac to Commerce-Office) *Planning and Zoning Division approved; Planning and Zoning Board approved subject to voluntary deed restrictions*

Mr. Hinden swore in the witnesses. Jeff Katims, Planner, read the planning report and stated that Council had: the application, the subject site map, planning report, and an aerial. He added that staff had prepared an economic impact analysis and he highlighted the analysis.

Leigh Kerr, representing the petitioner, was present and indicated that the petitioner fully supported the staff's report as well as the analysis. He explained the request and displayed a conceptual plan. Mr. Kerr asked that time be reserved for him to speak after the public hearing and added that the petitioner had committed to restricting the uses as staff recommended. Mr. Hinden stated that the only way to lock in the proposed site plan was through some type of deed restriction; however, the petitioner could deed restrict himself to a certain site plan. He added that should the property be sold, the new owner would be limited to the specific conceptual site plan. Mr. Kerr indicated that the petitioner would commit to meeting the Town Code on the site plan. Ms. Mellgren stated that a building could be a maximum of 45 feet with the land use. Mr. Kerr advised that the petitioner was committing to a limit of 16 feet.

Mr. Hinden asked if anyone wished to provide testimony in favor of the land use plan amendment.

The following individuals spoke:

Bill Ferrante, Davie Economic and Development Council.

Michael Davenport, 14041 SW 22 Place.

Mr. Hinden asked if anyone wished to provide testimony in opposition to the land use plan amendment.

Don Larivee, 11873 SW 8 Court.

Que Sharmarm, 118th Terrace.

Alec Messeroff, 807 SW 119 Way.

Mark Probin, 820 SW 118 Terrace.

Kim Probin, 820 SW 118 Terrace

Dave Levine, 814 SW 119 Way.

Mark Friedman, 11857 SW 8 Court.

Mary-Lynne Gorelick, 836 SW 118 Terrace

Beth Bassin, 831 SW 118 Terrace.

Anthony Turiano, 775 SW 119 Way.

Tom Scherrer, 822 SW 118 Terrace.

Anette Dupes, 11866 SW 8 Court.

Mr. Kerr introduced Tom Wachtstetter, a real estate appraiser, who addressed the value issues mentioned by the residents. Mr. Kerr discussed the concerns of the residents regarding retail sales, tax assessment and buffering. He added that the roof could be a pitched tile roof and the area thickly landscaped which he offered as a voluntary deed restriction. Mr. Kerr indicated that there had been concerns regarding the location of the dumpsters which would be at the mid-points of the building which he would stipulate to.

Vice-Mayor Santini questioned the entrance and recommended that the petitioner provide a separate "entrance out" to the Village of Lake Pine. Mr. Kerr advised that the traffic would be utilizing State Road 84 and entering/exist the petitioner's site. Mayor Venis clarified that the petitioner had represented that there would be no traffic through the Village of Lake Pine in which Mr. Kerr concurred.

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

Councilmember Kiar stated that he appreciated what the petitioner was trying to accomplish; however, several years ago, the residents had made it clear that they wanted the area to remain residential. Vice-Mayor Santini stated that the residents were most important, however, the residents needed to be able to afford to live in the Town. She indicated that this meant that the Town needed to retain the commercial zonings and industrial developments along the corridors.

Vice-Mayor Santini made a motion, seconded by Councilmember Bush, to approve item 7.19 subject to the restrictions mentioned during the meeting. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - no; Councilmember Kiar - no. (Motion carried 3-2)

Mayor Venis closed the public hearing portion of the meeting.

8. RESOLUTION

8.1 LAND USE PLAN AMENDMENT - A RESOLUTION OF THE TOWN OF DAVIE, R-97-213 FLORIDA, AUTHORIZING TRANSMITTAL OF A LAND USE PLAN AMENDMENT TO THE BROWARD COUNTY PLANNING COUNCIL WITH APPROPRIATE RECOMMENDATIONS; AND PROVIDING FOR AN EFFECTIVE DATE. (LA BC(SS) 97-4(A), 11800 State Road 84)

Town Clerk Reinfeld read the resolution by title.

Councilmember Cox made a motion, seconded by Councilmember Bush, to approve the transmittal. 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 - yes. (Motion carried 5-0)

9. ORDINANCE - FIRST READING (Public hearing to be held July 2, 1997)

9.1 REZONING - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM A-1, B-1, AND B-2 TO B-3; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB 3-1-97, 7550 Griffin Road)

This item was tabled earlier in the meeting.

10 APPOINTMENTS

10.1 Unsafe Structures Board (non-exclusive appointment - plumbing contractor, term expires April 2000)

Town Clerk Reinfeld advised that William Ganz was interested in being appointed to the Board. In a voice vote, all voted in favor.

10.2 Designation of Voting Delegate, Florida League of Cities, Inc. (August 21-23, 1997)

Vice-Mayor Santini nominated Councilmember Bush with Councilmember Cox seconding the nomination. There were no other nominations. In a voice vote, all voted in favor.

11. DISCUSSION AND POSSIBLE ACTION

No presentations were made.

12. TOWN ADMINISTRATOR'S REPORT

No report was provided.

13. ADJOURNMENT

There being no objections or further business, the meeting was adjourned at 2:24 am.

