

**TOWN COUNCIL
REGULAR MEETING
MARCH 4, 1998**

1. PLEDGE OF ALLEGIANCE

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

2. ROLL CALL

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

3. OPEN PUBLIC MEETING

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

Richard Weiner discussed the upcoming elections and encouraged people to vote on March 10th.

Judy Paul (14421 SW 24 Street) stated that she was anxious to serve the Town's residents and discussed the upcoming elections. She indicated that the Safety Summit would occur on March 7th and invited everyone to come out.

Ms. Paul stated that bald Eagles had been sited in the Town.

Ms. Paul indicated that she was concerned with the Town's Personnel Rules and Regulations which limited Freedom of Speech.

John Pisula stated that the Davie Educational Scholarship Fund committee had been working with Nova Southeastern and Broward Community College to get the fund "up and running". He indicated that he was running for election as his family was concerned with the Town's growth. Mr. Pisula advised that he was hoping that the Town could put pressure on the Broward County School Board for additional schools and Charter schools.

Dean Alexander discussed the upcoming elections and a lot of residents were concerned with the 25% surcharge on Sunrise water. He commended Council for taking a stand and the residents were behind Council.

Bruce Novak (4262 SW 78 Drive) thanked Council for attending the Crimestoppers Ball and he thanked Mayor Venis for traveling to Tallahassee on the surcharge issue. He hoped that the Town's Emergency Medical Services (EMS) worked out and he was concerned with bids. He discussed the proposed Poinciana Park development which he was impressed with.

"Moose" Wetzle, 8371 SW 41 Court, distributed a letter to Council and expressed his concerns on the firefighter's union leadership with attention being on more money and better benefits for the union membership. He discussed the firefighter's wish to assume EMS responsibilities.

Al Tyler, 8090 SW 19 Court, discussed employees participating in politics and discussed the previous speaker's comments.

Don Zane (14840 SW 21 Street) thanked the Davie Merchants Association for holding a Candidates Night on February 17th and read a letter that he had submitted to the Sun Sentinel.

Sandy Switzer (13510 SW 29 Street) discussed the "dirty" politics for the upcoming election and the recent mailings which tried to instill "abject fear" into the Town's residents regarding the Town's EMS system.

Debbie McKeever, 3485 Southwood Court, discussed her neighborhood concerns regarding mailings concerning the Town's EMS system and asked that the mailings stop.

Phyllis Kowal, 14491 SW 24 Street, wished Councilmember Kiar farewell and appreciated his years of service. She indicated that there was a problem in the Oak Hill area with campaign signs being torn down.

Michael Davenport, 14041 SW 22 Place, stated that it was the will of the people as to the composition of Council.

Joy Yoder, 12610 SW 10 Manor, discussed the upcoming Safety Summit and thanked the Fraternal Order of Police Associates. She invited everyone to attend the Summit on March 7th.

4. PRESENTATIONS

4.1 WestFair

Bonnie Stafiej, Special Projects Coordinator, announced the upcoming events being held during WestFair.

4.2 Western High School Band

Earlier in the meeting, Michael Davenport stated that the Band had been selected to compete in the Band of America National Competition in Indianapolis the following week. He advised that only 16 schools nationwide had achieved this honor. The Band provided self-introductions and a musical presentation.

4.3 Davie Teachers of the Year

Vice-Mayor Santini announced the Teachers of the Year and provided Certificates of Appreciation to: Diana Keesler, Davie Elementary; Judith Feinman, Hawkes Bluff Elementary; Thomas M. Baggot, Indian Ridge Middle; Carol Lyn Brody, Nova Center, Dwight D. Eisenhower Elementary; Judith Howell, Nova Center - Middle Level; Amy Bass, Nova Center - Upper Level; and Susan Darville, Silver Ridge Elementary. She advised that the following Teachers of the Year were not able to be in attendance: Brooke Lochrie, Nova Center - Blanche Forman Elementary; Mary Smith, McFatter Vocational and Technical School; and Beverly Mattox, Flamingo Elementary.

