

**TOWN COUNCIL
REGULAR MEETING
AUGUST 4, 1999
7:00 P.M.**

1. PLEDGE OF ALLEGIANCE

The meeting was called to order at 7:02 p.m. by Mayor Venis and was followed by the Pledge of Allegiance.

2. ROLL CALL

Present were Mayor Venis and Councilmembers Cox, Paul and Weiner. Also present were Interim Town Administrator Rawls, Town Attorney Webber, and Town Clerk Reinfeld recording the meeting. Vice-Mayor Bush was absent.

Councilmember Weiner made a motion, seconded by Councilmember Cox, to excuse Vice-Mayor Bush. In a voice vote, with Vice-Mayor Bush being absent, all voted in favor. (Motion carried 4-0)

3. OPEN PUBLIC MEETING

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

Tom Truex, 4740 SW 72 Avenue, complimented the Davie Tigers on their accomplishments at the tournament. He expressed his desire that a contingency fund be established for this type of request for monetary help. Furthermore, he expressed concern with regard to hardship requests for taxpayer money donations. Mr. Truex felt procedures needed to be established to evaluate whether tax funds should be expended, prioritized, and utilized where they were most needed.

Mr. Truex felt the Town should not be involved in Broward County's gas tax issue. He advised Council of some property owners who were experiencing problems with the agricultural tax exemption and requested the Town's assistance.

Damiano Pignato, 6920 SW 56 Court, requested that Council place the installation of a guardrail along SW 70th Avenue from SW 49th Street to 56th Street on the agenda. A petition was submitted with 44 people in favor of the guardrail and nine people opposed which equated to an 83% favorable vote. He felt this was a safety factor and was not aesthetically pleasing. Mr. Pignato indicated that the monies for the guardrail was previously approved two years ago.

Diane Worchenski, Director of the Wildlife Care Center, apprised Council of the status of the animals that were removed from a local farm. She expressed concern with regard to the perception of the lack of abuse and noted abuse was not necessarily visible. Ms. Worchenski advised of an adoption program that the agency had established.

Vera Noblood, 7907 NW 67 Avenue, advised that of her experience in rescuing the birds from the facility and felt that the birds deserved a better life and should not be returned.

Ellen Christopher, 3666 West Valley Green Drive, was present at the public hearing portion of the July 7, 1999 meeting. She advised that this was not a personal attack; however, she questioned the advice provided at the meeting. Ms. Christopher specifically referenced a question by Councilmember Paul regarding zoning in progress as it related to special residential facilities. She advised that Mr. Webber responded that there was no deadline on the zoning in progress; however, read Davie Code, Division 4, Planning and Zoning in Progress and provided her interpretation. She referenced a meeting held on July 1, 1998 in which Mr. Flatley advised Council to adopt the Florida State Statutes. Ms. Christopher expressed her belief that this was a smoke screen. Furthermore, she questioned that if the

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amendments were in violation of the Fair Housing Act, it would be determined during the review of the Comprehensive Plan for nine months. Ms. Christopher noted the Special Workshop Meeting held on August 6, 1998 and indicated that Mr. Webber advised that the amendments needed to be brought into compliance with the Fair Housing Act. She noted the last amendment to the Fair Housing Act was in 1989; therefore, this policy was not new. Ms. Christopher was invited to meet with staff and pointed out the larger facilities were not mandated by State Statute and questioned why staff was applying these standards for up to 40 residents. She noted that on June 16th, Council granted a zoning in progress extension for six-months.

Mr. Webber concurred that the Town's Code provided for zonings in progress. His discussion at that meeting related to the Teen Challenge litigation rather than the zoning in progress situation and advised that he was discussing the general rules relative to the zoning in progress. He noted that the Town adopted a Code section that provided this issue and stated that his comment was made in error. Furthermore, he advised that this issue would be addressed at the next meeting.

Mark Kutney, Development Services Manager, advised that staff had been working diligently to address this issue. An amendment would be presented to the Local Planning Agency on August 25th relating to the Comprehensive Plan Amendments and it would take approximately eight months to process. Staff would be continuing to review the zoning regulations and it was staff's position that while the Comprehensive Plan was being amended, a second planning in zoning extension would probably be requested in order to protect the Town.

Michael Davenport, 14041 SW 22 Place, commented that Councilmember Weiner was a very intelligent man. He stated that Council probably never figured that the lobbyist ordinance, the joint powers agreement or a dozen other issues proposed by Councilmember Weiner had any connection; however, if the "dots" were connected, the picture became clear. Mr. Davenport recommended that Council review every proposal very carefully because Councilmember Weiner did and he wished that Councilmember Weiner would use his talent to work with, and for, the Town's residents instead of against them. Mr. Davenport added that he wished that Councilmember Weiner also would not attack Council or ask the residents to sue Council or the Town.

Mr. Davenport indicated that he knew that Councilmember Weiner's "heart" was with the firefighters and there was nothing wrong with the firefighter's union; however, there was something wrong with the union leadership. He stated that it was the union leadership which led the firefighters into the "slaughterhouse" where Broward County would rule the house which was part of the reason why the joint powers agreement was in trouble. Mr. Davenport asked Councilmember Weiner to choose an issue that the residents cared about.

4. PRESENTATIONS

4.1 Davie Fire Department - Recognition of Heroism

Chief Donati recognized four individuals who were instrumental in rescuing two children from a fire on July 27, 1999. Mayor Venis presented a Certificate of Appreciation to: Patrick Skinner, Tony Desino, Cooky Wright, and Edward Crubs.

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4.2 Davie Rodeo Association

Sherry Gornto, was present representing the Davie Rodeo Association. For the last two years, the Town had donated the Rodeo arena. A plaque was presented to the Town in appreciation for allowing the use of the Rodeo arena and for their support.

