

**TOWN COUNCIL  
REGULAR MEETING  
JANUARY 6, 1999**

**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 Cox and Councilmembers Bush, Paul and Weiner. Also present were Interim Town Administrator Rawls, 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.

Monroe Kiar expressed his sympathies on the passing of Mort Meyers. He discussed the dangerous road conditions at the intersection of SW 8th Street and Flamingo Road. Mr. Rawls advised that a number of requests for a traffic signal had been made to the Department of Transportation without success; however, he would reiterate the request.

Mr. Kiar congratulated the Police and Fire Departments and the owner of the Davie Ale House on the Thanksgiving dinner for the Town's needy families.

Bea Schwartz, 11911 SW 12 Court, thanked the Town for its donation to Brookwood East which was needed. She asked Mayor Venis to inquire if she could speak at a League of Cities meeting or if she could distribute information at the meeting.

Terry Witkop, 4781 SW 74 Terrace, advised that his children participated in the Town's sports programs. He discussed the midget league travel team which was normally the best players in an age group and the remaining children were split up based on their different abilities. Mr. Witkop stated that he understood there was a request to add another travel team of the first year players. He said that there was no positive reason for this and it was not a positive impact to pit the better teams against the less better teams.

Stuart Weinstein, 4730 SW 62 Way, stated that he had coached the midget division teams for the past few years and indicated that this past year had been the most competitive. He agreed with Mr. Witkop on pitting better teams against less better teams. Mr. Weinstein indicated that a lot of children were going to other cities to play.

Arthur Joseph, 13700 SW 18 Court, discussed the poor road surface on SW 136 Avenue from State Road 84 to 14th Street and asked for a plan of action. Mr. Rawls advised that this corridor was part of the next plan which would be funded in approximately 18 months. He indicated this area could be looked at earlier should funds become available. Mayor Venis stated that he had received numerous calls on this intersection and the traffic congestion. He indicated that the Police Department was preparing a study and asked for the results. Mr. Rawls indicated that the study was directed at many of the problems due to the school traffic and a number of changes were made because of the study. He stated that a study was prepared a few years ago to redesign the entire intersection because the geometry of the intersection did not work well. He suggested that staff prepare a comprehensive study on the entire corridor.

Herb O'Roarke, 3420 SW 60 Avenue, discussed problems with dog fights in Silver Oaks and showed pictures of his injured dog. Mayor Venis advised that the Town was working on a dog ordinance with Mr. Webber indicating that this item was on tonight's agenda for discussion.

**4. PRESENTATIONS**

**4.1 Mrs. Davie, Kimber Gress**

Mayor Venis presented a Certificate of Achievement to Mrs. Gress.

**4.2 Mrs. Broward County, Tara Urbanek**

Mayor Venis presented a Certificate of Achievement to Mrs. Urbanek. Mrs. Urbanek presented Council with a photo album and video of the pageant.

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

Peter Thompson, representing the Chamber, updated Council on the Chamber's efforts.

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

Sharon Pierce-Kent, Community Services Director, introduced John Casaro, Recreation Leader, who advised of activities being held at Orange Park. Ms. Pierce announced that upcoming events included: pot luck lunch and bingo (January 18th); renewal of wedding vows (February 14th); and registration for girls softball and youth baseball (ongoing).

Bonnie Stafiej, Special Projects Coordinator, advised that upcoming events included: Annual bullriding competition (January 9th); Concert on the Ridge (January 17th); Five Star Rodeo (January 22nd - 23rd); First Annual Cowboy Golf Classic (January); Valentine Day Craft Show (registration); and 22nd Annual Waterway Cleanup (planning stages).

## 5. OCCUPATIONAL LICENSES

### *Home Occupational Licenses*

#### 5.1 F.V. Wilburn Jewelers Inc., 3100 SW 116 Avenue

Floyd Wilburn, the applicant, was present. He confirmed that the request was for mail and phone use only. Councilmember Bush made a motion, seconded by Councilmember Weiner, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Paul - yes; Councilmember Weiner - yes. (Motion carried 5-0)

#### 5.2 Dimitry N. Alexander, 13820 SW 16 Street

Dean Alexander, the applicant, was present. He advised that the license was for a home office. Councilmember Weiner made a motion, seconded by Councilmember Paul, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Paul - yes; Councilmember Weiner - yes. (Motion carried 5-0)

#### 5.3 Atta Boy Pressure Cleaning, 2021 SW 136 Avenue

Terry Philpot, the applicant, was present. He confirmed that the request was for mail and phone use only. Councilmember Weiner made a motion, seconded by Councilmember Bush, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Paul - yes; Councilmember Weiner - yes. (Motion carried 5-0)

#### 5.4 7 N's Int'l. Corp, 10750 SW 29 Place

Pilar Nanni, the applicant, was present. She confirmed that the request was for mail and phone use only. Councilmember Weiner made a motion, seconded by Councilmember Paul, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Paul - yes; Councilmember Weiner - yes. (Motion carried 5-0)

Mayor Venis announced that item 9.17 was withdrawn by staff and would be resubmitted at a later date.

Mayor Venis announced that items 11.7 and 11.11 needed to be tabled to January 20, 1999.

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

Mayor Venis advised that items 11.2, 11.8, and 11.10 had been withdrawn.

Mayor Venis announced that item 11.9 needed to be tabled to February 17, 1999

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

Mayor Venis announced that item 11.12 needed to be tabled to February 3, 1999.

