

**TOWN COUNCIL  
REGULAR MEETING  
SEPTEMBER 19, 2001**

The meeting was called to order at 7:56 p.m. by Mayor Venis.

Mayor Venis introduced Rabbi Larry Shaval and Reverend Harold Taylor who gave invocations. Mayor Venis introduced Dr. King, Assistant Principal of Silver Ridge Middle School, who sang a patriotic song.

A proclamation was read by Town Clerk Muniz regarding the recent attack on the United States.

Vice-Mayor Paul added her wishes for God's blessings on all Americans touched by this tragedy and cautioned that an entire group of people should not be prejudged. She thanked the police and firefighters for their hard work and the collection of donations. Vice-Mayor Paul thanked those throughout the Town who had worked hard to show their patriotism.

**1. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

Present were Mayor Venis, Vice-Mayor Paul (left at 8:11 p.m.) and Councilmembers Clark, Starkey and Truex. Also present were Town Administrator Willi, Town Attorney Kiar, and Town Clerk Muniz recording the meeting.

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

**3. PRESENTATIONS**

**3.1 Officer Wes Griffin Memorial**

Police Chief John George spoke about the tremendous loss to the community in the passing of Officer Griffin. Mayor Venis read a statement from Vice-Mayor Paul who commended Officer Griffin and his involvement with the Town and the Police Explorers.

Mr. Muniz read a proclamation honoring Officer Griffin and listing the achievements throughout his life and specifically his role in the lives of the Town's residents. Mayor Venis explained Officer Griffin's contributions as a School Resource Officer and how much he meant to the Town. Councilmember Clark spoke about Officer Griffin and how he would be remembered. Mayor Venis presented the family with the proclamation.

**3.2 Employee Recognition Award**

Human Resources Manager Freda Gellerstein explained the award and described the reasons the recipients were being honored. She presented them with certificates of appreciation.

Chief George introduced five police officers who recently completed the Police Academy.

**3.3 Broward County Property Appraiser - Rocky Rodriguez**

Mr. Rodriguez advised that the Property Appraisers office would be accepting applications for Homestead exemptions for the year 2002. He cautioned residents to be careful of scams being mailed.

**TOWN COUNCIL MINUTES  
SEPTEMBER 19, 2001**

**3.4 Florida Department of Transportation (FDOT) - Scott Seeburger**

Mr. Seeburger spoke about a meeting being held on September 22nd for gaining the community's input as FDOT was ready to make recommendations for a preferred alternative to the I-75 access. He advised that Sunrise, Weston, Davie, Pembroke Pines, Miramar and Southwest Ranches would be sending delegations to this meeting.

Mayor Venis asked about the status of Post Road and 14th Street. Mr. Seeburger stated that those two roads and Stirling Road would be removed from the study.

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

Arlene Broleman, Executive Director, stated that the Chamber would have a new website as of October 1st with a link to the Town's website. Upcoming functions included Under the Harvest Moon (October 25th) and the Orange Blossom Festival (3rd week in March).

**3.6 Armadillo Square Conceptual Site Plan**

Development Services Director Mark Kutney asked that the site plan application be tabled. He advised that the Town had been negotiating with Walgreens to reach an acceptable plan for the Griffin Road corridor. The Town's consultants and staff were developing a concept plan to show how an applicant could meet the Code requirements.

Victor Dover, the Town's consultant, spoke well of the site and explained how important this building was. He felt it would set the tone for the rest of the downtown area, adding that this was an important intersection. It would be a prominent building and spoke of the importance of this time of change and felt other municipalities would be watching. Mr. Dover showed renderings explaining the position of the building, the relationship to the street, and the on-street parking. He stated that the upstairs space would be used for office and the first floor would be used for Walgreens. Mr. Dover explained that this followed the basic rules of retail and that flexibility of the Town would be important in making this work. He advised that this proposal was generated by the Town and Council would be asked to approve the concept of the site based on what was presented.

Will Allen, Redevelopment Administrator, explained that the Community Redevelopment Agency (CRA) and the Site Plan Committee recommended approval of the plan. The previous plan was discussed and he explained that several in the audience wanted to show their support.

Mayor Venis spoke about the history of this project and stated that there were a number of variances and waivers necessary. He asked if there were more variances on this plan. Mr. Kutney advised that there were less waivers on this plan.