Ms. Stafiej advised that the Town would be hosting the Junior Rodeo State Championships on August 21 and 22, 1999.

4.3 Davie Police Explorers

Officer Wayne Boulter provided an overview of the improvement of the Police Explorers in their competition. Last year, one of the Explorers placed first in the nation and he thanked Council for their support. The individual Police Explorers were introduced and proceeded to present a third place trophy to the Town.

Officer Boulter advised that he would be resigning his position as the Police Explorer coordinator and Officer Barry Dodge would be replacing him.

4.4 Davie/Cooper City Chamber of Commerce

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

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

Sharon Pierce-Kent, Community Services Director, announced that upcoming events included: adult and seniors birthday bash (August 24th); flag football, cheerleading, and soccer registration (on-going); and roller hockey program (September 14th).

Bonnie Stafiej, Special Projects Coordinator, advised that upcoming events included: Car Stereo Classic Junk Show (August 6th); Five Star Rodeo (August 26th and 27th); Concert in the Park (August 15th); and Labor Day party (September 6th).

4.6 Reese Road Update

Mr. Rawls advised that Mr. Webber was continuing to mitigate an agreement with regard to the land issues and explained that significant progress had been made with regard to Broward County's commitment for the construction funding. The work had gone out for bid and a firm contract commitment had been received and the agreement would be brought forward at the next meeting.

Mayor Venis announced that item 9.9 had been withdrawn by the applicant.

Mayor Venis announced that items 9.10, 9.11, 9.12, and 11.1 needed to be tabled to August 18, 1999. In a voice vote, with Vice-Mayor Bush being absent, all voted in favor. (Motion carried 4-0)

5. MAYOR/COUNCILMEMBERS COMMENTS

VICE-MAYOR BUSH

Vice-Mayor Bush was absent.

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COUNCILMEMBER COX

POLICE EXPLORERS/DAVIE TIGERS. Councilmember Cox congratulated the Police Explorers and Davie Tigers. She recognized the efforts that the Davie Tigers expended in earning their championship.

COUNCILMEMBER WEINER

BEST WISHES. Councilmember Weiner extended his best wishes to the Dominick family.

DAVIE TIGERS. Councilmember Weiner congratulated the Davie Tigers on winning their championship.

ECONOMIC DEVELOPMENT COUNCIL MEETING. Councilmember Weiner advised that he had attended the meeting along with Mr. Middaugh and indicated that he felt the Committee was attempting to generate some economic interest in the Town.

GUARDRAILS. Councilmember Weiner requested that this item be placed on the next agenda.

THANKS. Councilmember Weiner thanked Sergeant Sandy Molenda for the kind words expressed in the newspaper regarding annexation of property.

DAVY CROCKETT. Councilmember Weiner mentioned a television show he recently watched featuring the biography of Davy Crockett. In that show they highlighted a newsletter in which his catch phrase was to “make sure your right and go ahead”. He felt in today’s world this might translate to “check your facts, make sure your right, and go for it”.

COUNCILMEMBER PAUL

DAVIE TIGERS. Councilmember Paul congratulated the Davie Tigers for winning the National Championship.

DAVIE DAYS. Councilmember Paul indicated that Davie Day would be held at the Fusion Game on August 6th at 8:00 p.m.

GOLF TOURNAMENT. Councilmember Paul advised that the Soroptimists would be sponsoring a golf tournament on August 21st at Flamingo Lakes Country Club.

THANKS. Councilmember Paul thanked all of the agencies and personnel who assisted with the animals taken into custody at a Davie location and felt it was important for the community to assist in helping these animals. She advised that she would be working with staff in reviewing and updating the Code relative to impounding animals. Councilmember Paul indicated that she was also reviewing possible State and County legislation for animal cruelty making it a felony offense.

TRAFFIC STUDY. Councilmember Paul advised a traffic study being conducted on SW 136th Avenue and SW 26th Street in Oak Hill for a four-way stop sign and indicated that the study should be completed next week. She expressed concern that the traffic study should have been conducted when school was in session.

REPAVING. Councilmember Paul announced that SW 136th Avenue south to SW 14th Street would be repaved.

OLDDAVIESCHOOLHOUSE. Councilmember Paul reminded the public that the School had a Purchase the Brick Program.

MAYOR VENIS

DAVIE TIGERS. Mayor Venis congratulated the Davie Tigers on their achievement.

REXMERE VILLAGE. Mayor Venis announced the 20th Celebration at Rexmere Village.

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20TH ANNIVERSARY. Mayor Venis announced his 20th anniversary. and congratulations were offered.

BUDGET ADVISORY COMMITTEE. Mayor Venis advised the Town's discussions regarding the cable franchise fees due the Town. He noted that 19 months of franchise fees for the unincorporated area would be received shortly.

METROPOLITAN PLANNING ORGANIZATION. Mayor Venis referenced a newly appointed position in which the Town would be a voting member within the next two months. Currently, the Town was an alternate with the City of Plantation and he asked that Mr. Middaugh review this matter.

NOVA VILLAGE HOMEOWNERS ASSOCIATION MEETING. Mayor Venis apprised Council on the progress with regard to the Home Depot compliance issues. He felt the Association was pleased with the efforts put forth by the Town.

NOVA DRIVE IMPROVEMENTS. Mayor Venis referenced a master association meeting in which the rezoning and traffic issues were discussed.

6. TOWN ADMINISTRATOR'S COMMENTS

TOWN ADMINISTRATOR'S COMMENTS

LIBRARY. Mr. Middaugh referenced a resolution on a joint agreement for a Town/County library that would potentially incorporate the Young-At-Art Museum. Broward County Commissioner Lori Parrish had advised that some County funding was in jeopardy since the project had not moved forward. Mr. Middaugh indicated that a letter had been sent to the County expressing the Town's continued interest and desire to move forward with the project. He expressed his desire to present the agreement at the next meeting.

