

**TOWN COUNCIL  
REGULAR MEETING  
JULY 19, 2000**

**1. PLEDGE OF ALLEGIANCE**

The meeting was called to order at 7:03 p.m. by Mayor Venis and was followed by the Pledge of Allegiance.

**2. ROLL CALL**

Present were Mayor Venis, Vice-Mayor Weiner and Councilmembers Clark and Cox. Also present were Interim Town Administrator Willi, legal counsel Mr. Connick (arrived at 7:18 p.m.), and Town Clerk Reinfeld recording the meeting. Councilmember Paul and Interim Town Attorney Kiar were absent.

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

**3. PRESENTATIONS**

3.1 Senator Geller

3.2 Ed Kennedy, Clerk of Courts

Senator Geller and Mr. Kennedy were not present.

3.3 Emily Kasmer, National Qualifier in Swimming Events

Carrie Leonard, SwimAmerica, presented a banner to Council with signatures of the children involved in the swim programs. Emily Kasmer had been swimming in Davie for five years and she was now one of the top ten year olds in the country and had scored second nationally in one event. Ms. Kasmer thanked SwimAmerica, her coaches and Council for letting her use the Pine Island pool. Ms. Leonard also thanked Council for the use of the pool.

3.4 Davie/Cooper City Chamber of Commerce

No presentation was made.

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

Bonnie Stafiej, Special Projects Coordinator, advised that upcoming events included: Five Star Rodeo on (July 21st - 22nd); the annual barrel racing finals (August 5th); the Five Star bull riding competition (August 12th); the Junior Rodeo Finals (August); the youth talapia fishing weekends (August 12th, September 2nd and October 7th) and the Labor Day Splash (September 4th).

Sharon Pierce-Kent, Parks and Recreation Director, announced that upcoming events included: flag football and flag cheerleading programs (registration); a seniors and adults field trip to the IMAX theater (August 15th); and an adults and seniors birthday bash (August 25th).

Mayor Venis requested that item 12.2 be taken out of order.

12.2 Bill Laystrom gave a history of the plans for a museum in conjunction with a library, indicating that the estimate for design fees came to \$600,000. He indicated that Young at Art would need \$250,000 for design fees - \$125,000 from this year's budget and \$125,000

**TOWN COUNCIL MINUTES  
JULY 19, 2000**

from next year's budget. Mr. Laystrom advised that Young at Art would provide \$50,000 of their own funds. He stated that the agreement would be between the Town and Broward County.

Councilmember Cox asked what the design fees entailed. Mr. Laystrom advised that this would include not just the design, but architectural fees to supervise the project. He confirmed that the money would be given to the County specifically for Young at Art.

Mindy Schrago stated that Young at Art had recently moved to the Town and advised that the partnership with Broward County Libraries would include a 40,000 square foot facility just for Young at Art. She indicated that there were plans to host many recreation activities for the Town and the long range plan was to become a national model.

Councilmember Clark asked if the request needed to be voted on tonight and questioned the original agreement. Mr. Laystrom stated that the vote would need to happen tonight and the original agreement with the County was 50/50. Councilmember Clark asked where the funds would come from for the actual building. Ms. Schrago indicated that Young at Art was beginning a capital campaign to raise this money.

Councilmember Cox advised that she was not a party to the negotiations or the 50/50 agreement stating that to her knowledge this was never voted on. Vice-Mayor Weiner stated that he was not on Council when this project came forward but he supported trying to find the money to fund it, making it part of the budget for this year and next year.

Councilmember Clark stated that a budget workshop was scheduled for July 20th and asked that the vote be held until after that time, even though she supported the request.

Mayor Venis offered his support of this project and stated that the commitments came from the previous Town Administrator who had made many promises to the Young at Art.

Councilmember Cox commented that the Town was able to acquire the property for the library and the land through negotiations with the developer and stated that the library itself was the County's responsibility.

**3.6 Pine Island Park Update**  
This item was not discussed.

**4. MAYOR/COUNCILMEMBERS COMMENTS**  
**MAYOR VENIS**

**HAPPY BIRTHDAY/ANNIVERSARY.** Mayor Venis wished Councilmember Clark and his son, Harry, a happy birthday. He also wished his wife a happy anniversary.

**SILVER LAKES.** Mayor Venis asked that Assistant Town Administrator Robert Rawls provide an update on Silver Lakes. Mr. Rawls spoke about a recent workshop with the residents to address the buffering and representatives from the Turnpike Authority were present as well as Bruce Silar, the director of the Turnpike. Mr. Rawls stated that the residents would like a sound wall, about a \$2.5 million per mile project, and the Authority did not see this as forthcoming, but had spoken about a Turnpike widening project in the far future. Residents had a concern about the recent cutting of Australian pines that had offered some buffering and the Authority agreed to look into who was doing this. Mr. Rawls indicated that the State had agreed to discuss landscaping techniques in an effort to buffer the sound, with plans for the Town to maintain the landscaping. He stated that residents from the area just north of Orange Drive adjacent to the Turnpike interchange had attended the

**TOWN COUNCIL MINUTES  
JULY 19, 2000**

workshop and indicated that they were experiencing problems with ramp access and extra traffic. Mr. Rawls advised that follow up meetings would occur and he would report back on this.

Councilmember Clark asked about the recent tree removals and Mr. Rawls agreed that all the exotics along the alignment had been removed. He indicated that it would be an asset if the Town could maintain any new landscape as buffering was achieved with these trees.

**FPL FIBER OPTIC PROJECT.** Mr. Rawls stated that FPL wanted to get into the communications business and they had a proposal for a franchise agreement. He advised that it would probably be an interim agreement.

**FIVE-YEAR CAPITAL PROJECTS BUDGET.** Mr. Rawls stated that for the capital program all the requests had been identified and prioritized, and this year's budget would be brought to Council as a direct element of the Town's ad valorem budget. He offered that the only missing element of the capital budget was the neighborhood drainage projects and estimates showed about a \$3 million program that could be accomplished over a five year period.