4.4 Budget Advisory Committee Update

John Pisula, Committee member, provided an update on the Committee's endeavors.

4.5 Davie/Cooper City Chamber of Commerce

Cara Pasquale, President, advised of the events that the Chamber was planning. She invited Council to share a float with the City of Cooper City for Cooper City's Founders Parade.

4.6 Upcoming Special Events - Sharon Pierce-Kent and Bonnie Stafiej

Sharon Pierce-Kent, Community Services Director, announced that upcoming events included an Ice Cream Social and Bingo (March 9th) and a St. Patrick's Day Luncheon (March 17th). She indicated that spring break programs would be provided to children ages 6 to 12 as public schools would be closed for the holidays.

Ms. Stafiej advised that upcoming events included: Airboat Show (March 15th); Waterway Clean Up Day (March 21st); Concert in the Park (March 22nd); Five Star Professional Rodeo (March 27th - 28th); Potters Park Free Address/Smoke Detector Program (March 28th) and Concert on the Green (March 28th).

Vice-Mayor Santini thanked Ms. Stafiej for her work with the WestFair events.

4.7 Update on Capital Projects

Earlier in the meeting, Assistant Town Administrator Robert Rawls provided a history of the Capital Projects and gave an update on the Town's efforts. Council thanked Mr. Rawls for his efforts.

Mayor Venis announced that the Fraternal Order of Police Associates would be holding its Annual Spaghetti Dinner and Auction on March 28th.

5. OCCUPATIONAL LICENSES

5.1 E & M Lawn Service, 14451 SW 24 Street (tabled from February 18, 1998)

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

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)

5.2 Waive Occupational License Fee for Sidewalk Sales during WestFair (February 28 to March 8, 1998)

Mr. Flatley explained that this waiver of fee would encourage the downtown businesses to take advantage of individuals attending the WestFair activities.

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

Mayor Venis announced that items 9.1, 9.2, 10.3, and 10.7 needed to be tabled to March 18, 1998.

Councilmember Kiar made a motion, seconded by Councilmember Cox, to table [to March 18, 1998]. 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 10.8 needed to be tabled to May 20, 1998.

Councilmember Bush made a motion, seconded by Councilmember Cox, to table [to May 20, 1998]. 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. MAYOR/COUNCILMEMBER COMMENTS

COUNCILMEMBER BUSH

GRAND OPENING. Councilmember Bush stated that he had attended a grand opening of Growers Ford which was now located on Davie Road. He added that Florida Radio recently moved across the street from Growers Ford.

CONGRATULATIONS. Councilmember Bush congratulated his wife, Helen, for passing her State Real Estate exam.

COUNCILMEMBER KIAR. Councilmember Bush wished Councilmember Kiar the best in his running for a seat on the Broward County School Board.

VICE-MAYOR SANTINI

ELECTIONS. Vice-Mayor Santini encouraged everyone to vote on March 10th.

PILOT PROGRAM. Vice-Mayor Santini stated that a new trash cart pilot program was implemented in different areas of the Town and asked for the resident's feedback.

SPEED HUMPS. Vice-Mayor Santini stated that many of the concerns in the Shenandoah area were with the increase in traffic because of new apartments near the City of Sunrise. She asked Mr. Rawls to look into speed humps on Shenandoah Parkway.

LUNCHEON. Vice-Mayor Santini stated that several Councilmembers attended the Senior Italian Luncheon at Pine Island Community Center.

WESTFAIR. Vice-Mayor Santini indicated that WestFair was going on for a total of ten days and discussed some of the events.

GROUND BREAKING. Vice-Mayor Santini advised that Council attended the Davie Road Beautification groundbreaking.

COUNCILMEMBER COX

NEWSPAPER ARTICLES. Councilmember Cox discussed an article in the Sun Sentinel regarding the Town's Personnel Rules and Regulations. She indicated that her comments were taken out of context and she did not appreciate the reporter's article. Councilmember Cox stated that she would support the rules when the political activities interfered with the operation of the Town. She indicated that she did not appreciate the guerrilla and scare tactics that a group in the Town had indulged in which was a disservice to the residents.