Bill Laystrom, representing Walgreens and the Armadillo owners, spoke about their architectural plan, which would be presented on October 3rd and he advised that it would be similar to the Town's plan. He referred to some of the fill, parking, landscape and building change requirements and his only concern was that one front row of parking was needed. He pointed out that this plan was expensive and there were no CRA funds available to assist on this project. This same plan would not be proposed by the Town for the Lefmark site or others, as there were too many additional costs.

Councilmember Clark stated that the building proposed by Mr. Laystrom did not look like the proposal and the Town had worked with Walgreens on the parking issues.

**TOWN COUNCIL MINUTES  
SEPTEMBER 19, 2001**

Mr. Laystrom asked for a complete list of waivers requested by staff and recommended putting the money into the corridor to get other developments started. Small sites would not generate the kind of tenant who could fund what was needed. Mr. Laystrom explained the parking needs and stated that the cost of the second floor would not generate income sufficient to offset the expense. Councilmember Clark disagreed and felt it would generate income for Mr. Laystrom's client.

Councilmember Truex asked if the petitioner could apply for a loan subsidy from the CRA. Neal Kalis, CRA Chair, spoke about this request and stated that the CRA would be willing to meet with Mr. Laystrom on this matter. He recommended that Council adopt the plan giving incentive for both sides to reach a compromise. Mr. Kalis spoke about the vision of this plan as it related to the Town's future and the demand for office space. He spoke about the request for additional parking and referred to a previous meeting where residents in the neighborhood indicated they would walk to the site as they did not have a vehicle.

Councilmember Truex agreed that this was truly a key location and there was no way the Town could go along with a plan that would not fit in. As the first addition to the corridor, it was important for all the elements to be in place. Councilmember Truex hoped that the CRA could come up with money to support this as the Town would regain this in the long run.

James Clodfelder, a property owner, pointed out that the plan had been redesigned more than five times. The architectural concept from staff was recently provided and direction from staff was something that was needed in order to get to the point where this was workable for all. He reported that Walgreens had approved the design and needed to have a plan that would provide a profit. Mr. Clodfelder spoke about traffic and parking and the unrealistic expectation of the urban parking plan in this area. Most of the spaces could not be in the rear of the building where customers needed to walk a long distance to the door. He indicated that he and Walgreens would not build that and asked Council to wait until it saw the Walgreens plan before making a decision. Mr. Clodfelder stated that he would welcome financial input from the CRA. Councilmember Truex stated that a site plan had been approved and it was Mr. Clodfelder's decision to come in with Walgreens instead. He felt that this was a case where staff had gone out of their way to assist in this process.

Councilmember Starkey stated that staff had done an outstanding job of trying to work with all parties. Because of this location, the CRA needed to be involved and the owner's patience in working out these issues was crucial to the finished product.

Councilmember Clark stated that it seemed that if the parking issue was not resolved to Mr. Clodfelder's liking, the project would not move forward. Councilmember Clark felt that this type of parking plan was happening in other municipalities and was not unreasonable.

Jerry Vulmer, a property owner, spoke about another project of his and advised that the project almost stopped because of parking. He indicated that any retailer was going to need certain amounts of parking spaces in order to build a site.

Mr. Clodfelder stated that smaller retailers had been turned down as this was a prime corner in the Town and it needed to be devoted to a larger retailer. The problem was that

**TOWN COUNCIL MINUTES  
SEPTEMBER 19, 2001**

Walgreens would build there as long as the parking was adequate. He indicated that Walgreens would not proceed with a project if the parking was in the rear or was limited parking.

Councilmember Starkey stated that most of what the Town was trying to accomplish, including less traffic, more pedestrian and alternative automobile methods, did not fit with what Mr. Clodfelder and Walgreens was proposing. Mr. Kiar spoke about a Walgreens at the corner of 174th on Collins in Aventura and advised that there was limited parking on Collins. Councilmember Clark asked about articles indicating that Walgreens was working with a concept like this in other areas.

Councilmember Starkey made a motion, seconded by Councilmember Truex, to show support and move forward with the conceptual plan by Dover Cole and their recommendation. In a voice vote, with Vice-Mayor Paul being absent, all voted in favor. (Motion carried 4-0)

**3.7 City of Pompano Beach and AT&T Broadband Cable - Chris Kovanes**

Mr. Kovanes spoke about the number of complaints fielded by the Town. He stated that AT&T was adding a number of employees at a new facility in Miramar and discussed a combined municipality meeting regarding complaint issues. Mr. Kovanes advised that staff had met with Mr. Kiar to discuss legalities of how this issue could be addressed. A meeting had been scheduled with other cities to discuss problems and resolutions.