MILLAGE RATE. Mr. Middaugh noted the certification of the Town's anticipated maximum amount of taxes to be collected in the next fiscal year had to be filed. He advised that he was proposing to retain the same operating millage rate and added that the debt that the voter's approved would be added to the rate.

7. TOWN ATTORNEY'S COMMENTS

LITIGATION. Mr. Webber provided an update on litigation in which the Town was involved: Bar-B Ranch; Orendello; 142nd Avenue; Sunrise; 175/185 funds, Coastal Carting; Statewide Towing; and Rose.

DUAL OFFICE HOLDING ISSUE. Due to the discussion at the previous meeting, Mr. Webber requested direction to prepare an ordinance to specifically define the duties of the Council to allow for representation on the pension boards. Councilmember Weiner questioned whether this item should be in the Charter rather than an ordinance. Mr. Webber responded that he would look into this if this was Council's direction.

Councilmember Cox expressed her belief that one of the reasons Vice-Mayor Bush was appointed to the Police Pension Board was to affect a "watch-dog" capacity. She felt it was a good idea to appoint a Councilmember to pension boards so that the taxpayers would have a voice. Councilmember Cox added that she did not think it needed to be in the Charter. Mayor Venis noted that historically, there had been Councilmembers on various pension boards.

It was the consensus of Council to have Mr. Webber prepare an ordinance and research whether this issue could be addressed through an ordinance or a Charter change.

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STREET VENDORS. Mayor Venis questioned the status of the street vendor issue. Mr. Webber advised of a meeting with the Broward Sheriff's Office Legal Department who was working on a draft ordinance. The intent was to have one model ordinance throughout the County.

FAXES. Councilmember Weiner questioned whether faxes and fax logs were public records. Mr. Webber responded that public records were documents that were created for the purpose of transferring knowledge, with certain exceptions. He indicated that if the document fell into this category, the document would be a public record.

8. CONSENT AGENDA

Minutes

8.1 July 7, 1999 - Regular Meeting

Resolutions

- 8.2** **BID - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING**
R-99-251 **THE BID FOR STIRLING ROAD MEDIAN IMPROVEMENTS. (EDJ Lawn Service - \$15,964.50)**
- 8.3** **BID - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING**
R-99-252 **THE BID FOR MISCELLANEOUS UTILITY REPAIR PARTS, BROWARD CO-OP BID #1998-99/07. (lowest responsive and responsible bidder for each item)**
- 8.4** **AGREEMENT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,**
R-99-253 **AUTHORIZING THE TOWN OF DAVIE TO ENTER INTO AN AGREEMENT BETWEEN THE DAVIE RODEO ASSOCIATION, INC. AND THE TOWN OF DAVIE, FLORIDA FOR THE RENTAL OF THE BERGERON RODEO GROUNDS, OF DAVIE FLORIDA. (Youth Rodeo - August 21 - 22, 1999; waiver of \$1,000 rental fee)**
- 8.5** **SUBDIVISION PLAT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,**
R-99-254 **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 9-1-98, Heritage Building, 4640 Davie Road) Planning and Zoning Division recommended approval subject to the planning report; Planning and Zoning Board recommended approval subject to the planning report**
- 8.6** **SUBDIVISION PLAT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,**
R-99-255 **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 5-1-99, Lakeside Villas II, 5701 SW 42 Street) Planning and Zoning Division recommended approval subject to the planning report; Planning and Zoning Board recommended approval subject to the planning report**

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- 8.7
R-99-256** **FIRE RESCUE ASSESSMENT ROLL - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, RELATING TO THE PROVISION OF FIRE RESCUE SERVICES, FACILITIES AND PROGRAMS IN THE TOWN OF DAVIE, FLORIDA; ESTABLISHING THE ESTIMATED ASSESSMENT RATE FOR FIRE RESCUE ASSESSMENTS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 1999; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; AND PROVIDING AN EFFECTIVE DATE.**
- 8.8
R-99-257** **AMENDMENT TO HOUSING PLAN - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE SECOND AMENDMENT TO THE LOCAL HOUSING ASSISTANCE PLAN (LHAP) FOR 1999-2001 UNDER THE STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) PROGRAM; EXPANDING THE NEW CONSTRUCTION (DEVELOPMENT) STRATEGY TO INCLUDE BOTH SINGLE-FAMILY HOMEOWNERSHIP AND MULTI-FAMILY RENTAL; APPROVING THE TOWN'S HOUSING DELIVERY GOALS AND LOCAL SHIP BUDGET STRATEGY FOR 1999/00; DISTRIBUTING UNANTICIPATED 1998/99 FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE.**
- 8.9
R-99-258** **COMMITTEE EXTENSION - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, EXTENDING THE JOINT ECONOMIC DEVELOPMENT STEERING COMMITTEE.**
- 8.10
R-99-259** **DELEGATION REQUEST - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR AND TOWN ADMINISTRATOR TO ENTER INTO AN AGREEMENT BETWEEN THE TOWN OF DAVIE, BROWARD COUNTY, AND JANOURA GROUP INC., PROVIDING FOR REMEDIAL MEASURES TO SATISFY CONCURRENCY REQUIREMENTS RELATED TO THE COUNTRY MARKET PLACE PLAT; TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING THEIR SIGNATURES TO SAID AGREEMENT. (DG 7-3-99)**
- 8.11
R-99-260** **LIEN SUBORDINATION - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, SUBORDINATING THE LIEN OF THE TOWN OF DAVIE ON PROPERTY OWNED BY JOLMY ENTERPRISES, INC. WITH RESPECT TO CERTAIN MORTGAGE INDEBTEDNESS AND PROVIDING AN EFFECTIVE DATE. (\$70,000)**
- 8.12
R-99-261** **LIEN SUBORDINATION - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, SUBORDINATING THE LIEN OF THE TOWN OF DAVIE ON PROPERTY OWNED BY JOLMY ENTERPRISES, INC. WITH RESPECT TO CERTAIN MORTGAGE INDEBTEDNESS AND PROVIDING AN EFFECTIVE DATE. (\$55,000)**