Councilmember Paul made a motion, seconded by Councilmember Weiner, to table. In a roll call vote, the vote

was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Paul - yes; Councilmember Weiner - yes. (Motion carried 5-0)

Mayor Venis indicated that item 12.1 had been withdrawn and added that a resolution would be added to the agenda as item 15.2.

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

### **COUNCILMEMBER WEINER**

**MORT MEYERS.** Councilmember Weiner expressed his sympathies on the passing of Mort Meyers.

**THANKS.** Councilmember Weiner thanked the City of Wilton Manors in welcoming his clients during Christmas time.

### **VICE-MAYOR COX**

**HAPPY NEW YEAR.** Vice-Mayor Cox wished everyone a happy, healthy and prosperous New Year.

**RECREATIONAL AMENITIES.** Vice-Mayor Cox stated that the Town was continuing to meet with the Broward County School Board on the construction of recreational amenities at the Nova schools. She added that later in the meeting, Council would be discussing the lease for the new Boys and Girls Club at Flamingo Elementary School.

**COWBOY GOLF TOURNAMENT.** Vice-Mayor Cox encouraged everyone to participate in the Cowboy Golf tournament which she discussed.

**MORT MEYERS.** Vice-Mayor Cox expressed her sympathies on the passing of Mort Meyers.

### **COUNCILMEMBER PAUL**

**MORT MEYERS.** Councilmember Paul extended her condolences to the Meyers family and expressed her sympathies on the passing of Mort Meyers.

**ROAD CONDITIONS.** Councilmember Paul stated that she had met with Mr. Rawls on the condition of SW 136th Avenue. She added that she had asked Mr. Rawls to "speed up" the reconfiguration to solve the problem.

**GARBAGE RATE INCREASE.** Councilmember Paul stated that she had noticed another garbage rate increase and indicated that she would like to review the contract.

**SAFETY.** Councilmember Paul stated that comments had been made concerning children riding horses and the Safety Summit Group was beginning to move towards educating the public on the need for wearing helmets. She indicated that there was also a need for the driving public to know what type of care to take when approaching horses or bikers. Councilmember Paul said that in the past few weeks, she had noticed that a large number of children were wearing helmets and she had made it a point to let these children know that she was glad that they were wearing helmets.

**SPEED HUMPS.** Councilmember Paul stated that she had received several requests for speed humps in the Oak Hill area and indicated that because the roads were "open", drivers sped.

**CHILDREN SWIMMING.** Councilmember Paul stated that Every Child A Swimmer was a program to make certain that every child knew how to swim. She thought it was a good idea for the Town to become involved in this program and suggested that the Town take a leadership roll to get other cities involved.

**DIRT BIKE TRAIL.** Councilmember Paul stated that a few people had asked for a dirt bike trail.

**BID INFORMATION.** Councilmember Paul stated that the backup information on bid items under the Consent Agenda portion of the meeting needed to be more thorough. She asked that the information provide why the item was needed and where the money was coming from in the budget.

### **COUNCILMEMBER BUSH**

**MORT MEYERS.** Councilmember Bush expressed his sympathies on the passing of Mort Meyers.

**CEREMONIES.** Councilmember Bush stated that he had attended the inauguration of Governor Jeb Bush and the swearing in of the new State Cabinet members.

### **MAYOR VENIS**

**HAPPY NEW YEAR.** Mayor Venis wished everyone a happy and prosperous New Year.

**MORT MEYERS.** Mayor Venis expressed his sympathies on the passing of Mort Meyers. He indicated that

he had received several letters requesting that the Town honor Mr. Meyers.

**REESE ROAD.** Mayor Venis asked for an update on Reese Road. Mr. Rawls advised that the State purchased property with federal funds to realign Reese Road; however, the State could not accomplish the transfer and the Town had offered to facilitate the transfer. He explained that the State would give the Town the property which in turn would exchange the land with the private property owners. Mr. Rawls indicated that there was a federal mandate to protect the cultural resources of the nation and the State had commissioned a consultant to make an evaluation. He stated that this evaluation would take approximately 90 days.

**ABANDONED TRAILER.** Mayor Venis asked that the removal of the abandoned trailer be expedited. Mr. Rawls indicated that approval had been secured from the property owner and a commitment had been made to remove the trailer.

**DRAINAGE PROBLEM.** Mayor Venis stated that there was a drainage problem on 42nd Place near the stop sign and indicated that this was the only drainage problem on the street.

**CHARTER SCHOOLS.** Mayor Venis stated that Charter Schools had been discussed at a previous Council meeting and asked that the tentative report be fine tuned. He requested that the report show the cash flow to allow Council to make a decision on this issue.

**GRANT.** Mayor Venis stated that he had received a letter from the U.S. Department of Housing and Urban Development that the Town's 1999 CDBG grant was \$501,000.

**LANDSCAPING.** Mayor Venis stated that he had received letters from the Hawkes Bluff Homeowners Association regarding landscaping improvements.

## **7. TOWN ADMINISTRATOR'S COMMENTS**

**HAPPY NEW YEAR.** Mr. Rawls wished everyone a happy and healthy New Year.

**MORT MEYERS.** Mr. Rawls expressed his condolences to the Meyers family.

**NEW YEAR'S GOALS.** Mr. Rawls stated that staff was looking at goals for the new year with one being better participation from the community. He advised that two copies of the Council agenda packet were now available for review in the lobby of the Council Chamber during each Council meeting. Mr. Rawls indicated that staff was working on posting the agenda packet on the Town's web page and added that beginning January 20th, the agenda could be e-mailed to those individuals who registered.

Mr. Rawls stated that effective this week, a "real" person would be available to callers and voice mail would be available to leave messages. He added that a commitment was being made that all calls would be returned within 24 hours.