Mike Tank, representing AT&T, spoke about a letter sent to Council regarding the situation and discussed the acquisitions of TCI, Comcast and MediaOne. He indicated that the worst was far behind them and much progress had been made, but AT&T realized that customer patience was at a minimum. He spoke about the statistics measured on a 24-hour basis which indicated that calls were met within 30 seconds.

Mr. Tank stated that the Communications Services Tax was coming on October 1st which would affect any use of any telecommunications equipment and would change the way taxes were implemented. It would be confusing to customers when this happened and would generate complaint calls.

Mr. Kovanes asked to return to Council to report the outcome of the joint municipality meeting. He advised residents to continue to call if they needed to and to realize they had the right to ask for monies to be refunded when there were errors.

**3.8 Zoning in Progress - Mark Kutney**

Mr. Kutney reported that staff had completed the property research and was starting the initial analysis; however, early results did not indicate many parcels to create an easily definable plan. He advised that the land use plan was enforced in a way that precluded semi-rural and rural.

Mr. Laystrom asked if applications could be filed and processed while staff was conducting its research. Mr. Kutney advised that zoning changes would not be done during this time.

**TOWN COUNCIL MINUTES  
SEPTEMBER 19, 2001**

**3.9 61st Avenue Park Update - Bruce Bernard**

Mr. Bernard stated that money had been allotted to include a pool, cabana building, unlit multipurpose field, hardball court, recreational path, irrigation landscaping, parking lot, and playground. He indicated that construction was anticipated to begin in January with a completion date by July 2002 and much of the work would be done in-house.

**3.10 Upcoming Special Events - Dennis Andresky and Bonnie Stafiej**

Dennis Andresky, Parks and Recreation Director, announced that upcoming events included: Young At Art cultural program; International Outreach Ballet Program; International Fall Food Fest (October 26th); Jazzercise classes; and registration for youth soccer and in-line hockey.

Bonnie Stafiej, Special Projects Director, advised that upcoming events included: the rodeo (September 22nd); Hollywood Dog Club Dog Show (September 29th-30th); wrestling (October 6th); and the Potter Park clean up (October 6th).

Mayor Venis announced that item 7.5 needed to be tabled until October 3, 2001.

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

Mayor Venis advised that item 7.6 was withdrawn by staff and item 7.7 needed to be tabled until November 7, 2001.

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

Mayor Venis announced that item 8.19 needed to be tabled until October 3, 2001.

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

Mayor Venis advised that items 12.6 and 12.7 needed to be added to the agenda.

Councilmember Starkey made a motion, seconded by Councilmember Clark, to add these items. In a voice vote, with Vice-Mayor Paul being absent, all voted in favor. (Motion carried 4-0)

Mayor Venis announced that items 8.9 and 8.20 needed to be tabled until October 3, 2001.

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

**4. MAYOR/COUNCILMEMBER'S COMMENTS**

**5. TOWN ADMINISTRATOR'S COMMENTS**

**6. TOWN ATTORNEY'S COMMENTS**

Comments were deferred.

**TOWN COUNCIL MINUTES  
SEPTEMBER 19, 2001**

**7. PUBLIC HEARINGS**

Mayor Venis opened the public hearing portion of the meeting.

*Resolutions*

7.1 **MILLAGE RATE - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,  
R-2001-236 ESTABLISHING THE MILLAGE RATE TO BE LEVIED FOR THE FISCAL  
YEAR BEGINNING OCTOBER 1, 2001, AND ENDING SEPTEMBER 30, 2002.**

Town Clerk Muniz read the resolution by title.

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

Arthur Joseph, 13700 SW 18 Court, spoke against the Town's recycling efforts. He felt that the quarterly charge assessed to residents caused the Town to unfairly reap a profit and the residents were the ones to put forth the effort to accomplish this.

Richard Weiner, 10244 SW 18 Street, spoke against Councilmember Truex and Mayor Venis' "token decrease" in the millage which was proposed at the last meeting. He spoke about the past actions of the different Councils and felt that Council's job was to provide a core infrastructure. Mr. Weiner spoke about public safety and how this was the highest priority last year. He advised that if the millage rate was kept the same, the money would not be there to provide for basic needs.