**DRAINAGE IMPROVEMENT PLAN.** Mayor Venis indicated that he had received a number of concerns from neighborhoods about needed road improvements and he had advised that once the capital budget was completed, those could be addressed. He further stated that the Central Broward Water Control District was prepared to help the Town expedite this issue in the area off Hiatus Road.

Mr. Rawls stated that the approach to the drainage improvement program was not to reconstruct the roads, but to identify a receiving body that had a capacity for storm water and to build a collection system for run off. That had been a tried and true design, but there were roads that were at the water table and would require a different approach. Mr. Rawls stated that the Town was currently working in Oakhill and had ordered catch basins with District committed funds.

Mayor Venis stated that he had received a letter from the District manager asking if District staff may review and comment on all site plans submitted to the Town, to eliminate conflict between the Town and the District. Mayor Venis suggested that this may be something to look into.

**SUNRISE WATER LITIGATION.** Mayor Venis spoke about the Sunrise water litigation stating that he was not able to attend the special meeting to vote on this issue. Mr. Willi advised that the original agreement sent by Sunrise had a past date, meaning the agreement had expired so no timeline was in action. Mayor Venis stated that he had spoken with Mr. Cohen and explained that he would like to do away with the 1987 agreement, replacing it with another one that would offer protection to the residents. He stated that if he had been at the meeting, he would have voted against the agreement and in the future, if there was something of significance and time was not of the essence, he recommended that there be a full Council before a vote was taken.

Vice-Mayor Weiner advised that minutes from the Special Executive Session and the Special Meeting were on the Consent Agenda. He asked if verbatim minutes of the Special Meeting could be provided as the minutes did not accurately reflect what he had said. The minutes did not show that he had asked a question because he had a concern; however, the minutes reflected that he clarified something. In a voice vote, with Councilmember Paul being absent, all voted in favor of verbatim minutes for the Special Meeting.

Vice-Mayor Weiner referred to his personal water bill calculating his costs over the next six years for the surcharge to Sunrise to be \$8.50. He stated that he thought the purpose

**TOWN COUNCIL MINUTES  
JULY 19, 2000**

of the litigation was to challenge the bills and described getting the partial summary judgment and approval of the settlement agreement. Vice-Mayor Weiner stated that it was just speculation that Sunrise would generate an additional study, resulting in a rate increase. He advised that he disagreed with the decision to approve the agreement and recommended that the decision be reconsidered by Council. Vice-Mayor Weiner explained that the settlement agreement was in the form of a contract and described how the resolution was rushed over to Sunrise to get approved making it unable to be brought back for reconsideration. After research on the laws concerning contracts, Vice-Mayor Weiner found that there were grounds on which contracts could be overturned before being signed by a judge and he would have liked to try to reconsider. He added that if nothing was able to be done now, Council needed to look at the big picture stating that he was not interested in buying bulk water from Sunrise as it was inferior. Vice-Mayor Weiner stated that building a treatment plant, repackaging the water and then selling to residents would leave the Town still at the whim of Sunrise and since it was on the agenda for a feasibility study, the Town needed to look at being responsible for its own water.

Mayor Venis stated that a feasibility study and the planning would take time and offered his disappointment that the agreement was rushed through. He further stated that the Town could have held a Special Executive Session and deferred a vote until tonight's meeting. Mayor Venis suggested that if Sunrise could have raised the rates, it would have done this a long time ago and stated that Sunrise was willing to pay \$3.1 million to get out of that agreement.

Councilmember Cox stated that information of Mayor Venis's absence at the meeting came to Council as that he might be late, not that he would be absent, and agreed that his expertise and input would have been appreciated. She stated that Mr. Cohen had advised Council that the 1987 agreement allowed the Town to demand that Sunrise lower its rates if the Town lowered its rates. It was Councilmember Cox's concern that there was really not much room for the Town to lower its rate. She also stated that the 1987 agreement also required Sunrise to do the cost of service study to raise rates which was a costly process and the Town was now required to do a study. Councilmember Cox explained that Mr. Cohen's information to Council offered little assurance that these rates would not be raised. In order to raise rates, Sunrise would have had to do another cost of service study and once it could justify that costs would have increased, then a 49% increase in rates could be forthcoming. In essence, Council froze the rates over the next six years as well as the service charge of 25% and obtained \$6.1 million for the residents who had been overpaying. Councilmember Cox was adamant that the only way the service charge could be eliminated was if the Town petitioned the State legislature to do away with the charge. She stated that the lawsuit was on how much residents had been overcharged after rates were lowered and offered that now there was assurance that rates would not be raised over the next six years. Councilmember Cox felt that though this was not a perfect deal, it was good and added that it was imminent for Sunrise to raise rates. She stated that Council now needed to decide how residents would be serviced with water and where a potential water plant would be located in the Town.

Mayor Venis stated that he had advised staff that he would not be able to attend the meeting and when Council saw he was not present, Council should have deferred action until the next meeting. He added that according to the 1987 agreement, Sunrise had the burden of proof for its rates and now the Town had the burden of proof to justify its rates.

**TOWN COUNCIL MINUTES  
JULY 19, 2000**

Mayor Venis explained that when this litigation began, Sunrise brought up the 49% issue, and Sunrise could not have charged the extra service charge or it would have already been doing so and would not have wanted to settle out of court.

Councilmember Clark agreed that it was regrettable that Mayor Venis was unable to attend the meeting and added that she had been the only one to voice a concern about his presence, being told that Council must move on. She agreed that to do away with the 25% charge would take the State legislator's intervention and added that the return in dollars would be a third of what would be received for this settlement.

Councilmember Cox stated that during the Special Executive Session, she did not hear the issues she heard today from Vice-Mayor Weiner and added that she felt Council made the best decision. She stated that the result of a service study would have shifted the burden of proof to the Town and Budget and Finance Director Christopher Wallace had assured Council that the east Davie rates would not increase, protecting west Davie from Sunrise raising its rates. Councilmember Cox indicated that she stood by her vote.

Mayor Venis asked if anyone from the public wished to speak on this issue.