WESTFAIR. Councilmember Cox encouraged everyone to enjoy the WestFair events.

RIDGE PROPERTY. Councilmember Cox stated that she had met with Broward County on the management plan regarding the Pine Island Ridge property and she was looking forward to working on the plan with the residents in Forest Ridge and the equestrian element.

BIKE MAP. Councilmember Cox stated that the map had been completed which denoted the businesses and tried to link the Town's path with the bikeways and the colleges.

DAVIE WATER ADVISORY BOARD. Councilmember Cox stated that she had had the opportunity to meet with the residents of the Everglades Mobile Home Park and asked if anyone from the area wanted to be appointed to the Board to contact the Town Administrator's Office.

COUNCILMEMBER KIAR

ST. DAVID COUNTRY CARNIVAL. Councilmember Kiar stated that the Carnival would be held March 12th to 15th.

COUNCIL EVENTS. Councilmember Kiar stated that Council attended the Crimestoppers Ball and had also participated in the Orange Blossom Parade.

TRAFFIC LIGHT. Councilmember Kiar stated that he hoped staff would continue to look into the traffic light at SW 8th Street

SWIMMING SAFETY. Councilmember Kiar stated that people were concerned with swimming safety and if there were opportunities to teach children to swim. He added that the Town had a requirement that pools be enclosed by a five foot fence.

FEE WAIVER. Councilmember Kiar asked for an update on waiver of fees for churches. Mr. Webber replied that he had not completed his research.

EARL MORRALL PASS. Councilmember Kiar advised that item 8.17 honored Earl Morrall.

PERSONNEL RULES. Councilmember Kiar felt that everyone was entitled to campaign as long as an employee was not doing so on Town time. He stated that the rule was archaic and hoped that the rule would be eliminated.

MISCELLANEOUS ISSUES. Jim Bunce, President of the Davie Professional Fire Fighters, stated that the Personnel Rules needed to be amended. He presented Councilmember Kiar with a plaque for his support of the firefighters. Mr. Bunce indicated that the Union was endorsing Richard Weiner and Judy Paul and asked that everyone vote on March 10th. He discussed the Town's prior negotiations and staffing of a station.

MAYOR VENIS

GUEST SPEAKER. Mayor Venis thanked the Board of Directors of the Everglades Mobile Home Park for inviting him to be their guest speaker and a number of questions were asked. He indicated that the Park's residents were pleased to be a part of the Town.

LANDSCAPING. Mayor Venis stated that a number of individuals met with representatives from the Florida Department of Transportation (FDOT) for landscaping of the Sheridan Glen area. He added that FDOT had agreed to provide \$80,000 worth of areca palms at no cost to the Town and item 8.13 provided for the Town to maintain the areca palms. Mayor Venis thanked those involved.

GROUND BREAKING. Mayor Venis stated that advised that Council attended the Davie Road streetscape groundbreaking

PARADE. Mayor Venis stated that the parade was a lot of fun and and recommended that everyone visit the WestFair events.

REFLECTORS ON NOVA DRIVE. Mayor Venis advised that he had received complaints regarding the reflectors on Nova Drive. He indicated that a letter had been sent and he would keep Council updated.

LANDSCAPING PLAN. Mayor Venis asked that a landscaping plan of the various roadways be prepared for Council to review.

FUNDRAISER. Mayor Venis stated that a wrestling fundraiser for Flamingo Elementary would be held on April 4th at the Western High School Gymnasium.

LUNCHEON. Mayor Venis stated that several Councilmembers attended the senior's luncheon and the Town would be having an appreciation luncheon in May.

MEETING. Mayor Venis stated that he would be meeting with individuals from Pine Island Bay on some of their concerns.