Mayor Venis closed public hearing.

Councilmember Clark spoke about budgeted positions for public safety and how the numbers budgeted was fully underscored. The officers hired this year would represent positions filled next year. Councilmember Clark described the positions and stated that this did not reflect what the needs were that were previously discussed by Council. She indicated that Chief George had asked for 26 positions and was getting 3 and Fire Chief Don DiPetrillo had asked for 16 and was getting 3. Councilmember Clark felt that it was Council's job to provide for these needs.

Mayor Venis spoke about last year's budget and the process of balancing the budget, even though new additional public personnel were provided for, the number was nearly doubled. Budget reforms would be forthcoming and he was confident that various types of reform implemented in the budget would work toward filling needs in public safety. Mayor Venis stated that he planned to push for a supplemental budget in January based on several changes in union negotiations and insurance.

Councilmember Clark was concerned how the positions were budgeted and spoke about the phasing-in process of these positions. This would be repeated and the impact to the departments would not actually happen for another year.

Councilmember Starkey was concerned with staffing and felt that departments were "top heavy" with administration. She would rather see a balanced approach so that lower level positions were provided for and she felt the reorganization was questionable. Councilmember Starkey stated that having that information during the budget process would have been helpful, but to go back now was difficult.

Councilmember Truex felt that taxes did not have to be raised to provide for public safety personnel. He spoke about Mr. Joseph's comments and asked what the Town's profit was. Mr. Wallace stated that the recyclable goods were sold, but the garbage bills included a debit. The finances of the community could be constructed to provide savings to residents, but would result in the Town's need to make up revenue in another way.

**TOWN COUNCIL MINUTES  
SEPTEMBER 19, 2001**

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

7.2 **VOTER APPROVED DEBT SERVICE - A RESOLUTION OF THE TOWN OF**  
R-2001-235 **DAVIE, FLORIDA, ESTABLISHING THE MILLAGE RATE TO BE LEVIED**  
**FOR VOTER APPROVED DEBT SERVICE FOR THE FISCAL YEAR**  
**BEGINNING OCTOBER 1, 2001, AND ENDING SEPTEMBER 30, 2002.**

Town Clerk Muniz read the resolution by title.

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

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

*Ordinances - Second and Final Reading*

7.3 **BUDGET - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA,**  
2001-42 **ADOPTING THE BUDGET FOR THE TOWN OF DAVIE FOR THE FISCAL**  
**YEAR 2002.**

Town Clerk Muniz read the ordinance by title.

David Brown, Chair of Budget Advisory Committee, reported that the Committee would begin to analyze the quarterly financial reports, which they planned to use as an early warning system to detect problems. He added that the Committee would prepare a recommendation for next year's budget procedure. Mr. Brown stated that the Committee would also become more involved in the capital budget. He indicated that Mr. Wallace had been of great benefit to the Committee.

Councilmember Starkey asked that a copy of the PEPIE study be given to the Committee. Mr. Brown indicated that a peer review would be forthcoming with a comparison of various local cities. Identifying non-tax revenue sources could also be looked at which could reduce the pressure on taxes.

Mayor Venis advised that this was Mr. Wallace's last meeting and thanked him for his helpfulness and professionalism.

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

Arthur Joseph, 13700 SW 18 Court, asked what the cost was for a police officer or firefighter. Mr. Willi stated that just under \$100,000 was allocated for a police officer. Mr. Joseph confirmed that if a serious problem developed at the Davie Utility Plant, expenses would not come out of the Town's funds. He stated that the Town had spent \$250,000 in the Sunrise water litigation, which he felt should be charged back to Sunrise water users. Mr. Joseph spoke about the settlement with a landowner on Shotgun Road regarding a sidewalk, stating that this should not have happened. He spoke about Young At Art and the expense for this program, stating that firefighters and police officers were more important than Young At Art. Mr. Joseph asked Council to put money into the charity fund for New York.

**TOWN COUNCIL MINUTES  
SEPTEMBER 19, 2001**

Richard Weiner, 10244 SW 18 Street, spoke about Mr. Joseph's comment regarding Young At Art which did not come from the general fund and stated that he would be monitoring the Sunrise water issue. Mr. Weiner indicated that he was in support of the positions that were listed and the importance of public safety. He discussed his proposal for a regional fire agency and he felt that sharing fire rescue services with other cities would take money out of the budget in revenue but would also reduce costs, which would far outweigh the revenue lost. Mr. Weiner cautioned Council to make sure the service revenues generated from Pine Island Ridge and the Ranches were applied to the departments for which they were procured.