Joe DeLeo, Sedgewick Circle, stated that his concern was with the 25% residents had been paying and explained that when South Broward Utilities was sold, Sunrise purchased it for \$14 million. He added that the Town should float bonds to purchase the facility and added that residents should be treated equally throughout the Town. Mr. DeLeo stated that he felt there were some residents who were "lower class citizens" paying 25% more in water rates and that all residents should be treated equally, paying the same rates for a utility.

Bob Hoth expressed his disappointment in the settlement and stated that Sunrise would not have to wait six years for a rate increase. He was concerned at the rush to judgment stating that it did not have to be decided without Mayor Venis being present. Mr. Hoth explained that during the time that Sunrise was returning \$6.1 million, it would be making \$10.2 million and according to the agreement, once this amount was paid back, it was free to raise the rates. He was also concerned about residents who had moved and how they would be reimbursed.

Arthur Joseph, 13700 SW 18 Court, stated that he was on a well and asked Council to look at the agreements in the Town's history. He advised that for many years, the Town had charged higher rates to east side residents than Sunrise was charging with its service charge. Mr. Joseph asked who would reimburse those residents for all the years in the past of paying higher rates. He also had concerns about who was bearing the cost for the litigation and stated that it should be charged to those affected, not the whole Town. Mr. Joseph felt that Sunrise would not give up water rights, except for a very high cost and spoke to the bond issue stating that these should not be general obligation bonds, but utility bonds paid for by the people who originally received Sunrise water.

Mr. Joseph spoke to Vice-Mayor Weiner's comments calling them unrealistic. He talked about the plan in the past to bring water to Oakhill which would cost the Oakhill residents \$12,000-\$14,000 per home for this service and there was no plan to subsidize these people.

Vice-Mayor Weiner stated that he was making the point that it would just get more expensive. Mr. Joseph restated his idea that those involved should pay for the litigation and stated that the cost of buying Sunrise's rights would be extensive. He spoke in support of Councilmember Cox's comments.

**TOWN COUNCIL MINUTES  
JULY 19, 2000**

Councilmember Clark spoke against having residents pay for the litigation stating that this was done for their protection and would defeat the purpose.

Dean Alexander, 13820 SW 16 Street, stated that the Town was able to lower its water rates in the past because it had paid off the bond early and Mayor Venis agreed that this savings was passed on to residents because all capital improvements were in place. Mr. Alexander expressed his concern that the agreement was decided in Mayor Venis' absence and spoke to the extensive research which had been done on this project by Mayor Venis. He stated that more time was needed to look at the numbers and then make a decision.

**COUNCILMEMBER CLARK**

**CONGRATULATIONS.** Councilmember Clark congratulated Ms. Kent and the Town for securing \$72,236 through the Land and Water Conservation Fund Grant. She explained that this was the first money that would be allocated for the 61st Avenue development resulting in a east side pool.

**NOTIFICATION.** Councilmember Clark spoke of her concern at the distance used for notifying residents on developments or changes and stated that on several occasions, residents had said that they were not given enough notification. She asked if the Town could double that distance to 1,000 and asked Mr. Willi to discuss this with the Development Services Director Mark Kutney.

**ABSENTEEISM PROCEDURE.** Councilmember Clark asked Council to move forward with a a policy to deal on advisory board absenteeism. She reminded Council of a memorandum regarding Mr. Middaugh's question on who should determine whether or not a person should be removed from a board. Councilmember Clark felt that the person who appointed the member should make the decision.

Mr. Connick stated that there was a request to prepare a unified ordinance to deal with the specific issue of three unexcused absences. The result was a prepared ordinance which left this decision to the individual making the appointment. After this was submitted, another request was made to have the advisory board make the determination. Mr. Connick stated that this would be a policy decision made by Council and referred to a memorandum to Mr. Middaugh discussing both issues and the alternatives. If the appointor had the right to remove, Mr. Connick explained, the concern was that the appointor would retain control over the seat since this would be a judgment call if the absences were justified. He stated that this would be Council's policy decision and stated that from the Town Attorney's point of view, the ordinance could be prepared under either policy.

Councilmember Clark felt that the appointor should decide whether the member should be removed. Mr. Connick stated that this ordinance had been prepared. Vice-Mayor Weiner suggested that this be scheduled for Old Business at the next meeting.

**BOXING.** Councilmember Clark advised all that the Davie Police Athletic League would have three members boxing on July 21st at the Jim Davidson's Theater of Performing Arts in Pembroke Pines.

**OLD DAVIE SCHOOL HOUSE.** Councilmember Clark applauded Mary Delborello on the Mystery Dinner Night. She encouraged others to take advantage of this when the Night event around again.

**TOWN COUNCIL MINUTES  
JULY 19, 2000**

**THANK YOU.** Councilmember Clark thanked Jim Bunce and the Local 2315 for the tickets that were donated for the football game at the National Car Rental Center. She also thanked Mr. Bunce for donating \$150 for snacks for the children who attended the game. Councilmember Clark indicated that a letter from PAL thanking them for their generosity would be forthcoming.

**COUNCILMEMBER COX**

**THANK YOU.** Councilmember Cox thanked the residents who attended the Citizen Assembly Meeting regarding the drainage issues and also thanked the Broward Drainage District staff, and Mr. Crowley. She stated that the meeting was also attended by Drainage District Chair Wayne Arnold and Commissioners Sandy Switzer and Tom Green.

**OPEN SPACE COMMITTEE.** Councilmember Cox stated that the Open Space Advisory Committee had toured the Flamingo Road ESL site with County staff. She added that the Town would be working with the County to open the site, with the management plan to be discussed this fall.

**VICE-MAYOR WEINER**

**CONGRATULATIONS.** Vice-Mayor Weiner congratulated Mr. Kiar and his wife on their anniversary.

**METROPOLITAN PLANNING ORGANIZATION (MPO).** Vice-Mayor Weiner indicated that he had attended an MPO meeting last week in the absence of Mayor Venis and advised that Cooper City had mentioned that Weston would be moved into the Town's district. He stated that Broward County Commissioner Lori Parrish had recommended that the Town allow Southwest Ranches to first have its elections and decide if it would like to serve as the alternate.