## **8. TOWN ATTORNEY'S COMMENTS**

**LITIGATION UPDATE.** Mr. Webber provided an update on litigation in which the Town was involved: three cases with Joseph Orendello; 147th Avenue; City of Sunrise rates; Discount Auto Parts; vandalism charges (three youths); 47th Avenue road assessment; Pension Board 175 and 185 funds; and Teen Challenge.

## **9. CONSENT AGENDA**

### *Minutes*

9.1 December 1, 1998 - Regular Meeting

### *Proclamation*

9.2 Free Sons of Israel Year (1999)

### *Resolutions*

9.3 **BID - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING R-99-1 THE BID FOR A LOADER/BACKHOE, STATE OF FLORIDA BID #760-001-99-1. (Trax, Inc.; \$55,458.28)**

9.4 **BID - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING R-99-2 THE BID FOR SPORTS LIGHTING EQUIPMENT, VOLUSIA COUNTY BID #97-B-139. (Sports Systems International; \$66,960)**

9.5 **SUPPLEMENT FUNDING - A RESOLUTION OF THE TOWN OF DAVIE,**

R-99-3 FLORIDA, AUTHORIZING SUPPLEMENTAL FUNDING FOR OFFICE FURNITURE, FIXTURES AND EQUIPMENT FROM THE LAW ENFORCEMENT TRUST FUND. (not to exceed \$200,000)

9.6 **BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING R-99-4 THE BID FOR UNIFORM RENTAL SERVICE, BROWARD CO-OP BID #F-3568-TF. (G & K Services; \$4.15/employee/week)

9.7 **BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING R-99-5 THE BIDS FOR TRUCKS, STATE OF FLORIDA BID #070-001-99-1. (Maroone Chevrolet, Heintzelmann's Truck Center, and Regency Dodge; total cost of \$133,649)

9.8 **BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING R-99-6 THE BID FOR ROLLER HOCKEY RINK PANELS AT SHENANDOAH PARK PURSUANT TO CITY OF JACKSONVILLE, FLORIDA BID NO SC-0400-98. (Contract Connections Inc.; total cost of \$20,482)

9.9 **BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING R-99-7 AN INFORMAL BID FOR A YEAR AGREEMENT WITH CONTROL COMMUNICATIONS FOR RADIO MAINTENANCE. (\$9,360)

9.10 **BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING R-99-8 THE BID FOR SHELVING FOR THE NEW POLICE HEADQUARTERS BUILDING, PURSUANT TO THE SCHOOL BOARD OF BROWARD COUNTY BID #97-520X. (Office Systems of Florida; \$14,857.86)

9.11 **BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING R-99-9 THE BID FOR FURNISHINGS FOR THE NEW POLICE HEADQUARTERS BUILDING, STATE OF FLORIDA BID #425-001-98-1 AND #420-660-96-1. (Knoll C/O Designer Services Bureau and Cartwright C/O Designer Services Bureau; \$367,645.16)

9.12 **BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING R-99-10 THE BID FOR POLICE PURSUIT VEHICLES, FLORIDA SHERIFF'S ASSOCIATION BID #98-06-0914. (Duval Ford; eight vehicles totaling \$157,776)

9.13 **FORFEITURE FUND PURCHASE** - A RESOLUTION OF THE TOWN OF R-99-11 DAVIE, FLORIDA, AUTHORIZING THE PURCHASE OF SPECIALIZED EQUIPMENT FOR THE POLICE DEPARTMENT UTILIZING LAW ENFORCEMENT TRUST FUNDS. (Rescue Phone, Inc.; \$4,500)

9.14 **MITIGATION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-99-12 APPROVING A REQUEST FOR MITIGATION OF THE CODE ENFORCEMENT FINE IN CASE NO 98-010(a) FROM \$36,000 IN AMOUNT TO \$0; AND PROVIDING AN EFFECTIVE DATE. (Grace Armellino)

9.15 **MITIGATION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-99-13 APPROVING A REQUEST FOR MITIGATION OF THE CODE ENFORCEMENT FINE IN CASE NO. 98-010(b) FROM \$36,000 IN AMOUNT TO \$0; AND PROVIDING AN EFFECTIVE DATE. (T-Hooker Service, Inc. [Grace Armellino])

9.16 **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-99-14 AUTHORIZING THE MAYOR AND TOWN ADMINISTRATOR TO ENTER INTO AN AGREEMENT BETWEEN THE TOWN OF DAVIE, BROWARD COUNTY, AND STIRLING APARTMENTS II, LTD., PROVIDING FOR REMEDIAL MEASURES TO SATISFY CONCURRENCY

REQUIREMENTS RELATED TO THE STIRLINGWOOD III PLAT; TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING THEIR SIGNATURES TO SAID AGREEMENT. (DG 12-2-98, Stirlingwood III Plat, 7300 Stirling Road)

**9.17 SUBDIVISION PLAT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE DC CENTER 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 10-6-98, located at SW 26 Street and Flamingo Road) *Planning and Zoning Division recommended approval subject to the planning report; Planning and Zoning Board recommended approval subject to the planning report*

**9.18 LOAN SUBSIDY PROGRAM** - A RESOLUTION OF THE TOWN OF DAVIE, R-99-15 FLORIDA, RATIFYING THE LENDERS WHO ARE PARTICIPANTS IN THE DAVIE COMMUNITY REDEVELOPMENT AGENCY'S COMMERCIAL LOAN SUBSIDY PROGRAM. (NationsBank, Republic Securities Bank, Regent Bank, First Union, Wachovia Bank, and the Guardianship of Lee N. Crompton)

**9.19 LOAN SUBSIDY PROGRAM ASSISTANCE** - A RESOLUTION OF THE TOWN R-99-16 OF DAVIE, FLORIDA, RATIFYING THE DAVIE COMMUNITY REDEVELOPMENT AGENCY'S APPROVAL OF COMMERCIAL LOAN SUBSIDY PROGRAM ASSISTANCE TO NORTON CARBIDE TOOL, INC. FOR A REDEVELOPMENT PROJECT. (up to \$10,749.47)

**9.20 LIBRARY** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-99-17 EXPRESSING SUPPORT FOR THE BROWARD COUNTY LIBRARY SYSTEM VOTER REFERENDUM PROPOSAL.