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

9. PUBLIC HEARINGS

Ordinances - Second and Final Reading

99-26 9.1 **COMPREHENSIVE PLAN AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE TOWN OF DAVIE COMPREHENSIVE PLAN BY REVISING THE HOUSING ELEMENT BASED UPON THE 1995 EVALUATION AND APPRAISAL REPORT OF THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (tabled from July 21, 1999)**

Town Clerk Reinfeld read the ordinance by title.

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

Ellen Christopher, 3666 West Valley Green Drive, inquired why the 1995 Evaluation was being used for the Appraisal Report. Mr. Kutney responded that the 1995 amendment updated the Comprehensive Plan from 1989. He explained all of the amendments had been adopted with the exception of the housing and transportation issues which was being brought forward tonight. Mr. Kutney noted that the housing amendments had not been adopted due to changes made by the Department of Community Affairs. It was his belief that the changes and modifications would not affect the special housing amendments.

Mayor Venis closed the public hearing.

Mr. Kutney noted that there was additional language added to exhibit "C", page 6 due to recommendations from the consultant. He advised that the newly revised policy 4.12 read as follows: *Policy 4.12 - None of the proceeding policy shall require the Town to approve the placement of high density or otherwise incompatible housing types in the more rural areas of the Town, west of Pine Island Road, which have a residential one/four dwelling units of future land use category.*"

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

99-27 9.2 **REZONING - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM A-1, AGRICULTURAL DISTRICT TO CF, COMMUNITY FACILITY DISTRICT, OF THE TOWN OF DAVIE CODE; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB 4-3-99, 1220 SW 133 Avenue)**

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.

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

9.3 **REZONING - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA,**
99-28 **CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE**
 TOWN OF DAVIE FROM A-1, AGRICULTURAL DISTRICT TO RM-5, LOW
 MEDIUM DENSITY DWELLING DISTRICT, OF THE TOWN OF DAVIE CODE;
 AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH;
 PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE
 DATE. (ZB 5-2-99, 5060 SW 82 Avenue)

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 Paul questioned who was requesting the change.

Councilmember Weiner made a motion, seconded by Councilmember Cox, to reopen the Public Hearing portion of the meeting. In a voice vote, with Vice-Mayor Bush being absent, all voted in favor. (Motion carried 4-0)

Frank Aguirre, representing the applicant, advised that the applicant was the present owner and was making the application.

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

Public Hearing Item

9.4 **LAND USE PLAN AMENDMENT - LABC (SS) 99-4A, Hall/Alpha Baptist**
 Church, Inc., 5230 Pine Island Road (from CF to R-3) *Planning and Zoning*
 Division recommended approval; Planning and Zoning Board recommended
 approval

Mr. Kutney read the planning report.

Barbara Hall, representing the petitioner, commented that future public hearings would be required for additional approvals of the projects. She explained that the purpose of the request was to take this parcel of land, approximately 23 acres, that was separated in the center by a community facilities parcel, and create a compact residential parcel and a more appropriate church parcel. Renderings of the parcel under current conditions were displayed. Ms. Hall provided an overview of the current conditions and what would be proposed. She advised that the applicant was proposing to create a parcel on the southern edge of the property including a three and one-half acre parcel for the church use which would not have access to SW 82 Avenue and a 19-acre residential parcel. Ms. Hall felt that without this type of consolidation, there would be numerous "piece-meal" parcels rather than a single overall residential parcel that can have a nice site plan.

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Councilmember Cox questioned whether the distance requirements would be able to be met with the existing church. Ms. Hall advised that the requirements had not been met and advised that the existing church did not meet the distance requirement. She noted a variance application had been applied for.

Mayor Venis asked if anyone wished to speak for or against the item. As no one spoke, the public hearing was closed.

Councilmember Weiner made a motion, seconded by Councilmember Cox, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Bush - absent; Councilmember Cox - yes; Councilmember Paul - no; Councilmember Weiner - yes. (Motion carried 3-1)

Quasi Judicial Items

9.5 **REZONING** - ZB 5-3-99, Miller, Legg & Associates/Jewish Federation of Broward County, Inc., 5801 SW 82 Avenue (from A-1 to CF) (tabled from July 21, 1999) *Planning and Zoning Division recommended approval subject to the planning report; Planning and Zoning Board recommended approval subject to the planning report*

Mr. Webber explained the rules concerning the presentation of evidence. He questioned if anyone was opposed to the petition with no one responding. Town Clerk Reinfeld swore in the witnesses. Mr. Kutney stated that his qualifications were on file in the Town Clerk's Office and summarized the planning report.

John Pisula, Planning and Zoning Board, advised that his objection to the request was based on his concern with the cemetery and mausoleum uses. In light of the fact that the applicant had amended his petition, he would favor the request. Mr. Pisula noted his concern with regard to the hospital; however, his main concern was that a cemetery or mausoleum would be erected in the future.

Howard Zimmerman, representing the petitioner, advised that the petitioner endorsed the staff's recommendation and explained the rezoning. He noted a site plan would be forthcoming including expansion of the existing site.