**CITIZEN ASSEMBLY MEETING.** Vice-Mayor Weiner spoke about the meeting stating that Mr. Kiar had reviewed the meeting issue and advised that the meetings should be noticed and minutes kept.

**GET WELL WISHES.** Vice-Mayor Weiner wished Councilmember Paul a good recovery and best wishes during her hospital stay.

**AD HOC COMMITTEE.** Vice-Mayor Weiner stated that he had been attending a series of meetings with County staff regarding farm issues and indicated that Assistant County Attorney Sharon Cruz was going to be working on an ordinance.

**5. TOWN ADMINISTRATOR'S COMMENTS**

Mr. Willi's comments were made later in the meeting.

**6. TOWN ATTORNEY'S COMMENTS**

Mr. Connick's comments were made later in the meeting.

**7. CONSENT AGENDA**

*Minutes*

7.1 June 7, 2000 - Regular Meeting

7.2 July 10, 2000 - Special Executive Session

7.3 July 10, 2000 - Special Meeting

**TOWN COUNCIL MINUTES  
JULY 19, 2000**

*Proclamation*

- 7.4 Americans with Disabilities Act and Individuals with Disabilities Education Act Day (July 23, 2000)

*Home Occupational Licenses*

- 7.5 CK Real Estate, 1851 SW 136 Avenue  
7.6 CyberWrite, Inc., 4200 SW 95 Avenue  
7.7 Lighthouse Production Service, Inc., 13800 SW 16 Street  
7.8 The Earthling Foundation, Inc., 102221 SW 40 Street

*Resolutions*

- R-2000-167 7.9 **AGREEMENT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, SELECTING THE FIRM OF THE SPORTS SECTION TO PROVIDE SPORTS PHOTOGRAPHY SERVICES AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT FOR SUCH SERVICES. (The Sports Section; no cost to Town)**
- R-2000-168 7.10 **BID - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE BIDS FOR MISCELLANEOUS UTILITY REPAIR PARTS, CITY OF DEERFIELD BEACH BID NO. 1999/00#08. (US Filter and Ferguson Underground; \$24,000/year)**
- R-2000-169 7.11 **LETTER OF UNDERSTANDING - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A LETTER OF UNDERSTANDING BETWEEN THE TOWN OF DAVIE AND THE FEDERATION OF PUBLIC EMPLOYEES, WHITE COLLAR UNIT.**
- R-2000-170 7.12 **CHANGE ORDER - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT CHANGE ORDER FOR ADDITIONS TO THE PARK AT WAVERLY. (\$22,500)**
- R-2000-171 7.13 **SUBDIVISION PLAT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A SUBDIVISION PLAT TITLED, "DAVIE BUILDERS PARCEL 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 5-1-00, 5230 & 5300 Pine Island Road (R-5 and CF) *Planning and Zoning Division recommended approval subject to the planning report; Planning and Zoning Board recommended approval subject to the planning report*)**

**TOWN COUNCIL MINUTES  
JULY 19, 2000**

7.14 **SUBDIVISION PLAT - A RESOLUTION OF THE TOWN OF DAVIE,**  
R-2000-172 **FLORIDA, APPROVING A SUBDIVISION PLAT TITLED, "UNIVERSITY  
PARC 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 5-2-00, 7085 Nova Drive and 2200 SW 71 Terrace)  
(R-4A, Old Code and M-1, Old Code) *Planning and Zoning Division  
recommended approval subject to the planning report; Planning and Zoning  
Board recommended approval subject to the planning report***

7.15 **LEGAL SERVICES - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA**  
R-2000-173 **AUTHORIZING THE TOWN TO RETAIN THE LEGAL SERVICES OF  
JOHNSON, ANSELMO, MURDOCH, BURKE & GEORGE, P.A. IN  
CONNECTION WITH THE ACTION FILED AGAINST THE TOWN OF  
DAVIE BY SEVENTY-FIVE EAST, INC. AS BROWARD COUNTY CIRCUIT  
COURT CASE NUMBER 00-11230 (25); AND PROVIDING AN EFFECTIVE  
DATE.**

7.16 **LEGAL SERVICES - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA**  
R-2000-174 **AUTHORIZING THE TOWN TO RETAIN THE LEGAL SERVICES OF  
JOHNSON, ANSELMO, MURDOCH, BURKE & GEORGE, P.A. IN  
CONNECTION WITH THE ACTION FILED AGAINST THE TOWN OF  
DAVIE BY GRIFFIN-ORANGE NORTH, INC. AS BROWARD COUNTY  
CIRCUIT COURT CASE NUMBER 00-11228 (04); AND PROVIDING AN  
EFFECTIVE DATE.**

7.17 **LEASE AGREEMENT - A RESOLUTION OF THE TOWN OF DAVIE,  
FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A LEASE  
AGREEMENT BETWEEN THE TOWN OF DAVIE AND THE STATE OF  
FLORIDA, DEPARTMENT OF TRANSPORTATION FOR A SITE LOCATED  
ADJACENT TO THE FLORIDA TURNPIKE APPROXIMATELY 1300 FEET  
NORTH OF STIRLING ROAD AND PROVIDING AN EFFECTIVE DATE.**

*Site Plan*

7.18 **SP 4-4-00, Pine Meadow Estates, SW 136 Avenue approximately 1,320 feet  
north of SW 26 Street (R-1) *Planning and Zoning Division recommended  
approval subject to the planning report; Site Plan Committee recommended  
approval subject to staff's recommendation one through seven***

**Councilmember Cox asked that item 7.17 be removed from the Consent Agenda. Vice-Mayor Weiner asked that items 7.15 and 7.16 be removed.**

**Vice-Mayor Weiner made a motion, seconded by Councilmember Cox, to approve the Consent Agenda without items 7.15, 7.16 and 7.17 [item 7.3 was deferred previously in the meeting]. In a voice vote, with Councilmember Paul being absent, all voted in favor. (Motion carried 4-0)**

**TOWN COUNCIL MINUTES  
JULY 19, 2000**

7.15 and 7.16 Vice-Mayor Weiner advised that these resolutions would retain legal counsel with regard to lawsuits filed against the Town involving 75 East Inc. and Griffin/Orange North Inc.