**9.21 BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING R-99-18 THE BID FOR PRESTRESSED ROUND CONCRETE POLES, CITY OF MARGATE BID NO. 99-003. (Accord Industries; \$19,977)

**9.22 AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-99-19 APPROVING AN AGREEMENT BETWEEN THE TOWN OF DAVIE AND THE UNIVERSITY OF FLORIDA, INSTITUTE OF FOOD AND AGRICULTURAL SCIENCES TO PROVIDE PROFESSIONAL SERVICES TO DEVELOP RESOURCE MANAGEMENT PLANS FOR THE ORANGE DRIVE LINEAR PARK AND THE ROBBINS OPEN SPACE PRESERVE; AND PROVIDING AN EFFECTIVE DATE.

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

Mayor Venis advised that items under Public Comments [Item 12] would be heard at this time.

12.2 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 Weiner, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Paul - yes; Councilmember Weiner - yes. (Motion carried 5-0)

12.3 Town Clerk Reinfeld read the ordinance by title.

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

An unidentified man (Herb O'Roarke) explained his problem in Silver Oaks.

Mr. Webber explained the ordinance and recommended that "or" be added after "chained" in Section 4-61, the first paragraph, third line. Vice-Mayor Cox questioned how the ordinance would be enforced which Mr. Webber

explained.

Dan Barr, 11550 SW 37 Court, questioned the penalty if the dog injured someone or another animal in the dog's own yard with Mr. Webber responding that the ordinance would not be violated.

Dean Alexander stated that he thought a warrant could be issued if an individual failed to appear in court.

Mayor Venis closed the public hearing portion of the meeting.

Councilmember Bush made a motion, seconded by Councilmember Weiner, to approve with addition of the "or" as suggested by Mr. Webber. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Paul - yes; Councilmember Weiner - yes. (Motion carried 5-0)

Mayor Venis advised that a public hearing on items 12.2 and 12.3 would be held on January 6, 1999.

12.4 Town Clerk Reinfeld read the ordinance by title. Mayor Venis advised that a public hearing on item 12.4 would be held on January 6, 1999.

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

Dean Alexander, 13820 SW 16 Street, spoke in favor of the ordinance.

Monroe Kiar agreed with Mr. Alexander and spoke in favor of the ordinance. He clarified with Councilmember Weiner that the term of District 3 would expire in 2000. Councilmember Weiner agreed and explained that this change would provide for an east/west election each election year.

Robert Hoth, 1361 Whitestone Way, spoke in favor of the ordinance.

Wayne Arnold spoke in favor of the ordinance.

Gary Gargiulo, 3035 Periwinkle Circle, spoke in favor of the ordinance.

Vicki Augustus-Fidelia, 4271 SW 82 Way, spoke in opposition to the ordinance and recommended that the amendments be presented to a Charter Review Board.

Arthur Joseph, 13700 SW 18 Court, agreed that the amendments should be discussed by a group of citizens and suggested that the issues be "broken into separate issues". He recommended that Council be increased to seven members.

Gail Ling, 14641 Vista Verde Road, was confused with the ordinance and hoped that another hearing would be held.

Laura King, 5540 SW 54 Street, spoke in favor of the ordinance.

Tom Truex, 4740 SW 72 Avenue, spoke in opposition to the ordinance and indicated that a change to a strong mayor form of government would create a paid, professional full time politician which was a "very, very, very bad thing". He indicated that the Town could possibly have a strong mayor who was not qualified, resulting in additional staff having to be hired to provide help. Mr. Truex agreed that the proposed amendments should be reviewed by a Charter Review Board.

Dan Barr, 11550 SW 37 Court, spoke in favor of the ordinance.

George Wetzler, 12430 SW 11 Court, agreed with Mr. Alexander that these issues should go before the voters.

Diane Johnson, 14300 SW 21 Street, spoke in favor of the ordinance and regarding single member districts, she indicated that the formulary should be carefully studied to provide adequate at large representation through an expanded Council to ensure that Councilmembers would be looking out for the good of the Town as a whole.

Sandra Switzer, 13510 SW 29 Street, questioned if Mayor Venis would automatically become the strong mayor. Mayor Venis responded that this position would become effective in March 2000. She agreed with Mr. Joseph on the number of issues and a Charter Review Board should be considered as more input was needed.

Larry Kuvin, 2151 South Hiatus Drive, stated that the proposed amendments needed to be discussed by a Charter Review Board or the residents for the issue to be analyzed further.

Michael Davenport, 14041 SW 42 Place, agreed with Mr. Kuvin and Mr. Joseph. He was in opposition to the strong mayor but may support single member districts and term limits.

Lisa Edmondson, 4311 SW 93 Avenue, spoke in opposition to the strong mayor proposal. She indicated that more time was needed to discuss this issue.