KEITH MESSINA. Mayor Venis stated that he had had the opportunity to meet with different homeowners' associations throughout the Town and indicated that Keith Messina from the Waverly Hundred area had recently passed away. Mayor Venis indicated that a tree had been donated by a local nursery and would be planted at Waverly Park.

OPEN PUBLIC MEETING. Mayor Venis discussed the Open Public Meeting portion of the meeting and indicated that if a resident did not have the opportunity to speak, the resident could meet with any Councilmember. Councilmember Cox indicated that one problem was that the residents spoke to the newspapers instead of Council. Mayor Venis indicated that he had instituted a complaint system which was utilized.

7. TOWN ADMINISTRATOR'S COMMENTS

STATUS REPORT. Deputy Chief Len DePaola provided a status report on the Fire Department, the Department's personnel, years of experience, training and the number of additional personnel that were needed to "take over a unit at this specific time."

Mr. Flatley advised that the yellow circulars regarding emergency medical services that had been received by some of the residents were erroneous.

8. CONSENT AGENDA

Minutes

8.1 January 13, 1998 - Workshop Meeting

8.2 February 18, 1998 - Regular Meeting

Proclamations

8.3 Peace Corps Day (March 3, 1998)

8.4 Security Bank Day (March 5, 1998)

8.5 Insurance Week (March 9, 1998)

8.6 United Way of Broward County Appreciation Week (April 3 - 9, 1998)

Resolutions

8.7 EASEMENT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-98-73 ACCEPTING EASEMENTS FROM CONSTRUCTION ENGINEERS OF FLORIDA, INC. AND MR. JOHN GAUL FOR USE AS PUBLIC UTILITY EASEMENTS; AND PROVIDING FOR AN EFFECTIVE DATE. (4217 Davie Road) (tabled from February 18, 1998)

8.8 ROAD REALIGNMENT/WIDENING PROJECT - A RESOLUTION OF THE R-98-74 TOWN OF DAVIE, FLORIDA, AGREEING TO ACCEPT FUTURE MAINTENANCE AND OTHER ATTENDANT COSTS OCCURRING AFTER COMPLETION OF THE OAKES ROAD/BURRIS ROAD REALIGNMENT AND WIDENING PROJECT.

8.9 SUMMER DROP IN PROGRAM - A RESOLUTION OF THE TOWN OF DAVIE, R-98-75 FLORIDA, AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND APPROPRIATE STAFF TO USE THE SILVER OAKS MOBILE HOME COMMUNITY CENTER FOR THE TOWN'S EIGHT WEEK SUMMER DROP IN PROGRAM FROM JUNE 15, 1998 THROUGH AUGUST 7, 1998. (\$5/child for Davie residents)

8.10 MITIGATION - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-98-76 APPROVING THE SPECIAL MASTER'S RECOMMENDATION FOR MITIGATION OF THE CODE ENFORCEMENT FINE IN CASE NO. 96-044 FROM \$1,900 IN AMOUNT TO \$400; AND PROVIDING AN EFFECTIVE DATE. (Francis X. Hogan and Mary C. Hogan)

8.11 SUBDIVISION PLAT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-98-77 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 10-1-97, Turnpike Business Center, northeast corner of Orange Drive and Kean Road) *Planning and Zoning Division approved subject to the planning report; Planning and Zoning Board approved subject to the planning report*

8.12 SUBDIVISION PLAT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-98-78 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 12-2-97, Pine Island Commercial, northwest corner of Pine Island Road and Orange Drive) *Planning and Zoning Division approved subject to the planning report; Planning and Zoning Board approved subject to the planning report*

8.13 TRAFFICWAYS BEAUTIFICATION - A RESOLUTION OF THE TOWN OF R-98-79 DAVIE, FLORIDA, AUTHORIZING THE APPROPRIATE TOWN OFFICIALS TO ENTER INTO AN AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR TRAFFICWAYS BEAUTIFICATION FOR SHERIDAN STREET AND I-75 WITHIN THE TOWN OF

DAVIE AND AUTHORIZING THE APPROPRIATE TOWN OFFICIALS TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING THEIR SIGNATURES TO SUCH DOCUMENT.