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

7.17 Councilmember Cox asked that Mr. Kiar and staff work out the problems with this agreement. She advised that it would be best if Council could give direction to move forward with this, not to agree with the lease agreement, but to proceed. Mayor Venis concurred.

Vice-Mayor Weiner indicated that it seemed like a 90-day lease. Mr. Connick stated that one of the issues in the lease concerned encroachment by residents' property. He advised that since the Department of Transportation (DOT) owned the property, discussions would ensue and residents should not expect the Town to have control over the decision whether to build a fence. As it now stood, because of the 90-day provision and the encroachment provision, it was not recommended that the Town enter into the lease.

Brian Bonaye, 5350 SW 57 Street, discussed his concern with putting a passive park on the other side of the lake which would open his dead end street to traffic flow. He also expressed a concern about the clear cutting of the trees that bordered the Turnpike and spoke about the meeting with the Turnpike Authority. DOT had stated that trees provided only a psychological buffer to the sound and it needed to be determined what happened to the trees. Mr. Bonaye indicated that he also had a concern with further development. He spoke about the encroachment issue and the park idea, stating that he would hope the residents would have some input regarding these issues, as well as the Turnpike traffic.

Councilmember Cox stated that the property on the north side was designated as a wetlands mitigation site and would be developed as a wetlands site. She indicated that the Town did not know when this would happen.

Mayor Venis asked about DOT's response to letters regarding the walls and noise. Mr. Rawls stated that DOT had made it clear in the meeting that there were no funds to build a noise wall and there were no funds committed for landscaping. Mayor Venis asked if the DOT representative could meet with the Town. Mr. Bonaye reported that the DOT representative had stated that there had to be a capacity increase in order to justify planting something to buffer the noise. He indicated that there had been a capacity increase, and there was more traffic.

Mr. Rawls stated that staff could meet with DOT at its district office and he advised that the character of that road had changed in that it use to be rural and traffic volumes had increased. He invited Mr. Bonaye to attend any upcoming meetings. Mr. Rawls confirmed that there were a number of issues in the lease agreement that were unacceptable to the Town and direction would be needed from Council in moving forward with the lease. He indicated that staff would bring back a more acceptable lease. Mayor Venis advised that Council was in agreement and staff had Council's direction to do so.

Councilmember Cox made a motion, seconded by Vice-Mayor Weiner, to to table this until August 2, 2000. In a voice, with Councilmember Paul being absent, all voted in favor. (Motion carried 4-0)

**TOWN COUNCIL MINUTES  
JULY 19, 2000**

**8. SITE PLAN**

8.1 SP 4-2-00, Armadillo Square, southeast corner of SW 64 Avenue and Griffin Road (Griffin Road Corridor) *Planning and Zoning Division recommended denial; Site Plan Committee motion was to deny (tied 2 to 2)*

This item was tabled earlier in the meeting. Later in the meeting, Vice-Mayor Weiner questioned the 2:2 vote. Councilmember Cox explained that two Site Plan Committee members felt that the site plan did not come close to what the Town had done regarding the Griffin Road corridor in meetings with residents. The remaining two members felt that it was a pretty building and the plan was okay. Councilmember Cox added that there was a fundamental disagreement in how the Griffin Road Corridor was being implemented in the site plan.

**9. PUBLIC HEARINGS**

*Resolution*

9.1 **ACTION PLAN - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ADOPTING THE FY 2000/01 ACTION PLAN FOR FEDERAL CDBG FUNDS, WHICH INCLUDES THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM BUDGET; AUTHORIZING THE TOWN ADMINISTRATOR TO EXECUTE ALL NECESSARY CERTIFICATIONS AND GRANT RELATED DOCUMENTS; AUTHORIZING MINOR, NON-SUBSTANTIVE CHANGES TO THE ACTION PLAN WHICH MAY BE IDENTIFIED DURING THE REVIEW AND APPROVAL PROCESS WHICH DO NOT SIGNIFICANTLY AFFECT THE PURPOSE, SCOPE, BUDGET, OR INTENT OF THE PLAN; AND AUTHORIZING SUBMISSION OF THE PLAN TO HUD.**

Town Clerk Reinfeld read the resolution by title.

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

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

*Ordinance - First Reading (Second Public Hearing to be held August 2, 2000)*

9.2 **CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF DAVIE, SECTION 12-32, ENTITLED, "TABLE OF PERMITTED USES," SUBSECTION (B), "COMMERCIAL, OFFICE, AND BUSINESS DISTRICTS," TO PROHIBIT MINI WAREHOUSE/SELF STORAGE AS A PERMITTED USE WITHIN THE CC AND C-1 ZONING DISTRICT, AND SUBSECTION (C), "BUSINESS PARK AND INDUSTRIAL DISTRICTS," TO PROHIBIT MINI WAREHOUSE/SELF STORAGE AS A PERMITTED USE WITHIN THE BP DISTRICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk Reinfeld read the ordinance by title. Mayor Venis advised that a public hearing would be held on August 2, 2000.

**TOWN COUNCIL MINUTES  
JULY 19, 2000**

Mayor Venis asked if anyone wished to speak for or against the ordinance. As no one spoke, the public comments were closed.

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

*Ordinances - Second and Final Reading*

9.3       **VACATION - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA,**  
2000-28       **VACATING AN ACCESS EASEMENT WITHIN THE "HACIENDA RIVERFRONT PLAT"; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (VA 5-1-00, 3703 State Road 84)**

Town Clerk Reinfeld read the ordinance by title.