Terry Santini, 4001 SW 108 Terrace, questioned how the Sunshine Law was not broken as Mayor Venis had always wanted a strong mayor but it was the "union attorney" that came up with the proposal. She spoke in opposition to the ordinance as she did not want the Town to end up like the City of Hialeah.

Edna Moore, 6553 Stirling Road, spoke in favor of the ordinance.

Richard King, 5540 SW 54 Street, spoke in favor of allowing the residents to vote. He stated that if the residents wanted to elect a "corrupt official" then that was the person who was going to be elected but it should be the

people's decision.

Mayor Venis closed the public hearing portion of the meeting.

Councilmember Weiner explained during the election campaign, several individuals had indicated that they wanted the Town's elected and appointed officials to be more accountable. He indicated that he discussed the issue of what type of government the Town should have in June when previous Town Administrator Flatley's evaluation was discussed. Councilmember Weiner stated that he had asked Town Clerk Reinfeld at the last meeting how long he had to get an issue on the March ballot and she had indicated that the issues had to be discussed at the next two meetings in order to provide the information to the Supervisor of Elections. He advised that he had drafted a proposed ordinance and provided it to Mr. Webber who had made some amendments. Councilmember Weiner stated that if this issue did not go forward in March, the issue could not be brought up again until after the Town decided to hire a Town Administrator which was unfair to whoever was hired.

Councilmember Weiner stated that he believed in single member districts which was why he was willing to cut his term short by one year. He reiterated that this would provide for an east/west election each time there was an election.

Councilmember Weiner stated that the issue on term limits was there because he thought that individuals holding public office "is there". He said that after three terms (9 years), the individual had to step down, run for Councilmember, move on to another political office or retire; however, the individual could run again later on. Councilmember Bush indicated that in 1996, the Charter Review Board discussed these issues and these issues had been voted down. He questioned if the Mayor and Council would have to resign in July for a March election. Mr. Webber stated that an individual would have to resign if the current position did not expire when the seat being sought would begin. Councilmember Bush was concerned with the speed that the ordinance was being presented.

Vice-Mayor Cox discussed the proposed strong mayor issue which she thought was a step backwards. She indicated that with a strong mayor, the power was concentrated in the hands of the mayor which she did not agree with. Vice-Mayor Cox indicated that the ordinance did not require any qualifications for an individual to be a strong mayor other than being a resident of the Town. She said that Mr. King had indicated that it was okay for people to elect dishonest politicians, but she did not agree as she thought it was wrong for people who had been convicted of crimes, or who had abused power in the past, to be elected.

Vice-Mayor Cox indicated that she thought term limits was a restriction of her right to vote and she thought single member districts "bears" looking at but she did not think it was timely at this time. She stated that the Town deserved a professional administration and an honest and fair government. Vice-Mayor Cox said that "those of you who smell a rat" were well founded in your suspicions because the issue came up over the holidays and a special meeting had to be held which would not allow the public an opportunity to digest the issues. She added that nobody as a Town Administrator would apply for the job "with this hanging over their head".

Councilmember Paul stated that she thought that the issues were rushed and when Councilmember Weiner asked what the procedure was at the last meeting, he should have brought these issues up for discussion. She said that there needed to be fair and equitable

treatment for all Councilmembers as when she wanted to discuss a proposed issue, it was placed on the agenda under discussion. Councilmember Paul indicated that the Town's policy on placing items on the agenda needed to be revisited.

Councilmember Paul discussed the establishment of a Charter Review Board and indicated that a lot of new interesting ideas had been brought out that could possibly be incorporated "into this". She stated that Councilmember Bush had discussed credentials for a strong mayor and she thought Council should consider whether special requirements should be "put in" if a strong mayor was to be elected. Councilmember Paul questioned what a strong mayor issue would do in the Town's search for a Town Administrator and indicated that this issue should have been discussed prior to signing a contract for a Town Administrator search.

Councilmember Paul suggested looking into the feasibility of adding more districts or changing the districts. She indicated that something could be built into the districting to handle any new annexations.

Councilmember Paul stated that she had a problem with the question of checks and balances with a strong mayor form of government. She said that there were many issues that were brought up which would result in substantial changes to provide for a public hearing on January 18th. Councilmember Paul was concerned with the rush and the period of time involved according to the timeframe provided in the Charter for the Charter Review Board to recommend changes.

Mayor Venis questioned Mr. Joseph's suggestion on having separate issues. Mr. Webber indicated that the proposed ordinance provided for three separate ballot questions which he read. Mayor Venis indicated that he thought the previous Charter Review Committee was upset with the changes made by the previous Council. He stated that he would not have a problem reconvening a Committee in the future. Mayor Venis indicated that the President of the United States did not require a specific degree and he thought the proposed issues should be brought to the residents for a vote.

Councilmember Weiner clarified that the number of proposed issues could be reduced but the issues could not be altered. Mr. Webber agreed.

Councilmember Weiner stated that if he viewed "anyone who was doing something illegal or violating the Sunshine", he would be calling Mr. Webber's attention to it and ask for an investigation. He said that if someone believed that he was violating the Sunshine, they should bring him up on charges. Councilmember Weiner added that if he believed someone was corrupt, he would bring them up on charges.

Councilmember Weiner proposed that each issue be voted on separately. Mr. Webber indicated that this could be done, however, the ordinance would need to be amended.