Fire Chief DiPetrillo stated that he had met with the Sunrise Fire Chief regarding the Shenandoah area, and a contract was pending with Dania, Ft. Lauderdale and Hollywood. He advised that a contract already existed with Cooper City and a cooperative plan was in progress.

Mayor Venis spoke about recent meetings to discuss the regional fire center, which included Davie and Cooper City and he stated there were some real functional problems with determining the rates. Fire Chief DiPetrillo stated that he and Councilmember Truex had attended a meeting where a report on fire services in other areas was discussed. This document was a draft and included much information, but the numbers were not accurate.

Mayor Venis closed public hearing.

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

7.4        **REZONING - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA,**  
2001-43    **CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE**  
                 **TOWN OF DAVIE FROM RM-10, MEDIUM DENSITY DWELLING DISTRICT**  
                 **TO R-5, LOW MEDIUM DENSITY DWELLING DISTRICT, OF THE TOWN OF**  
                 **DAVIE CODE; AMENDING THE ZONING MAP TO COMPLY THEREWITH;**  
                 **PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE**  
                 **DATE. (ZB 6-2-01, Harmony Village, 7575 Davie Road Extension)**

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

*Quasi Judicial Item*

7.5        **REZONING RECONSIDERATION - ZB 4-3-01, Laystrom/Zacco, 5011 State**  
                 **Road 7 (from M-2 to B-2) (tabled from September 6, 2001) *Planning and***  
                 ***Zoning Division recommended approval; Planning and Zoning Board***  
                 ***recommended***

This item was tabled earlier in the meeting.

**TOWN COUNCIL MINUTES  
SEPTEMBER 19, 2001**

*Items tabled or withdrawn*

**7.6 WITHDRAWN BY STAFF**

TEXT AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF DAVIE, AMENDING SECTION 12-32(B), ENTITLED "TABLE OF PERMITTED USES"; PROVIDING FOR APPROPRIATE ZONING DISTRICTS FOR VEHICLE SALES AND RENTAL INCLUDING AUTOMOBILE SALES, AUTOMOBILE LEASING, MOTORCYCLE SHOPS AND MOVERS; AND AMENDING SECTION 12-32(C), ENTITLED "TABLE OF PERMITTED USES"; PROVIDING FOR APPROPRIATE ZONING DISTRICTS FOR VEHICLE SALES AND RENTAL INCLUDING AUTOMOBILE SALES, AUTOMOBILE LEASING, BOAT SALES, BOAT RENTAL, MOBILE HOMES, MANUFACTURED HOUSING, RECREATIONAL VEHICLE SALES, HORSE TRAILER AND MOVING TRAILER RENTAL, MOVERS, AND TAXI SERVICE ESTABLISHMENTS; AND AMENDING SECTION 12-34 ENTITLED "STANDARDS ENUMERATED"; PROVIDING FOR DETAILED REGULATIONS REGARDING THE SITING OF SUCH USES; AMENDING SECTION 12-503, ENTITLED "DEFINITIONS"; PROVIDING FOR A DEFINITION OF VEHICLE SALES AND RENTAL; PROVIDING FOR INTENT; PROVIDING FOR REGULATIONS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE TOWN CODE; PROVIDING FOR AN EFFECTIVE DATE. (ZB(TXT) 6-01-01, Town of Davie) (tabled from August 1, 2001)

This item was withdrawn.

**7.7 LOCAL PLANNING AGENCY TABLED TO OCTOBER 10, 2001;  
COUNCIL CAN TABLE TO NOVEMBER 7, 2001**

TEXT AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF DAVIE, DELETING SECTION 12-34(B), ENTITLED "AGRICULTURE"; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB(TXT) 7-1-01, Town of Davie) (tabled from September 6, 2001)

This item was tabled earlier in the meeting.