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

Vice-Mayor 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 Weiner - yes; Councilmember Clark - yes; Councilmember Cox - yes; Councilmember Paul - absent. (Motion carried 4-0)

9.4       **CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA,**  
2000-29       **PROVIDING FINDINGS; PROVIDING FOR AMENDMENT OF SUBSECTION 5-6(A) OF THE CODE OF ORDINANCES BY EXCLUDING FARMS AND AGRICULTURAL USES FROM THE PROVISIONS OF THE SOUTH FLORIDA BUILDING CODE REGARDING NON-MOBILE STRUCTURES; PROVIDING FOR AMENDMENT OF SUBSECTION 8-16(A) OF THE CODE OF ORDINANCES BY EXEMPTING NON-RESIDENTIAL FARM BUILDINGS AND STRUCTURES FROM BUILDING PERMIT REQUIREMENTS; PROVIDING FOR AMENDMENT OF SUBSECTION 12-32(A) OF THE CODE OF ORDINANCES BY REPLACING THE TABLE OF GENERAL USES FOR RESIDENTIAL DISTRICTS AND BY PROVIDING FOR A DEFINITION OF AGRICULTURAL USES; PROVIDING FOR AMENDMENT OF SUBSECTION 12-33(T) BY ADDING SUB-SUBSECTION (1) THERETO EXEMPTING FARMS FROM NUISANCE ACTIONS AND CLAIMS IN CERTAIN CIRCUMSTANCES; PROVIDING FOR AMENDMENT OF SUBSECTION 12-238(C) BY ADDING SUB-SUBSECTION (13) THERETO EXEMPTING THE ERECTION, USE OR MAINTENANCE OF SIGNS ON A FARM IN CERTAIN CIRCUMSTANCES FROM BUILDING PERMIT REQUIREMENTS; PROVIDING FOR AMENDMENT OF SUBSECTION 12-243(D) BY EXEMPTING THE ERECTION, USE OR MAINTENANCE OF SIGNS ON A FARM IN CERTAIN CIRCUMSTANCES FROM DETAILED SIGN REGULATIONS; PROVIDING FOR AMENDMENT OF SECTION 12-503 BY ADDING SUBSECTION (6) THERETO TO EXCLUDE FARMS AND AGRICULTURAL USES FROM THE DEFINITION OF DEVELOPMENT THROUGHOUT THE CODE OF ORDINANCES; PROVIDING FOR A REPEALER; 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.

Fred Siegel, President of the Broward County Farm Bureau, thanked Council for addressing this issue and stated that this would be a model for other municipalities throughout the State.

Mayor Venis closed the public hearing.

**TOWN COUNCIL MINUTES  
JULY 19, 2000**

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

*Quasi Judicial Hearings*

9.5 **VARIANCE** - V 6-1-00, Mellgren/AP Adler Oakes, Ltd./AP Adler Oakes, LLC/AP-Adler Investment Fund, LP/Adler Newco GP, Inc., 4350 Oakes Road (M-1, County) (to reduce the minimum separation between freestanding monument signs as required by Section 12-241; to reduce the minimum separation between freestanding monument signs as required by Section 12-242(A)(4); and to reduce the minimum horizontal dimension of the support structure casing of a sign, where parallel to the sign face as required by Section 12-242(A)(9)) *Planning and Zoning Division recommended approval of requests 1 and 2 and denial of request 3; Planning and Zoning Board recommended approval of all three variance requests, subject to the voluntary amendment to the application to restrict wall signs and tenant directory signs on the face of the building, if the variances are approved*

Town Clerk Reinfeld swore in the witnesses. Mr. Connick explained the rules concerning the presentation of evidence. Planning and Zoning Manager Jeff Katims advised that his qualifications were on file in the Town Clerk's Office and summarized the planning report.

Michelle Mellgren, representing the petitioner, stated that the request was for two small signs and a third sign against the building. She advised that the Code allowed signs every 200 feet that were 15 feet tall and a center identification sign on the building. Ms. Mellgren stated that a more minimal sign was what was being proposed. She talked about the roadways around the site and stated that visibility was needed. Ms. Mellgren explained that the sign next to the building would be perpendicular to it and the sign base would have the appearance of a wall extending from the building, adding that a reduction in the width of the column support would keep this sign from blocking the view of the rest of the building. She stated that the three signs together would allow an adequate way to market this commercial property. Ms. Mellgren asked Council to consider the unique circumstances of this site and stated that the petitioner differed from staff's position in that they felt that any time there was a sign for a commercial property, it must be adequate to make the area known to the public. She spoke about the small monument signs and indicated that the signs needed to be angled somewhat, to be visible. Ms. Mellgren added that the median was too small to support a sign and a landscape berm would block one side of each of those signs, so two signs were appropriate. Ms. Mellgren advised that this proposal was much less than what the Code allowed and if the proposal was accepted, the petitioner would be willing to restrict against any wall sign or tenant signage.

Mr. Connick asked that it be clarified that in the event Council approved requests numbered 1, 2 and 3 as proposed, the applicant would voluntarily amend the application to restrict all wall signs and tenant directory on the face of the building. Mr. Katims advised that tenant directory signage and center identification signage would not be permitted on the wall, but individual tenant signs would be allowed above each bay.

**TOWN COUNCIL MINUTES  
JULY 19, 2000**

Councilmember Cox asked for clarification on what was being prohibited, stating that all bays could have an individual sign but advertising signs or an entire listing was prohibited. She also asked about a sign in the back at the west entrance to the parking lot. Ms. Mellgren advised that this area would show one small monument sign similar to the two in the front. Councilmember Cox asked about the sign requested to be reduced in column size. Ms. Mellgren told that it would be 24 inches instead of the required 36 inches and would be perpendicular to the building.

Vice-Mayor Weiner advised that he had attended the Planning and Zoning Board meeting and asked that the names of those Councilmembers present be noticed in the backup material.

Councilmember Clark asked if only variances numbered 1 and 2 were approved, wall signage could still be used. Ms. Mellgren agreed.

Mr. Connick stated that this proposal was presented as a package and there was criteria for a variance. He offered that it was Council's duty to determine whether or not the applicant had met the burden on each criteria, and if this had not been found, technically Council should deny the variance.

Councilmember Cox asked why the column sign could not be put on a three foot base to comply with Code. Ms. Mellgren stated that it was not in an open area but part of the building and would be less of a negative impact than a three foot sign. Councilmember Cox stated she was inclined to agree with the petitioner in this unique case.

Mr. Connick asked if anyone wished to provide testimony in favor of the petition. No one spoke.