Councilmember Weiner made a motion to approve, in one vote, those items that were modified by the proposed ordinance by Exhibits B and C which would affect term limits and single member geographic districts. Mr. Webber explained the changes that had been distributed. Councilmember Weiner clarified his motion to approve the ordinance referencing the Charter language to the proposed amendments as referenced in Exhibits B and C. Mayor Venis pass the gavel and seconded the motion. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - no; Councilmember Bush - no; Councilmember Paul - no; Councilmember Weiner - yes. (Motion failed 2-3)

## **10. SITE PLANS**

10.1 SP 10-1-98, Rolling Hills Commerce, Parcel V, 3315 South University Drive (B-3) *Planning and Zoning Division recommended approval subject to the planning report; Site Plan Committee recommended approval subject to the planning report, the orientation of the dumpsters being reviewed by Southern Sanitation, the revised site plan [as shown at this meeting], accepting the footprint of the restaurant building, and that the elevation of parcel 3 would be reviewed at a later date*

Gayle Easterling, Planning and Zoning Manger, asked that this item be heard later in the meeting as the site plan is subject to a variance consideration.

## **11. PUBLIC HEARINGS**

### ***Ordinance - Second and Final Reading***

11.1 **CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE TOWN CODE BY AMENDING SECTION 12-40, ENTITLED "NON-CONFORMING USES OF BUILDINGS, STRUCTURES AND PREMISES" BY ADDING THERETO SUBSECTION 12-40(6); PROVIDING FOR RECONSTRUCTION IN CERTAIN CASES OF NON-CONFORMING MULTI-FAMILY RESIDENTIAL PREMISES OF NO LESS THAN 10 ACRES IN SIZE; PROVIDING CONDITIONS FOR RECONSTRUCTION; 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.

Tom Truex, 4740 SW 72 Avenue, agreed with the ordinance and in the increased limit from 20% to 50%. He added that something reasonable should be asked back from the property owner. Mr. Truex suggested that the following sentence be added to subsection 6b: However, in cases in which the damage to the unified residential premises exceeds 20%, but does not exceed 50% of assessed value at the time of damages, the Town may, as a condition to restoration, require compliance with ordinance and Code requirements in effect at the time of restoration, as to garbage enclosures, signs, landscaping, access to public roads, (and other things too) so long as the new requirements do not prohibit restoration to a configuration which is materially the same as the configuration existing immediately prior to the time the structure was damaged. Mr. Webber clarified that this provision applied only to non-conforming structures and premises in combination, which was currently covered by Section 12-40 and the definition of destruction was 50%.

Vice-Mayor Cox stated that she did not think that individuals should have to go through the variance process with

the suggestions made by Mr. Truex. Mr. Webber indicated that he could review this matter but the ordinance would have to be tabled.

Councilmember Weiner made a motion, seconded by Councilmember Bush, to table the ordinance for further review by staff and Mr. Webber [to January 20, 1999] .

Vice-Mayor Cox indicated that this issue had been tabled several times. She questioned if it would be inappropriate to approve the ordinance and then look at the suggestions at a later time. Mr. Webber responded that this could be accomplished. Ms. Easterling indicated that staff was able to resolve the individual's financing problem and she did not think a two week delay would make a difference.

In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Paul - yes; Councilmember Weiner - yes. (Motion carried 5-0)

#### *Quasi Judicial Items*

**11.2 VACATION/ABANDONMENT** - VA 9-1-98, Poinciana Homes of Broward, Inc., State Road 84 and SW 136 Avenue (to vacate a 10 foot utility easement located on Tract A of the West Park - West Parcel Plat) (tabled from December 1, 1998) *Planning and Zoning Division recommended approval; Planning and Zoning Board recommended denial*

This item was withdrawn.

**11.3 VACATION/ABANDONMENT** - VA 10-1-98, Stirling Road Associates, Inc., 15898 Stirling Road (to vacate a 12 foot drainage easement located within the south 32 feet of the Stirling Dykes Plat) *Planning and Zoning Division recommended approval; Planning and Zoning Board recommended approval*

Mr. Webber explained the rules concerning the admission of evidence. Town Clerk Reinfeld swore in the witnesses. Mr. Webber asked if anyone who would be speaking in opposition with no one being heard. Ms. Easterling advised that because of her experience, education and certification, she was qualified as a witness on behalf of the Town. She summarized the planning report.

Leigh Kerr, representing the petitioner, was present.

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

Mr. Webber stated that the hearing was concluded.

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

**11.4 REZONING** - ZB 10-4-98, Saccullo/Sawyer, 4800 SW 76 Avenue (from MH-5 to A-1) *Planning and Zoning Division recommended approval; Planning and Zoning Board recommended approval*

Town Clerk Reinfeld swore in the witnesses. 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.

Mr. Webber asked if anyone wished to provide testimony in favor of rezoning. No one spoke.

Jamie Saccullo, the petitioner, was sworn in and explained the rezoning.

Mr. Webber asked if anyone wished to provide testimony in opposition to the rezoning.

Colleen Witkop, 4781 SW 74 Terrace, was concerned that someone could now see into her backyard since the petitioner's property had been cleared. She asked that an environmental barrier or berm be provided.

Mr. Webber stated that the hearing was concluded.

Vice-Mayor Cox stated that this was a rezoning issue and a site plan was not required. She suggested that Ms. Witkop meet with the owner on her request as the Town could not require this request.

Councilmember Weiner made a motion, seconded by Vice-Mayor Cox, to approve subject to the recommendations from the [Planning and Zoning] Division and the Planning and Zoning Board. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Paul - yes; and Councilmember Weiner - yes. (Motion carried 5-0)

Ms. Easterling asked that item 11.6 be heard at this time.

11.6 Town Clerk Reinfeld swore in the witness. Ms. Easterling indicated that it appeared that there was no opposition to the request and summarized the planning report.