**8. CONSENT AGENDA**

*Minutes*

**8.1 July 26, 2001 - Workshop Meeting**

**8.2 August 14, 2001 - Workshop Meeting**

*Proclamation*

**8.3 Race Equality Day (September 19, 2001)**

*Resolutions*

**8.4 BID - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING  
R-2001-251 THE BIDS FOR AQUATIC VEGETATION CONTROL SERVICES. (Dolphin Aquatic Co. and Blue Water Aquatics - \$12,912/year)**

**TOWN COUNCIL MINUTES  
SEPTEMBER 19, 2001**

- 8.5  
R-2001-237     **BID - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE BIDS FOR AUSTRALIAN PINE TREE TRIMMING OR REMOVAL SERVICES. (Southern Service - \$23,650 for trimming or \$32,760 for removal)**
- 8.6  
R-2001-238     **PAY ADJUSTMENT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A COST OF LIVING ADJUSTMENT FOR NON-REPRESENTED AND NON-CLASSIFIED EMPLOYEES. (3%)**
- 8.7  
R-2001-239     **SELECTION/AGREEMENT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, SELECTING THE FIRM OF TECO BGA, INC. TO PROVIDE AND IMPLEMENT AN ENERGY CONSERVATION PLAN AND AUTHORIZING THE TOWN ADMINISTRATOR OR HIS DESIGNEE TO NEGOTIATE AN AGREEMENT FOR SUCH SERVICES. (\$112,000)**
- 8.8  
R-2001-240     **AGREEMENT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE TOWN OF DAVIE TO ENTER INTO AN AGREEMENT BETWEEN THE DAVIE/COOPER CITY CHAMBER OF COMMERCE AND THE TOWN OF DAVIE.**
- 8.9             **AGREEMENT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ENTERING INTO AN AGREEMENT BETWEEN THE TOWN OF DAVIE AND GRANDe CONSULTING INC., TO REPRESENT THE TOWN OF DAVIE FOR LEGISLATIVE AND GOVERNMENTAL CONSULTING SERVICES.**
- 8.10  
R-2001-241     **CONTRACT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH ASHBRIIT, INC. FOR DISASTER RECOVERY SERVICES, BROWARD COUNTY RLI #08100-00-RB.**
- 8.11             **REVISING PAY AND CLASSIFICATION PLAN - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, REVISING AND REASSIGNING THE PAY GRADE OF THE CLASS SPECIFICATION OF PROCUREMENT MANAGER AND DEPUTY BUDGET AND FINANCE DIRECTOR IN THE NON-REPRESENTED PAY AND CLASSIFICATION PLAN AND PROVIDING AN EFFECTIVE DATE.**
- 8.12  
R-2001-242     **ACKNOWLEDGEMENT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACKNOWLEDGING THE CONTRIBUTIONS TO THE TOWN OF DAVIE BY MASON WACHTSTETTER AND NAMING THE E-BRIDGE (AT SOUTHWEST 68 AVENUE) IN HIS MEMORY, AND PROVIDING AN EFFECTIVE DATE. (approximately \$1,000)**

**TOWN COUNCIL MINUTES  
SEPTEMBER 19, 2001**

- 8.13  
R-2001-243     **GRANT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND APPROPRIATE STAFF TO SUBMIT AN APPLICATION FOR GRANT FUNDING UNDER THE DAVIE CHILD PASSENGER SAFETY SEAT PROGRAM, A PROGRAM ADMINISTERED BY THE FLORIDA DEPARTMENT OF TRANSPORTATION. (\$13,872)**
- 8.14  
R-2001-244     **PLAT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A BOUNDARY PLAT TITLED, "HARMONY VILLAGE COMMUNITY 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 6-2-01, 7575 Davie Road Extension)**
- 8.15  
R-2001-245     **AGREEMENT - 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; PROVIDING FOR THE ISSUANCE OF BUILDING PERMITS WHILE PLATTING IS IN PROGRESS RELATED TO THE HARMONY VILLAGE COMMUNITY PLAT; TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING THEIR SIGNATURES TO SAID AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE. (DA 9-1-01, 7575 Davie Road Extension)**
- 8.16  
R-2001-246     **AGREEMENT - 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 SOUTH POST, INC.; PROVIDING FOR THE ISSUANCE OF BUILDING PERMITS WHILE PLATTING IS IN PROGRESS RELATED TO THE SOUTH POST PLAT; TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING THEIR SIGNATURES TO SAID AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE. (DA 9-2-01, 4200 Shotgun Road)**
- 8.17  
R-2001-247     **COMMITTEE APPOINTMENT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPOINTING \_\_\_\_\_ AS THE TOWN'S DESIGNEE TO THE STATE ROAD 7/US 441 AESTHETIC AND ECONOMIC DEVELOPMENT COMMITTEE; APPOINTING THE DEVELOPMENT SERVICES DIRECTOR AS THE TOWN'S STAFF MEMBER ALTERNATE TO THE STATE ROAD 7/US 441 AESTHETIC AND ECONOMIC DEVELOPMENT COMMITTEE, PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**TOWN COUNCIL MINUTES  
SEPTEMBER 19, 2001**