Ms. Mellgren asked if these variances could be voted on separately. Mr. Connick recommended that items number 1 and 2 be voted on together and number 3 separately.

Mr. Connick asked if anyone wished to provide testimony in opposition to the petition. No one spoke.

Vice-Mayor Weiner made a motion, seconded by Councilmember Cox, to approve subject to the Planning and Zoning Board's recommendation on variances 1, 2, and 3 which included the stipulation from the applicant. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Weiner - yes; Councilmember Clark - no; Councilmember Cox - yes; Councilmember Paul - absent. (Motion carried 3-1)

**5. BUDGETWORKSHOP.** Mr. Willi stated that in the workshop scheduled for July 20th, he would provide Council with an overview of the proposed reorganization plan of Town departments and would set a proposed millage rate. He stated that the individual department review of budget requests would begin on August 2nd.

**DEPUTY FIRE CHIEF.** Mr. Willi introduced the Town's Acting Deputy Fire Chief, Sid Marchant. Deputy Chief Marchant spoke in support of the previous Fire Chief and stated that he planned to do a good job for the Town.

**ZERO TOLERANCE.** Mr. Willi explained that in response to violence at youth sporting events around the country, the Police and the Parks and Recreation Departments were implementing a zero tolerance policy for the Town's sports programs. He stated that participants would be required to sign an oath pledging their allegiance to sportsman like conduct on and off the playing field. Mr. Willi indicated that this policy would be implemented soon.

**HAPPY BIRTHDAY.** Mr. Willi wished Councilmember Clark a happy birthday.

**TOWN COUNCIL MINUTES  
JULY 19, 2000**

Councilmember Clark thanked Mr. Willi for the Town's proactive stance on the zero tolerance issue, stating that in the football league, each coach was required to sign a similar agreement. She added that she was not the individual involved in a recent sports incident, coincidentally, the names were the same.

**6. 142ND AVENUE LITIGATION.** Mr. Connick stated that at a recent meeting, the judge had denied the motion for summary judgment and advised that a number of affidavits were given in support of the Town that this easement should be retained. He stated that the court was advised that the Town was ready to proceed as soon as possible, but the plaintiff's counsel needed to check their calendar.

**IMAGINATION FARMS.** Mr. Connick stated that Council voted to approve the two litigations involving the Imagination Farms issue concerning a request for rezoning to commercial. He indicated that Councilmember Clark had requested background on the attorneys who would be handling this and provided a letter to Council from Michael Burke who listed some of the cases he had been involved in.

**BROADWAY JOE'S.** Vice-Mayor Weiner stated that a Broadway Joe's ice cream truck had been driving in the neighborhoods in his area in the late afternoon. Mr. Connick encouraged that a citation be forthcoming and stated that he and Mr. Kiar would be dealing with this shortly. Police Chief John George stated that there was an extra watch out for Broadway Joe's and indicated that he had been stopped although he was not selling ice cream.

Mayor Venis asked what the original fine was on the Orandello matter. Mr. Kutney stated that it was close to \$80,000 and that \$30,000 in attorney's fees had been expended. Mayor Venis stated that he had been involved in this case since 1996 and the residents in Mr. Orandello's neighborhood did their own surveillance. A commitment was made with the Town Administrator that the Town would not mitigate down in this case, so he would not like to see any mitigation but the fines paid.

**TEEN CHALLENGE.** Mayor Venis stated that there was a memo from the previous Town Attorney indicating that the law firm was aware that there was a Federal Fair Housing Act issue with regard to Teen Challenge. The Town had a moratorium with regard to lifecare facilities and this needed to be addressed and the Code had been revised to comply with federal law. Mr. Connick stated that the reason this memorandum was not submitted was that there was work product information that could be harmful to the Town's position. He advised that his concern was that the issue was not openly disclosed and stated his position that this was important when dealing with public entities.

Councilmember Clark advised that she had requested this memorandum in April and was told she could not have it, although the memorandum was provided to Mr. Kiar when he had requested it. She added that if there was a problem, keeping it from Council was not helpful.

Vice-Mayor Weiner stated that there were residents for whom this was an important issue and indicated that acting against a former Town Attorney would just require Mr. Kiar looking at the legal bills and contacting their malpractice carrier, since the Town went to litigation over the issue. Vice-Mayor Weiner indicated that he just wanted to see how the Town addressed compliance with law and the Federal Fair Housing Act while not continuing a moratorium.

Mr. Kutney stated that the zoning in progress in this matter was extended to August 18th. Staff had looked at this matter in conjunction the work program and this was an item

**TOWN COUNCIL MINUTES  
JULY 19, 2000**

that should be addressed through legal experts. The APA and a number of planning organizations were starting to get into this, but legal issues prevented this. Mr. Kutney advised that this matter had been earmarked in the budget for consultant involvement. The amendment, he advised, took away the time limit and zoning in progress may need to be extended.

*Items to be tabled or withdrawn*

**9.6 PLANNING AND ZONING BOARD TABLED TO JULY 26, 2000;  
COUNCIL CAN TABLE TO AUGUST 2, 2000**

ZB (TXT) 6-1-00, Debbie Orshefsky, Greenberg Traurig, petitioner/GL Homes of Florida

This item was tabled earlier in the meeting.

**9.7 PLANNING AND ZONING BOARD TABLED TO JULY 26, 2000;  
COUNCIL CAN TABLE TO AUGUST 2, 2000**

VACATION/ABANDONMENT - VA 6-1-00, Town of Davie, a portion of NW 33 Street from Davie Road Extension to the 7400 block

This item was tabled earlier in the meeting.

**9.8 PLANNING AND ZONING BOARD TABLED TO JULY 26, 2000;  
COUNCIL CAN TABLE TO AUGUST 2, 2000**

VARIANCE - V 5-4-00, Ross-Matz Investments, 8020 SW 30 Street (B-2) (tabled from July 5, 2000)

This item was tabled earlier in the meeting.

**9.9 WITHDRAWN BY THE PETITIONER**

REZONING - ZB 6-1-00, Freedman/Pierce Hardy Limited Partnership, 3700 South State Road 7 (from B-3 to M-2)

This item was withdrawn.