8.14 AFFIRMATION OF FRANCHISE COMPLIANCE - A RESOLUTION OF THE R-98-80 TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE AN AFFIRMATION OF FRANCHISE COMPLIANCE WITH REGARD TO THE SALE OF ASSETS BY CABLE TV FUND 14-A/B VENTURE TO COMCAST CABLEVISION OF BROWARD COUNTY, INC.; AND PROVIDING AN EFFECTIVE DATE.

8.15 SUPPORTING LOCAL BILL - A RESOLUTION OF THE TOWN OF DAVIE, R-98-81 FLORIDA, SUPPORTING AND URGING SUPPORT OF THE HOUSE BILL 1479 AS SPONSORED BY STATE REPRESENTATIVE JOHN COSGROVE AND RECOMMENDS ITS PASSAGE AND ADOPTION DURING THE 1998 LEGISLATIVE SESSION IN TALLAHASSEE, AND PROVIDING AN EFFECTIVE DATE.

8.16 AGREEMENT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-98-82 AUTHORIZING THE MAYOR AND TOWN ADMINISTRATOR TO ENTER INTO AN AGREEMENT BETWEEN THE TOWN OF DAVIE, BROWARD COUNTY, AND LYCEUM INTERNATIONAL, INC., RELATING TO THE ISSUANCE OF BUILDING PERMITS WHILE PLATTING IS IN PROGRESS; TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING THEIR SIGNATURE TO SAID AGREEMENT.

8.17 RECOGNITION - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-98-83 RECOGNIZING THE SIGNIFICANT COMMUNITY CONTRIBUTIONS OF EARL MORRALL TO THE TOWN OF DAVIE AND ACKNOWLEDGING THESE ACCOMPLISHMENTS THROUGH THE RECOGNITION OF NOVA DRIVE FROM UNIVERSITY DRIVE TO PINE ISLAND ROAD AS "EARL MORRALL PASS"/NOVA DRIVE.

8.18 ACTUARIAL IMPACT STATEMENT - A RESOLUTION OF THE TOWN OF R-98-87 DAVIE, FLORIDA, ACCEPTING AN ACTUARIAL IMPACT STATEMENT FOR IMPROVEMENTS IN BENEFITS IN THE TOWN OF DAVIE POLICE OFFICERS' PENSION TRUST FUND AND ESTIMATING THE DECREASE TO THE PENSION BENEFIT OBLIGATION OF THE PLAN TO BE \$53,504.

Councilmember Kiar asked that item 8.17 be removed from the Consent Agenda. Mayor Venis asked that item 8.4 be removed. Vice-Mayor Cox asked that item 8.14 be explained. Mr. Flatley asked that item 8.7 be removed. Councilmember Bush made a motion, seconded by Vice-Mayor Santini, to approve the Consent Agenda without items 8.4, 8.7, 8.14 and 8.17. 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)

8.4 Mayor Venis presented the proclamation to Gordon Smith from Security Bank which Town Clerk Reinfeld read in its entirety. Mr. Smith thanked Mayor Venis for the proclamation.

8.7 Mr. Flatley congratulated Redevelopment Administrator Glenn Irwin and Programs Manager Will Allen for obtaining the final easement.

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)

8.14 Mr. Webber explained the agreement.

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)

8.17 Councilmember Kiar stated that Earl Morrall was an exemplary person and had never asked for anything in

return. Mayor Venis presented Mr. Morrall with an "Earl Morrall Pass" road sign. Mr. Rawls indicated that the sign would be installed in a few weeks. Mr. Morrall stated that he was deeply honored to have a street named after him and wished everyone well in the upcoming election. 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)

9. SITE PLANS

9.1 SP 8-6-97, Davie Shopping Center, 4400 Weston Road (BP) (tabled from February 18, 1998) *Planning and Zoning Division approved subject to the planning report; Site Plan Committee motion was to approve subject to the planning report, eliminating the center entrance to the rear, maintaining a minimum of 20 foot landscaping buffer, using natural clay roof tiles, using colors as represented in the color rendering, and providing a color rendering that accurately depicted what would be seen off South Pointe Drive.*

This item was tabled earlier in the meeting.