An unidentified man, representing the petitioner, explained the variance.

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

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

**11.5 VARIANCE** - V 10-1-98, Manuel Synamovski Architects, Inc./Ross Realty Investment, Inc., 3315 South University Drive (B-2) (to reduce the required landscaped buffer along portions of the south limits of the property from 10 feet to 5 feet) (tabled from December 1, 1998) *Planning and Zoning Division recommended approval subject to the planning report; Planning and Zoning Board recommended approval subject to the planning report* Town Clerk Reinfeld swore in the witnesses. Ms. Easterling indicated that it appeared that there was no opposition to the request and summarized the planning report.

Manny Synamovski, representing the petitioner, was present.

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

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

10.1 Manuel Synamovski, representing the petitioner, was present. Ms. Easterling read the planning report, Mr. Synamovski explained the site plan.

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

**11.6 VARIANCE** - V 10-7-98, McWaters, 1130 Cedar Creek Way (PRD 3.8) (to reduce the required peripheral setback from 25 feet to 12.96 feet along the eastern boundary of the lot) *Planning and Zoning Division recommended approval; Planning and Zoning Board recommended approval*  
This item was approved earlier in the meeting.

**11.7 SPECIAL PERMIT** - SE 8-2-98, Pellerito/Home Depot, 2300 South University Drive (B-3) (to permit an outside food vendor adjacent to the store entrance) (tabled from December 16, 1998) *Planning and Zoning Division recommended approval subject to the planning report; Planning and Zoning Board recommended approval subject to the planning report and a mandatory review in one year by the Board and Council*  
This item was tabled earlier in the meeting.

*Items to be withdrawn or tabled*

11.8 ITEM TO BE WITHDRAWN AS NEW ORDINANCE BEING PROPOSED (see item 11.1)

*Ordinance - Second and Final Reading*

CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE TOWN CODE BY AMENDING SECTION 12-40, ENTITLED "NON-CONFORMING USES OF BUILDINGS, STRUCTURES AND PREMISES" BY ADDING THERETO SUBSECTION 12-40(6); PROVIDING FOR RECONSTRUCTION IN CERTAIN CASES OF NON-CONFORMING STRUCTURES OF NO LESS THAN 20,000 FEET IN SIZE; PROVIDING CONDITIONS FOR RECONSTRUCTION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (tabled from December 16, 1998)

This item was withdrawn earlier in the meeting.

11.9 STAFF REQUESTING A TABLING TO FEBRUARY 17, 1999

*Ordinance - Second and Final Reading*

REZONING - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM AG TO CF; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB 10-1-98, 1775 Flamingo Road)  
This item was tabled earlier in the meeting.

11.10 STAFF REQUESTING A TABLING TO FEBRUARY 3, 1999, AS COUNCIL TABLED FIRST READING TO JANUARY 20, 1999

*Ordinance - Second and Final Reading*

CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING APPLICATION ZB(TXT)-7-5-98 CREATING THE "RESIDENTIAL HIGH DENSITY DWELLING (RM-22) DISTRICT" BY AMENDING THE CODE OF DAVIE, FLORIDA, CHAPTER 12, LAND DEVELOPMENT CODE, SECTION 12-21 ENTITLED, "ZONING DISTRICTS"; SECTION 12-24 ENTITLED "STATEMENT OF PURPOSE AND INTENT OF ZONING DISTRICTS"; SECTION 12-32 ENTITLED, "TABLE OF PERMITTED USES"; SECTION 12-53 ENTITLED, RESIDENTIAL PERFORMANCE STANDARDS"; SECTION 12-81 ENTITLED, "RESIDENTIAL, NEIGHBORHOOD CONSERVATION AND MOBILE HOME STANDARDS, TABLE 12-81C. CONVENTIONAL MULTIFAMILY DEVELOPMENT STANDARDS"; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (tabled from December 16, 1998)

This item was tabled earlier in the meeting.

11.11 LOCAL PLANNING AGENCY TABLED TO JANUARY 13, 1999; COUNCIL CAN TABLE TO JANUARY 20, 1999

LAND USE PLAN AMENDMENT - LABC 99-3A, Caesar/list of property owners on file in Town Clerk's Office, north side of Stirling Road, east side of SW 82nd Avenue, south side of Griffin Road and west side of University Drive

This item was tabled earlier in the meeting.

11.12 PLANNING AND ZONING BOARD TABLED TO JANUARY 13, 1999; COUNCIL CAN TABLE TO FEBRUARY 3, 1999

VARIANCE - V 10-6-98, Miller Legg & Associates/B.G. Pine Island Corp., 8501 Orange Drive (B-2)

This item was tabled earlier in the meeting.

## **12. PUBLIC COMMENTS**

*Ordinances - First Reading (Public Hearing to be held January 20, 1999)*

12.1 **VACATING UTILITY EASEMENT** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, VACATING A PORTION OF UTILITY EASEMENT LOCATED WITHIN TRACT "A" OF THE WEST PARK - WEST PARCEL PLAT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (VA 9-1-98, 14450 State Road) (tabled from December 1, 1998)

This item was withdrawn.

12.2 **WARRANTY DEED** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING A WARRANTY DEED FROM BIENVENIDO D. AND ELISSA MARIE PACHECO, JR., CONVEYING CERTAIN PROPERTY FOR USE AS A PUBLIC RIGHT-OF-WAY; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE. (2295 SW 145 Avenue)

This item was heard earlier in the meeting.