Councilmember Cox questioned whether the traffic issues could be addressed, specifically with regard to the location of the ballfields. Mr. Zimmerman replied that the traffic issues had been addressed on the preliminary site plan. Staff's comments mentioned SW 82 Avenue as being a major access to the site and SW 82 Avenue would strictly be an egress from the site. A new ingress would be created from Pine Island Road with a stacking capacity for 150 cars for pickup and the driveway would be reconstructed.

Councilmember Paul clarified that there was no active agricultural interests on the land and that the land was vacant. Mr. Zimmerman concurred. Councilmember Paul questioned whether there would be a concern with the lights from the ballfields. Mr. Zimmerman felt that lights would not be an issue and explained the surrounding area.

Mr. Webber stated that the hearing was concluded.

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

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- 9.6 **VARIANCE - V 6-2-99, Nadel/DeRiggi, 15051 SW 27 Street (A-1)** (to reduce the required rear yard setback from 40 feet to 36 feet) *Planning and Zoning Division recommended denial; Planning and Zoning Board recommended denial*

Town Clerk Reinfeld swore in the witnesses. Mr. Kutney summarized the planning report.

Terry Nadel, the petitioner, explained the variance. He suggested that a restriction be placed on the property so that the use would not be changed and that the structure would meet current Codes. Mr. Nadel advised that there was no opposition to this building from surrounding neighbors.

Anne McCann, 5200 SW 114th Way, presented pictures which showed the orientation of the property and that they actively depict the structure's appearance. Mr. Webber accepted the photographs into evidence. She felt the structure was very nice and should not be removed.

Lillian Acosta, 15051 SW 27 Street, advised that she had purchased the property was purchased and was pleased with the property.

Councilmember Weiner questioned the intended use of the structure. Ms. Acosta responded that it was intended to be a safe place for her son to exercise and would not be used as a secondary residence. Mr. Nadel added that the building appearance would not change. The construction would be strictly internal and not external.

Mr. Webber questioned whether the request was strictly for a variance with Mr. Kutney responding affirmatively. Mr. Webber asked whether or not the structure would be considered an unsafe structure according to South Florida Building Code with Mr. Kutney responding affirmatively, but not at this point in time. Mr. Webber inquired as to the whether the Town would have a remedy to address the permit issue through the Unsafe Structures Board. He noted that there had been testimony relative to the building permit issue and clarified the action taken by Council would be based upon the hardship issues and issues relative to the variance. Mr. Webber presumed that the Town still preserved the right, regardless of the outcome of the variance request, to take whatever actions were appropriate with respect to the structure being constructed without a building permit. Mr. Kutney responded affirmatively. He stated that if the variance was approved, it would be incumbent for the Town to ensure that the structure met the Code requirements and could be considered a safe structure.

Mr. Webber stated that the hearing was concluded.

Councilmember Weiner advised that he had a conversation this afternoon with Ms. McCann. Councilmember Cox also noted that she had had a conversation with Ms. McCann and had advised that she was precluded from discussing this matter and for Ms. McCann to bring her evidence to the meeting.

Councilmember Cox commented that the Code allows for a variance to be granted Administratively if it was less than 10%. Mr. Kutney responded that staff felt it was inappropriate to grant this variance due to the circumstances. Councilmember Cox agreed with staff's actions.

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

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Plan Amendment Transmittal

9.7 **1999 TRANSPORTATION ELEMENT** - A rewrite of the 1989 Traffic Circulation Element required to comply with the changes in data, analysis and policy requirements under Chapter 163, F.S. and corresponding Rule 9J-5, F.A.C. and pursuant to the 1995 Evaluation and Appraisal Report (EAR) (tabled from July 21, 1999)

Mr. Middaugh provided an overview of the amendment with Mr. Kutney providing an explanation of the recent amendments.

Mayor Venis questioned how would the traffic along Nova Drive be decreased. Mr. Kutney explained that after staff reviewed the document, they too voiced numerous concerns with regard to the model. He referenced a paragraph on page 277 in which objections were raised. Furthermore, after speaking with Councilmembers individually, additional language was added.

Councilmember Cox questioned whether the bridge crossed I-75 on the staff addendum, and expressed concern with the possibility of SW 26 Street being extended from Flamingo Road to SW 127 Avenue. Mr. Kutney responded that the bridge did cross I-75. Councilmember Paul concurred with Councilmember Cox's comments and she would object to the extension of SW 26 Street.

Mayor Venis commented that the residents had voiced their opinion that they did not object to widening Dykes Road. However, they would like to have some modifications near the shopping centers.

Councilmember Cox commented that traffic patterns changed; however, opportunities need to be provided for a long-term review. She noted that the traffic counts were not always accurate.

Mayor Venis suggested recommending improvements be made along Sheridan Street going north on Dykes Road.

Councilmember Weiner commented he was in favor of the direction provided under suggested vision #5. He expressed concern with regard to raised cross-light buttons, he felt there should be an additional button added rather than raising the button.

Councilmember Paul noted her concern with regard to comment #9. She questioned whether comment #11 should be incorporated since the Town had indicated that the road would be paved and repairs made. Mr. Rawls noted a requirement that a physical inventory had to be conducted. The information for #11 related the existing conditions and he expressed reservations with regard to classifying any of the roadways as being in poor conditions.

Councilmember Paul questioned whether item #12 was proposing no new bridges with the exception of the bridge at Orange Drive and Shot Gun Road. She indicated that she was under the impression there would be no new bridges. Mr. Kutney commented there may have been a possible staff misinterpretation. Councilmember Cox was of the opinion that the Town could discourage bridges; however, in order to discourage the median construction, the Town may have to settle for the bridges. She noted that she would be attending a meeting with the Florida Department of Transportation (FDOT) regarding a proposed bridge west of Pine Island Road. She felt this issue needed to be addressed as to whether or not there should be additional bridges.