9.2 SP 10-1-97, Eckerd's - Griffin Road, 7801 Griffin Road (B-2) *Planning and Zoning Division approved subject to the planning report; Site Plan Committee motion was to approved per staff's recommendation with the continuation of the split block down the west facade and per staff's recommendation included in that.*

This item was tabled earlier in the meeting.

Councilmember Cox indicated that she and Mr. Webber had been discussing the issue of an applicant providing an elevation or site plan prior to a variance being approved. She indicated that Eckerd's was planning to place the side of its building on University Drive with no treatment on the facade. Councilmember Cox stated that she would like to require that an elevation plan be provided prior to a variance being approved by Council. She asked that Mr. Webber draft legislation to provide that when a variance was submitted for a commercial property, Council wanted to review the proposed plan and elevation and landscaping plans. There were no objections from Council.

10. PUBLIC HEARINGS

Mayor Venis opened the public hearing portion of the meeting.

Ordinances - Second and Final Reading

10.1 DROP PLAN - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, 98-11 AMENDING AND RESTATING ORDINANCE NO. 94-40, CONCERNING THE POLICE OFFICERS' RETIREMENT SYSTEM; PROVIDING FOR A DEFERRED RETIREMENT OPTION PLAN (DROP) WITHIN THE PLAN; 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.

Jodie Schwartz, representing the Police Pension Board's attorney, discussed the actuarial impact study performed by Watson Wyatt which saved the Town approximately \$2 million in overall liabilities.

Mayor Venis 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)

10.2 VARIANCE EXTENSION - AN ORDINANCE OF THE TOWN OF DAVIE, 98-12 FLORIDA, AUTHORIZING THE MAYOR AND TOWN ADMINISTRATOR TO EXTEND VARIANCES GRANTED, AND/OR TO BE GRANTED, TO PROPERTY OWNERS ALONG GRIFFIN ROAD UNTIL ROADWAY IMPROVEMENTS TO GRIFFIN ROAD ARE COMPLETED, APPROXIMATELY MARCH, 2000, 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 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)

10.3 REZONING - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM B-2 TO B-3; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB 9-1-97, BGL Ltd./Helbar Investment Corp., 13290 State Road 84)

This item was tabled earlier in the meeting.

10.4 REZONING - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, 98-13 CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM A-1 TO CF; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB 12-4-97, Sheridan Hills Baptist Church/Lester and Flack, 2540 Pine Island Road)

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)

Quasi Judicial Items

10.5 REZONING - ZB 10-3-97, Stor-All, Inc./Morse Operations, Inc., 3700 University Drive (from B-3 to B-3, amending the Master Plan) (tabled from February 18, 1998) *Planning and Zoning Division denied; Planning and Zoning Board denied*

Mayor Venis indicated that the hearing had previously been held and stated that had discussion was to begin with the access issue. Mr. Webber confirmed that the hearing would be concluded and this hearing was limited to the access issue.

Bonnie Miskel, representing the applicant, advised that her firm's traffic engineer had met with Mr. Rawls. She presented a diagram and explained the changes that had been made.

Vice-Mayor Santini questioned if the turn lanes could be made right turn only lanes. Mr. Rawls responded that staff was discussing this concept with the FDOT.

Michele Mellgren, Director of Development Services, stated that should Council choose to approve the rezoning, that the approval be in such a form that the conceptual master plan be subject to the handout. Ms. Miskel indicated that prior to the second reading of the ordinance, a master plan would be provided which would include the handout and a declaration of restrictive covenant. Mr. Webber asked if the drawing was being made a part of the record with Ms. Miskel responding affirmatively.