- 8.18 R-2001-248 PROFESSIONAL SERVICES - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE TOWN ADMINISTRATOR TO SIGN A PROPOSAL BETWEEN THE TOWN OF DAVIE, AND MILLER LEGG AND ASSOCIATES, INC.; PROVIDING FOR THE PROFESSIONAL SERVICES AND FEES RELATED TO THE VACATION OF SW 142 AVENUE RIGHT-OF-WAY; TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING THEIR SIGNATURES TO SAID PROPOSAL; AND PROVIDING FOR AN EFFECTIVE DATE. (\$10,800)**

*Site Plans*

- 8.19** SP 4-2-00, Armadillo Square, 4614 SW 64 Avenue (Griffin Road Corridor) (tabled from September 6, 2001) *Planning and Zoning Division recommended denial; Site Plan Committee recommended denial*
- 8.20** SP 6-5-01, Shoppes of Flamingo Commons, corner of Orange Drive and Flamingo Road (B-3) *Planning and Zoning Division recommended approval subject to the planning report; Site Plan Committee recommended approval based on the planning report and adding 15 additional Podocarpus hedges, six feet tall, three feet on center; changing the "ten foot on center" Carpentarias to "ten foot overall height" Carpentarias; changing the designation of the dumpster gate to nine feet eight inches wide by six foot high; and changing the rear parapet over the service doors to a sloped tiled mansard similar to the two ends*

*Temporary Use Permit*

- 8.21** TU 8-1-01, 441 Park of Commerce, 5011 State Road 7

Mayor Venis asked that item 8.17 be removed from the Consent Agenda. Councilmember Truex asked that items 8.10, 8.11 and 8.21 be removed.

Councilmember Clark made a motion, seconded by Councilmember Starkey, to approve the Consent Agenda without items 8.10, 8.11, 8.17 and 8.21. In a voice vote, with Vice-Mayor Paul being absent, all voted in favor. (Motion carried 4-0)

**8.10** Councilmember Truex asked what recourse the Town had if services were not provided. Mr. Willi indicated that Article 9.8 provided what should happen but no damages would be paid to the Town. Councilmember Truex asked if this contract was negotiated by the Town. Mr. Bernard indicated that this was a standard contract with Broward County and some items had been negotiated.

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

**8.11** Councilmember Truex asked if reclassifications could be done as comprehensive actions once or twice a year. By doing it over time, it was hard to get a grip on the impact of all the changes. Mr. Willi stated that last year, Council was clear in its direction to see overall organizational changes to each department. He indicated that with the completion of these proposed classifications, this project would be concluded.

**TOWN COUNCIL MINUTES  
SEPTEMBER 19, 2001**

Councilmember Truex recommended tabling this item so that additional information could be provided.

Mayor Venis spoke about the need to revise the organizational charts prior to Council approving any future reclassifications. He felt that Council needed to review the charts and the employee's functions.

Mr. Wallace stated that Town's Procurement Manager was the lowest paid in the County with the exception of one municipality and the increases were in line with the market. He indicated that by not approving the proposed reclassifications, it would be unfair and would create a morale problem.

Councilmember Clark felt it was unfair to table this item. She recalled seeing a justification for these reclassifications and asked how much was spent last year on reclassifications. Mayor Venis responded that more than \$85,000 had been spent.

Discussion followed about these specific positions and Mr. Wallace explained why the reclassifications were submitted together. He also explained the Procurement Manager's job responsibilities. Mr. Wallace recommended that this item be deferred to the end of the agenda so that additional information could be provided.