12.3 **CODE AMENDMENT** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE TOWN CODE BY AMENDING ARTICLE IV ENTITLED "DOGS", BY CHANGING DEFINITIONS AND ADDING NEW DEFINITIONS; AMENDING PROVISIONS REGARDING LICENSE AND RABIES VACCINATIONS; AMENDING PROVISIONS REGARDING VICIOUS DOGS; ADDING A PROVISION REGARDING LEASHING OF DOGS; ADDING A PROVISION REGARDING BARKING DOGS AND DAMAGE TO PROPERTY; ADDING A PROVISION REGARDING THE OWNER'S DUTY WHEN DOG BITES A HUMAN OR IS BITTEN BY ANOTHER ANIMAL;

PROVIDING FOR PENALTIES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

This item was heard earlier in the meeting.

*Ordinance - First Reading (Public Hearing to be held January 18, 1999)*

**12.4 CHARTER AMENDMENT REFERENDUM** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING VARIOUS PROVISIONS OF THE CHARTER OF THE TOWN OF DAVIE CONCERNING THE FORM OF GOVERNMENT, THE ADMINISTRATIVE DEPARTMENT, THE METHOD OF ELECTION OF COUNCILMEMBERS, CREATION OF SINGLE MEMBER VOTING DISTRICTS, AMENDING THE EXISTING TERM OF DISTRICT 3 COUNCILMEMBER OFFICE, AMENDING THE POWERS AND DUTIES OF THE MAYOR AND CREATING TERM LIMITS FOR THE MAYOR AND COUNCIL; PROVIDING FOR SUBMISSION OF SAME TO THE ELECTORATE AT THE SPECIAL MUNICIPAL ELECTION TO BE HELD ON MARCH 9, 1999; PROVIDING FOR APPROVED AMENDMENTS TO BE INCORPORATED INTO THE CHARTER OF THE TOWN; AND FOR THE FILING OF THE REVISED CHARTER WITH THE DEPARTMENT OF STATE OF THE STATE OF FLORIDA; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

This item was heard earlier in the meeting.

### **13. APPOINTMENTS**

13.1 Davie Water Advisory Board (Mayor Venis - two exclusive appointments; Vice-Mayor Cox - one exclusive appointment; Councilmember Bush one exclusive appointment; insofar as possible, one member of the Board shall be a licensed engineer; term of January to December 1999)

Vice-Mayor Cox, Councilmember Bush, and Mayor Venis deferred their appointments.

### **14. OLD BUSINESS**

There was no old business to be discussed.

### **15. NEW BUSINESS**

15.1 Discussion of Proposed Ordinance

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE TOWN CODE BY ADDING TO CHAPTER 2, ARTICLE VI, DIVISION 1, A NEW SECTION NUMBERED 2-172, ENTITLED "RESTRICTIONS ON REPRESENTATION FOR COMPENSATION BEFORE THE TOWN BY FORMER OFFICERS OR EMPLOYEES"; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (Councilmember Judy Paul)

Councilmember Paul advised that this ordinance was based on the Florida State Statutes. Mayor Venis indicated that the Statutes prohibited former elected officials from practicing before the elected body for two years, but did not prohibit practicing before an appointed board. He clarified that this ordinance expanded this prohibition to employees. Mr. Webber explained that this ordinance governed appointed officers and employees. He indicated that an appointed officer were individuals who were appointed by Council such as the Town Clerk and the Town Attorney. Mr. Webber indicated that he would have to conduct research to determine if an advisory board appointment was deemed an officer.

Councilmember Weiner indicated that he had a problem with this ordinance because the lobbyist registration ordinance defined what activities could be accomplished. He stated that the Town was not trying to prohibit people from earning a living but if an individual represented someone, that individual would have to register.

Vice-Mayor Cox questioned if the Town wanted to exclude former employees from lobbying at the Town, to exclude former Councilmembers from lobbying the new Council, or to exclude an architect who was a Site Plan Committee member from representing a client. Councilmember Paul indicated that she did not feel the ordinance included advisory board members. She stated that she wanted the ordinance for a former employee. Discussion ensued regarding new employees signing an agreement that he/she would not lobby the governing body for two years after they were terminated. Mr. Rawls indicated that this would amend the Personnel Rules and if it affected the bargaining units, it would have to be negotiated.

Councilmember Weiner indicated that he thought the Town was covered by the lobbyist registration and did not want to tell someone they could not make a living.

Mayor Venis indicated that it appeared that this issue had died and the Town would not proceed.

Mayor Venis indicated that item 15.2 needed to be added to the agenda.

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

**15.2 A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING AND R-99-20 AUTHORIZING THE MAYOR TO EXECUTE A LEASE AGREEMENT BETWEEN THE TOWN OF DAVIE AND THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA FOR A SITE LOCATED AT FLAMINGO ELEMENTARY SCHOOL; AND PROVIDING AN EFFECTIVE DATE.**

Town Clerk Reinfeld read the resolution by title. Mr. Webber explained the resolution.

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

Councilmember Weiner indicated that in the future, he would like to discuss the possibility of reconvening the Charter Review Board. Councilmember Paul stated that she would like this issue placed on the next agenda.

Councilmember Paul stated that she would like to see a written policy established concerning agenda items, how the items were to be placed on the agenda, who was placing the item on the agenda, and what the procedure was when moving items around on the agenda. She indicated that the policy should include Roberts Rules of Order. Councilmember Weiner stated that Roberts Rules were clear as it set forth how items were placed on an agenda and that the Chair ran the meeting unless a motion was made to vote against the Chair's direction. Mayor Venis asked that Mr. Rawls work on this matter.

## **16. ADJOURNMENT**

There being no objections or further business, the meeting was adjourned at 11:40 p.m.