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)

10.6 VARIANCE - V 12-3-97, Pille, 6990 SW 58 Court (R-2) (to reduce the required side setback from 15 feet to 5 feet and to reduce the required rear setback from 25 feet to 5 feet for an accessory structure; to increase the area of occupancy within the required rear yard from 457.5 square feet to 600 square feet) (tabled from February 18, 1998) *Planning and Zoning Division approved; Planning and Zoning Board approved subject to 12 inch berming around entire backyard*

Mayor Venis indicated that the hearing had previously been held and stated that a recommendation was made to visit the site which was where this hearing should begin. Mr. Webber confirmed that the public hearing had been held.

An unidentified man (Don Pille) advised that he was able to reduce his building by 150 square feet which would

place the building at the back corner of his home. Mr. Webber confirmed that the petitioner was willing to amend his application with an affirmative reply being received. Ms. Mellgren distributed a handout of the proposed change with discussion following.

Councilmember Cox indicated that she had had discussions with the applicant and his neighbors. She indicated that the residents needed to have the opportunity to review with the recent changes. Mayor Venis indicated that he had visited the property and had had discussions with one resident and he agreed that the residents needed to review the revised plan.

Mayor Venis suggested that the public hearing be opened to allow the residents to voice their concerns. Town Clerk Reinfeld swore in the witnesses. The following individuals spoke:

Bill Rogers stated that his concerns of noise, the drainage and keeping the property cleaned had been answered.

James Birch, 5880 SW 70 Avenue, discussed the request and presented photographs. Mr. Birch stated that he would like Mr. Pille to indicate that there would be some type of clean up of the property and that a business would not be operating "from the yard". Mr. Pille advised that two of the cars in the picture were no longer there but were there on the day the pictures were taken. Mr. Webber accepted the photographs into evidence.

Mayor Venis questioned if the yard would be cleaned up if the variance was approved. Mr. Pille responded in the affirmative and added that he would not be running a business from the facility.

Ms. Mellgren recommended that the applicant allow a Code Compliance Officer to visit his property to explain what areas were in violation of the Code. She indicated that violations would not be cited at this time. Mr. Pille agreed.

Mr. Pille agreed to: 1) not revving the engines after 11:00 p.m.; 2) no mechanical work in the building; and 3) no business to be operated from the property. Vice-Mayor Santini indicated that she would like one condition to be that there be a maximum number of cars that could be on the property in workable order. Mr. Pille indicated that he would not be storing any more vehicles for his friends.

Maria Gonzalez, 5800 SW 70 Avenue, spoke on the variance.

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

Councilmember Cox made a motion, seconded by Councilmember Bush, to approve with the reduction in the size of the building, moving the building forward so that there was no encroachment on the rear easement but granting the other part of the variance that was required, with the caveat that the petitioner agreed that he would abide by the Code of Compliance visit, he would observe quiet hours after 11:00 [p.m.], he would not conduct a business out of the structure, the maximum number of cars that could be stored in the front yard would be four, all other cars would be stored inside the building and there would be no car painting activities.

Mr. Webber stated that the motion was a condition of the variance and if these conditions were violated, the variance was lost and whatever benefits were received would have to be removed. Councilmember Cox clarified that the building would have to be removed.

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)

Items requested to be tabled

Ordinance - Second and Final Reading

10.7 STAFF REQUESTING A TABLING TO MARCH 18, 1998

REZONING/CONCEPTUAL MASTER PLAN - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING APPLICATION ZB 10-3-97 AMENDING ORDINANCE 89-1 BY CHANGING SECTION 1. b. TO PROVIDE FOR A REVISION TO THE APPROVED CONCEPTUAL MASTER PLAN ASSOCIATED WITH THE REZONING APPROVAL; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB 10-3-97, Stor-All, Inc./Morse Operations, Inc., 3700 University Drive)

This item was tabled earlier in the meeting.

10.8 PETITIONER REQUESTING A TABLING TO MAY 20, 1998

REZONING - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM A-1 TO B-2; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR

SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB 12-2-97, CDI Engineering and Planning/Roth, 5660 Griffin Road)

This item was tabled earlier in the meeting.