Councilmember Cox questioned whether staff reviewed the plans relative to State Road 7 south from Griffin Road to Stirling Road. She felt the intersection of Stirling Road and State Road 7 should be included as part of the plan. Mike Miller, representing Craig Smith and

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Associates, advised that additional text would be included as part of the analysis portion of the road description to include the intersection. He clarified that Broward County had established a 70% rule for mass transit coverage. Currently, the Town's coverage was measured at 77% and exceeded the County's level of service.

Mayor Venis questioned whether the Metro Rail issue was previously addressed. Councilmember Cox noted this issue was addressed in 1995.

Councilmember Cox questioned whether the language would remain the same on item #13. Mr. Miller explained the exact language must be used as the Broward County Element. He was of the opinion that because the County was in conformance, the Town's language would be in conformance.

Councilmember Cox expressed concern with regard to the language requiring 70% of mass transit being provided. She felt the urbanized areas could be addressed separately. Mr. Miller indicated that he would review the wording.

Mr. Kutney suggested revisiting some of the Local Planning Agency items since they would have to be incorporated as part of the transmittal. It was the consensus of the Councilmembers to delete item #9.

Regarding item #5, Mr. Kutney commented that staff had a concern based on the Fair Share Impact Fees as it related to local roads as they felt this would be a significant undertaking. Staff did not believe that any of the local roads would not be able to handle the growth of the area. It was the consensus of Council to omit item #5. Councilmember Cox felt it was a good idea; however, it would be difficult to implement.

Mayor Venis asked if anyone wished to speak for or against the item. As no one spoke, the public hearing was closed.

With regard to the extension of SW 26 Street, Mr. Rawls stated that he was of the opinion that the corridor needed to be completed. He noted severe problems along SW 130 Avenue. At this point, if the connection was not made some time in the future, the status of western Davie would be compacted to one-unit per acre. He felt the trips should be distributed among other access points. There were very few opportunities to provide access to serve that community. Mr. Rawls recognized the sentiment; however, the need was existing and he felt if the plan was adopted as was it provides an opportunity to review the data in the future.

Councilmember Cox questioned if this element was adopted without the provision, would the Town be precluded from obtaining the right-of-way. Mr. Rawls explained that if the Town removed SW 26 Street from the Trafficways Plan, the only tool the Town would have available to secure the right-of-way was the Transportation Plan and the Town would be limited to acquiring that right-of-way.

Councilmember Cox questioned whether having cross-access would hinder obtaining a light at SW 26 Street and Flamingo Road. Mr. Rawls advised that the cross-access would increase the activity level in which the FDOT used as part of the data to justify a light. He noted SW 26th Street was designated as a Local Collector Roadway and had a considerable amount of traffic. It was anticipated there would be a similar development to the west that would assume some of the traffic.

Councilmember Paul commented that she was surprised to learn of the limited access to the Stonebrooke Community on Flamingo Road. She was opposed to raising the speed limit if SW 26 Street was extended and questioned whether the integrity of the community would be in jeopardy. Mr. Kutney was of the opinion that he did not feel that there was an

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immediate need and the intent was to address the build out needs in the future. Mr. Middaugh commented that he concurred with Mr. Rawls' opinion that the opportunity should not be removed and recommended allowing a study to be conducted in the future. Councilmember Cox clarified that since the Town removed SW 26 Street from the Trafficways Plan, the Town had control on extending the road. Since Council had the ultimate decision, she did not have as strong of an objection.

Councilmember Weiner suggested adding a sentence acknowledging that the Town was solely responsible for the rights with regard to the road. Councilmember Paul concurred. Councilmember Cox suggested that the possible language might be to preserve the right to exercise securing the right-of-way.

Councilmember Weiner made a motion, seconded by Councilmember Paul, to transmit the 1999 Transportation Element to the State in conjunction with the information, taking into account the LPA consideration and the following was noted: Council agreed to item #1; Council agreed to the staff changes in items 2 and 3; Council agreed to item #4.; Council agreed to remove item #5; Council agreed to items 6 through 8; and Council also had considered and taken into account Mr. Miller's comments. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Bush - absent; Councilmember Cox - yes; Councilmember Paul - yes; Councilmember Weiner - yes. (Motion carried 4-0)

Discussion of Concept: Proposed Ordinance for Master Planned Commerce Park District
9.8 CODE AMENDMENT - Creating a Master Planned Commerce Park District to Implement the Employment Center Future Land Use Designation

Mr. Kutney summarized staff's report.

Councilmember Cox felt that item A-8 through 11 was not a good idea relative to the requirements. In review of the landscape buffers, the determination of buffers had been placed upon the Site Plan Committee. She felt that a concrete-block wall should be required with the option that the Committee could forgo the requirement and allow a different type of fencing material if the Committee feels the suggestion was a better option. Councilmember Cox stated that a developer could install anything he desired as long as he received three affirmative votes on the Committee. She felt that staff should have the ability to require a wall and let the developer figure out a way to sell the wall to the residents and Committee.

Councilmember Cox questioned the setback that would be required if adjacent to a residential area. Jeff Katims, Planner, advised that the setback requirement for the residential area would be a 50-foot buffer. He clarified that local service roads could be inside a commerce park development that would be considered local access roads and would require a ten-foot buffer.

Councilmember Cox clarified that internal roads within the development would be required to have a ten-foot buffer. She was of the opinion that this did not refer to abutting a neighborhood community and did not feel a hotel use was a residential component. Councilmember Weiner interjected that a residential-use of zoning would be available in a commerce park. Mr. Kutney explained that a residential zoning was not permitted in the commerce park; however, residential uses were permitted. He clarified the proposed Section 12-32-102 and advised that this was staff's attempt to restrict the uses and indicated that the employment center was a permitted use with restrictions. With regard to the employment centers, Mr. Kutney advised that hotel and motels had been considered a component and explained this was the County's intent to provide for mixed use, since there was no other type

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of mixed-use development. He felt that when the Planned Industrial Parks of the past have been reviewed, some of the corporate parks did not envision any residential areas with the exception of hotel and motels.