**10. APPOINTMENTS**

10.1 Open Space Advisory Committee (exclusive appointment - Vice-Mayor Weiner; term expires July 2000)

Vice-Mayor Weiner deferred his appointment.

10.2 Open Space Advisory Committee (one exclusive appointment - Vice-Mayor Weiner; term of August 2000 to July 2001)

Vice-Mayor Weiner appointed Danny Belyeu.

10.3 Joint Economic Development Committee (non-exclusive appointments of two Councilmembers; term September 2000 to August 2001)

Vice-Mayor Weiner volunteered to remain on the Committee. In a voice vote to appoint Councilmember Paul and Vice-Mayor Weiner, all voted in favor with Councilmember Paul being absent.

**TOWN COUNCIL MINUTES  
JULY 19, 2000**

- 10.4 Parks and Recreation Advisory Board (two exclusive appointments per Councilmember - one appointment has a one year term and the second appointment has a two year term) (members shall have a concern with or an interest in the park facilities and recreational needs of the Town's residents)

Councilmember Cox deferred her appointments. Vice-Mayor Weiner appointed Michele Whitman and deferred his second appointment. Mayor Venis appointed Joette Alongi and Lawrence Reed. Councilmember Clark appointed Betty Jefferson for two years and Stuart Weinstein for one year.

- 10.5 Broward League of Cities - Delegate and Alternate Delegate (term expires April 2001)

Council deferred its appointments.

**11. OLD BUSINESS**

- 11.1 Review of Request for Proposal - Outside Legal Counsel

Mr. Connick stated that Council might want to consider selecting a firm that had a specialty in a particular area when individual matters arose. Councilmember Cox agreed and stated that it would not be advantageous to work from a list. Mayor Venis suggested that some firms on the list might have a conflict at the time they were called which could be months or years later. Vice-Mayor Weiner stated that the reason for the list was that firms could submit a letter of interest so that when an issue came up, the Town Attorney could make recommendations to Council about which firm might be best for that case.

- 11.2 Class Specifications for Inside Legal Counsel and Support Staff

Vice-Mayor Weiner stated that he would like to get Councilmember Paul's input on this issue.

**12. NEW BUSINESS**

- 12.1 EASE - Rental Obligation for Trailer

Mr. Wallace stated that EASE was a charitable organization which assisted people who had fallen on hard times. He stated that EASE use to have offices at the Town Hall, then moved into McFatter, and finally into a trailer. At each point, the Town or the Broward County School Board had helped with nominal administrative costs. The lease for the trailer required EASE to have \$1 million of indemnity insurance, which was not affordable. EASE was asking the Town to enter into the lease for them at a cost of \$300 per month, for this year and add the request to the budget at the same cost for next year.

Councilmember Clark made a motion, seconded by Councilmember Cox, to approve. In a voice vote, with Councilmember Paul being absent, all voted in favor. (Motion carried 4-0)

- 12.2 Young At Art (Vice-Mayor Weiner)

This item was discussed earlier in the meeting.

**TOWN COUNCIL MINUTES  
JULY 19, 2000**

**12.3 Water Feasibility Study**

Vice-Mayor Weiner asked if the Town Engineer and the Utilities Department confer with Mr. Cohen and get back information to Council to start the process of what would be entailed in building a water plant. Mayor Venis agreed and called for a consensus agreement. In one voice, with Councilmember Paul being absent, all voted in favor. Councilmember Cox asked if monies would be budgeted for a study and an affirmative answer was received.

**12.4 Final Report of Police Investigation**

Mr. Willi stated that he had considered the investigation of the Fire Department to be closed and all actions to be taken within the Department had been completed. He recommended that a policy be set that future investigations be handled by an outside agency.

Councilmember Cox advised that Council had tried to use an outside agency but could not agree on whom to use, so the policy was there but could not be implemented because the Town's administration and the firefighters union could not agree on who to use. The policy needed to include how a decision could be made when an impasse happened.

Vice-Mayor Weiner suggested that this could be resolved in advance by compiling a list of acceptable investigators for those employees who were represented by a union. He added that for those employees who were not represented by a union, the investigator would be left to the discretion of the Town Administrator.

Councilmember Clark asked about a policy regarding internal complaints that would not require a big investigation. Mr. Willi stated that processes were in place for minor situations and added that it was his intent that the investigation needed to be performed by a third party. Mr. Willi advised that the reason a police investigation ensued was because the smaller policies already in place were not implemented.

**12.5 Interim Town Administrator Contract**

Mr. Willi indicated that there were still a few aspects of the contract that needed to be fine-tuned which could be discussed now or left for the future. He hoped that Council would set his salary and indicated that his salary as Building Official was \$60,000. Mr. Willi advised that the former Town Administrator's salary at the time he was terminated was \$102,000.

Vice-Mayor Weiner asked Mr. Willi if he would be willing to take \$85,000. Mr. Willi advised that the position took considerably more of his personal time and would usurp some time given to a second occupation. He stated that his present total income exceeded \$100,000 and the salary he had asked for would be a reduction in his actual realized income.

Mayor Venis stated that he did not oppose the request for \$96,000 as Mr. Willi was doing a good job and should be compensated. He indicated that it would only be fair for Mr. Willi to be paid retroactively.

Councilmember Clark made a motion, seconded by Vice-Mayor Weiner, to approve \$96,000 to be paid retroactively to June 22, 2000. In a voice vote, with Councilmember Cox dissenting and Councilmember Paul being absent, all voted in favor. (Motion carried 3-1)

Mr. Connick asked if there was anything in particular Council would like the Town Attorney to do regarding the contract. Mayor Venis indicated that at this time, it was just the salary issue that needed to be dealt with.

**TOWN COUNCIL MINUTES  
JULY 19, 2000**

**13. ADJOURNMENT**

There being no objections or further business, the meeting was adjourned at 10:27 p.m.

APPROVED \_\_\_\_\_

\_\_\_\_\_  
Mayor/Councilmember

\_\_\_\_\_  
Town Clerk