11. ORDINANCE - FIRST READING (Public Hearing to be held March 18, 1998)

11.1 REZONING/CONCEPTUAL MASTER PLAN - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING APPLICATION ZB 10-3-97 AMENDING ORDINANCE 89-1 BY CHANGING SECTION 1. b. TO PROVIDE FOR A REVISION TO THE APPROVED CONCEPTUAL MASTER PLAN ASSOCIATED WITH THE REZONING APPROVAL; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB 10-3-97, Stor-All, Inc./Morse Operations, Inc., 3700 University Drive) (tabled from February 18, 1998)

Town Clerk Reinfeld read the ordinance-first reading by title only. Mayor Venis advised that a public hearing on item 11.1 would be held on March 18, 1998.

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)

12. APPOINTMENT

12.1 Davie Water Advisory Board (term expires December 1998; one exclusive appointment: Councilmember Cox) (a minimum of one member shall be a licensed engineer)

Councilmember Cox deferred her appointment.

13. DISCUSSION AND POSSIBLE ACTION

13.1 State Park Grant

Ms. Mellgren advised that she had spoken to the owner of the property zoned M-1 and the property had been listed to sell at \$695,000; however, the property owner would reduce this amount to \$650,000. She indicated that she had been unable to reach the property owner on the parcel that ran along the south bank of L Lake. Ms. Mellgren stated that she thought both properties would total over \$1 million. She suggested that the Town apply for \$1,050,000 in grant monies and indicated that the Town could not recoup the cost of a consultant to write the grant. Ms. Mellgren questioned how much, if any, the Town would pay for the grant writing services. Discussion followed.

Vice-Mayor Santini questioned what kind of park could be provided to the children. Ms. Pierce-Kent indicated that roller blade hockey, basketball and other active types of court games could be provided; however, the property was not large enough for fields.

Vice-Mayor Santini indicated that she would prefer to use the money to build a Boys and Girls Club in Playland Estates as this area needed something to keep the children active. She added that the money could also be used for a public/private partnership with the colleges to utilize the campuses and gymnasiums.

Councilmember Cox stated that she would like to at least explore the matter through the consultant and if the consultant did not think the grant was viable, the Town did not need to pursue the issue any further. Mayor Venis agreed.

Ms. Mellgren indicated that staff would move forward by accepting the bid and advised that it had still not been determined how much the Town would apply for should it be decided to move forward. She added that when it was decided how much should be applied

for, Council would need to decide how much the Town was willing to pay and the funding source.

Councilmember Cox asked that when the consultants were being ranked, they be questioned if the grant was viable.

Vice-Mayor Santini asked Ms. Kent to plot what could activities be provided on the site.

13.2 A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE R-98-84 TOWN OF DAVIE TO ENTER INTO A BERGERON RODEO GROUNDS LEASE AGREEMENT WITH THE BROWARD COUNTY AIRBOAT, HALFTRACK AND CONSERVATION CLUB. (March 15, 1997)

Town Clerk Reinfeld read the resolution by title.

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)

13.3 A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING R-98-85 EASEMENTS FROM THE APOSTOLIC CHURCH OF JESUS CHRIST OF MIAMI, INC. FOR USE AS PUBLIC UTILITY EASEMENTS; AND PROVIDING FOR AN EFFECTIVE DATE. (6451 Orange Drive)

Town Clerk Reinfeld read the resolution by title.

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)

13.4 A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING AN R-98-86 EASEMENT FROM WAYNE JACKSON FOR USE AS A PUBLIC UTILITY EASEMENT; AND PROVIDING FOR AN EFFECTIVE DATE. (4493 Davie Road)

Town Clerk Reinfeld read the resolution by title.

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)

Vice-Mayor Santini requested that events that were announced at Council meetings be tracked and provided to Council. Council agreed that this was a good idea.

14. ADJOURNMENT

There being no objections or further business, the meeting was adjourned at 10:41 p.m.