Councilmember Cox commented that she was not in favor of a residential use with a two-lane road and a ten-foot buffer on each side. She suggested additional wording be incorporated to prevent this from happening. Councilmember Cox requested wording be added relative to the architectural detail of the entire building or the face of the building adjacent to the residential. On Exhibit 9-11(A), she noted that a dumpster was required 50-feet from the property line. Councilmember Cox questioned whether the buffer could be located within the buffer area adjacent to a residential area. Mr. Kutney explained he did not see any reasoning why it could go either way. If Council desired, it could prohibit the dumpster from being placed in the buffer.

Councilmember Paul expressed concern with regard to the intent and requested a meeting with Mr. Katims before the first reading of the ordinance. She noted that she had a concern relative to the 35 feet, three story requirement and the hotel use which was generally more than three stories. Councilmember Paul expressed concern with regard to item 2-11, stating that it would be a restricted use until such time the land was developed for another permitted use. She noted that the Town was working hard to maintain some agricultural properties and not be developed. Councilmember Paul questioned how much lead way Council would be afforded, along with the Site Plan Committee, to limit the actual development of the property. She requested clarification of the fabrication and assembly and noted possible traffic concerns. Councilmember Cox suggested stopping after the word agriculture. She commented in order to provide for an assembly plant a large parcel was required and questioned whether it was available. Councilmember Cox noted the assembly must be done indoors.

Mr. Kutney explained that a developer would have to abide by the Code restriction and noted that rather than leave some of the restrictions open, staff had specified a standard or regulation. He felt it was incumbent upon an applicant to meet the standards, providing no other Town standards were violated, the property would be able to be developed. Mr. Kutney clarified that a tuxedo manufacture would be an example of fabrication and assembly. In response to the traffic concerns, he was hopeful that if the design was done correctly, it would actually reduce traffic which was the intent of the ordinance.

Councilmember Weiner suggested holding a workshop meeting prior to the first reading.

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

Bill Laystrom was present representing a property owner who had 12-acres abutting I-595 and Flamingo Road. He advised that he was in support of the amendment, since there was no ordinance that would permit employment center. Mr. Laystrom felt that the whole purpose was to avoid requesting commercial or industrial approvals and would allow for a "combination" that would eliminate a more objectionable industrial use. He expressed concern with regard to some of the buffer requirements in which he would address with staff. With regard to height requirements, Mr. Laystrom noted that some uses along I-75 might require additional height and by encouraging the height, it might discourage some smaller industrial type uses. He felt there would be little input at the first hearing and that the majority of the input would be provided when a site plan was submitted.

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Tom Truex spoke in favor of the amendment. He felt the intent was to be compatible with surrounding residential areas and enhances the tax base. He requested additional information be made available relative to the additional traffic created by some of the different uses. With regard to the tax base, Mr. Truex questioned the impact of the different uses on the tax base and expressed concern with regard to the potential mixes being broadly defined. Potentially, a governmental center could be surrounded by a 16-unit residential neighborhood which he felt would be detrimental to the Town. Mr. Truex questioned the rationale behind a three-acre minimum being required for a hotel and the increased building size effect upon the Fire Department. He noted that there had been some consideration given to converting the dump into a park area and questioned whether a four-story building should be next to a park. Mr. Truex expressed concern with regard to the uses not being provided at the time that the conceptual master plan was submitted.

Mayor Venis closed the public hearing.

Mr. Kutney explained that if a minimum parcel size was not established, it was staff's intent to attract a "high-end" operation. He expressed concern with regard to providing the ability to subdivide the parcel into numerous sites thus the park like setting would not be able to be attained. Mr. Kutney commented that he did not object to height requirements and agreed that staff needed to review what resources were available with Fire Department. With regard to denoting the uses at the time of the Conceptual Master Plan, he was of the opinion that most developers were in the process of negotiations and had not secured a specific use. Mr. Kutney felt that the developer would have an idea of the intended use; however, he was not sure if an exact use could be identified. With regard to the impact on the tax base, Mr. Kutney advised that he had reviewed the study and noted the data can vary depending on the use. He felt the numbers should be reviewed in the future.

Councilmember Paul commented she would like to see some definitive figures relative to the tax base. Mr. Kutney responded there would continue to be a concern relative to the tax base.

Councilmember Weiner commented, relative to Mr. Laystrom's concern, that he would like to see the buffer maintained and individual concerns addressed by a variance or modification request. He further suggested that Dr. Irving Rosenbaum would be able to address any concerns relative to the tax base.

Direction was given by Council to move forward with the Conceptual Plan with a staff workshop to be scheduled in the future for residential input.

Mr. Kutney anticipated the turnaround time for a public hearing would be in three to four weeks.

Items to be tabled or withdrawn

9.9 **WITHDRAWN BY APPLICANT**

REZONING - ZB 3-1-99, FMC Telecommunications, Inc., 6045 SW 45 Street and 6051 SW 45 Street (from B-2 to M-1) (tabled from June 16, 1999)

This item was tabled earlier in the meeting.

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**9.10 PLANNING AND ZONING BOARD TABLED TO JULY 28, 1999;
COUNCIL CAN TABLE TO AUGUST 18, 1999**

REZONING - ZB 6-1-99, Synalovski Gutierrez Architects, Inc./EDJ Enterprises,
1305 SW 101 Road (A-1 to B-3)

This item was tabled earlier in the meeting.

**9.11 PLANNING AND ZONING BOARD TABLED TO JULY 28, 1999;
COUNCIL CAN TABLE TO AUGUST 18, 1999**

VARIANCE - V 6-1-99, Synalovski Gutierrez Architects, Inc./EDJ Enterprises,
1305 SW 101 Road (A-1)

This item was tabled earlier in the meeting.

9.12 PETITIONER REQUESTING A TABLING TO AUGUST 18, 1999

SPECIAL PERMIT - SE 3-1-99, FMC Telecommunications, Inc., 6045 SW 45
Street and 6051 SW 45 Street (B-2) (to erect 3 satellite dish antennae greater than
12 feet in diameter with diameters of 20 feet, 23.6 feet and 30.5 feet) (tabled from
June 16, 1999)

This item was tabled earlier in the meeting.

10. RESOLUTION

**10.1 TRANSMITTAL - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,
R-99-262 APPROVING THE PROPOSED COMPREHENSIVE PLAN
TRANSPORTATION ELEMENT ON ITS MERITS; AUTHORIZING
TRANSMITTAL TO THE FLORIDA DEPARTMENT OF COMMUNITY
AFFAIRS; AND PROVIDING AN EFFECTIVE DATE. (tabled from July 21,
1999)**

Town Clerk Reinfeld read the resolution by title.

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

11. SITE PLANS

11.1 STAFF REQUESTING A TABLING TO AUGUST 18, 1999

SP 5-9-99, NationsRent Phase III, 6580 State Road 84 (M-4) (tabled from July 21,
1999) *Planning and Zoning Division recommended subject to the planning
report; Site Plan Committee recommended approval subject to the planning
report items one through 11, with the addition that the site plan elevations
conform with the floor plan being proposed and that adjustments be made to
the first floor landscape plan [A1.1 sheet of the plans] as well as the architectural
plans*

This item was tabled earlier in the meeting.

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11.2 SP 5-1-99, Palm Garden Park Unit #1, 6650 SW 48 Street (RM-10) *Planning and Zoning Division recommended approval subject to the planning report; Site Plan Committee recommended approval subject to the planning report*

Mark Sever, representing the petitioner, was present. Mr. Kutney read the planning report.

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

11.3 SP 6-12-99, U-Store-It (Davie), 13290 State Road 84 (B-3) *Planning and Zoning Division recommended approval subject to the planning report; Site Plan Committee recommended approval subject to the planning report together with the conditions of the original approval*

Bill Laystrom, representing the petitioner, was present.

Mr. Kutney advised that the use was not allowed and a Code change would be required. He added that Mr. Webber had ruled on a vested rights request and indicated that the developer had a vested right; however, the developer had a variance associated with the request which Mr. Webber was reviewing. Mr. Kutney stated that he discussed tabling this item with Mr. Laystrom until Mr. Webber's opinion was obtained.

Mr. Laystrom indicated that Council had previously approved this site plan and advised that the site plan had expired. He had requested that a variance be placed on the August 18, 1999 agenda with the same staff report as submitted previously. Mr. Laystrom added that he had also requested that direction be given to staff, at Mr. Laystrom's risk, since the site plan had been previously reviewed. He noted there was no vested rights.

Mr. Webber advised that this was an administrative matter and could be handled in the way Mr. Laystrom suggested.

Councilmember Weiner made a motion, seconded by Councilmember Paul, to table until August 18, 1999. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Bush - absent; Councilmember Cox - yes; Councilmember Paul - yes; Councilmember Weiner - yes. (Motion carried 4-0)

12. APPOINTMENTS

12.1 Open Space Advisory Committee (one exclusive appointment - Councilmember Weiner and Councilmember Cox; term August 1999 to July 2000)

Councilmember Cox appointed Bob Duncanson. Councilmember Weiner deferred his appointment to the next meeting.

12.2 Joint Economic Development Committee (non-exclusive appointments of two Councilmembers; term September 1999 to August 2000)

It was the consensus to reappoint Vice-Mayor Bush and Judy Paul to the Joint Economic Development Committee. In a voice vote, with Vice-Mayor Bush being absent, all voted in favor.

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13. OLD BUSINESS

No old business was discussed.

14. NEW BUSINESS

14.1 Park Site - Eastern Davie

Mayor Venis advised of letters received from various individuals. He noted several sites were being reviewed and a meeting would be held tomorrow.

14.2 Parks Recreation Board Discussion

Mayor Venis advised that Margarette Olsen had requested to be placed on the Board. He suggested modifying the ordinance to specifically include a member from the senior community. Mayor Venis indicated that this appointment would be a non-exclusive appointment.

Councilmember Weiner concurred that Ms. Olsen would provide valuable input to the Board; however, he requested some time to review this matter. He expressed concern with regard to expanding the Board. Councilmember Cox concurred with Councilmember Weiner's comments and added that she would like to have some information relative to the number of times that the meetings had to be canceled due to a lack of quorum.

Councilmember Weiner questioned whether there was a way not to impact the quorum by having a non-voting additional member. Mr. Webber responded that it would depend upon the make-up of the committee and indicated that he felt it could be provided if that was Council's desire.

Councilmember Cox suggested that each Councilmember review the attendance of each of their appointments. to determine if they were not attending or were not contributing to the board Councilmember Weiner explained that his concern was that he had questioned Mr. Webber what Council was married to in terms of advisory board members. He indicated that Mr. Webber had responded that the board member served according to the term noted in the resolution and not at the appointing Councilmember's discretion.

Direction was given to Mr. Webber to review for this item and that it would be discussed at the next Council meeting.

Councilmember Cox requested Mr. Middaugh to schedule a goal setting session for Council.

15. ADJOURNMENT

There being no objections or further business, the meeting was adjourned at 11:08 p.m.

APPROVED _____

Mayor/Councilmember

Town Clerk