8.17 Mr. Kutney stated that the Town would be hosting the meeting for this Committee.

Councilmember Starkey made a motion, seconded by Councilmember Clark, to nominate Mayor Venis for a month and readdress it at a later date with Mr. Kutney as the alternate. In a voice vote, with Vice-Mayor Paul being absent, all voted in favor. (Motion carried 4-0)

8.21 Councilmember Truex stated that there was no time limit on this permit. Mr. Kutney stated that the applicant had signed a letter after Council's review so additional conditions could be included. Councilmember Truex confirmed that a year would be enough time.

Councilmember Truex made a motion, seconded by Councilmember Clark, to approve subject to limiting it to a year and subject to the agenda report, items #1 and #2. In a voice vote, with Vice-Mayor Paul being absent, all voted in favor. (Motion carried 4-0)

**9. PUBLIC COMMENTS**

*Ordinance - First Reading (Public Hearing to be held on October 3, 2001)*

**9.1 REZONING - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM M-1, LIGHT INDUSTRIAL DISTRICT (HACIENDA VILLAGE) TO M-2, MEDIUM INDUSTRIAL DISTRICT; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB 7-1-01, Aguirre/Stone Harbor, Inc., 3201 West State Road 84)**

Town Clerk Muniz read the ordinance by title.

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

**TOWN COUNCIL MINUTES  
SEPTEMBER 19, 2001**

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

**10. APPOINTMENTS**

10.1 Youth Advisory Board (one exclusive appointment - Mayor Venis and Councilmember Clark; terms expire April 2002)

Mayor Venis and Councilmember Clark deferred their appointments.

10.2 Davie Water and Environmental Advisory Board (one exclusive appointment - Councilmember Clark; term expires December 2001)

Councilmember Clark deferred her appointment.

10.3 Open Space Advisory Committee (one exclusive appointment - Vice-Mayor Paul; term expires July 2002)

This item was deferred due to Vice-Mayor Paul's absence.

**11. OLD BUSINESS**

There was no old business to be discussed.

**12. NEW BUSINESS**

12.1 Council Agenda - Mayor Venis

This item was deferred.

12.2 Wetlands Mitigation Site Plan, Florida Community Trust Grant

Mr. Willi displayed a site plan for a 115-acre parcel and asked Council to designate this parcel as priority #1. The grant needed to be narrowed down and only 15 days were given for staff to respond and refine the application. Councilmember Starkey felt that because of the time constraints, Council was not able to give more input. She was not happy with this rendering and felt it did not depict a wetland. Mr. Willi stated that staff would meet individually with Councilmembers to discuss their input.

12.3 Cost Recovery - Councilmember Starkey

Councilmember Starkey stated that this matter was for the purpose of providing temporary support for the Development Services Department during a personnel shortage. She felt this would be a cost savings and would deal with the extra burden placed on staff during these times. Mr. Willi felt that everyone agreed with the intent of the issue, but how to get there differed. Cost recovery was also important for fire rescue services and would be budgeted for next year.

Mr. Kutney explained the different methods used by various cities to address this issue.

Mayor Venis stated that this issue was addressed before and he asked if a list was available of how certain projects were handled. Mr. Kutney stated that over time, some firms had changed and new firms needed to be sought. Mr. Willi indicated that he would further research this issue.

**TOWN COUNCIL MINUTES  
SEPTEMBER 19, 2001**

Mr. Kiar stated that in 1999, the firm that was selected actually represented the City of Sunrise, which was a problem. Councilmember Truex felt this would potentially impact many people, not just developers and would involve extra expense. He asked if the Town's flat fees had not kept up with the times. Mr. Willi agreed.

Councilmember Starkey suggested that Council be given the spreadsheet she had received from Mr. Kutney that showed the different charges and those imposed by other municipalities.

**12.4 Reschedule November 21, 2001 Council Meeting to November 20, 2001**

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

**12.5 Reschedule December 5, 2001 Council Meeting to December 4, 2001 due to the National League of Cities Conference**

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

**12.6 R-2001-249 A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE EXPENDITURE OF FUNDS FROM THE LAW ENFORCEMENT TRUST FUND TO ASSIST THE POLICE DEPARTMENT IN ITS PREPARATION AND PLANNING FOR A RESPONSE TO TACTICAL AND EMERGENCY SITUATIONS AND ALSO APPROVAL OF PURCHASE FOR NECESSARY EQUIPMENT FOR THIS RESPONSE.**

Town Clerk Muniz read the resolution by title.

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

**12.7 R-2001-250 AUTHORIZING THE MAYOR AND THE TOWN ADMINISTRATOR TO ENTER INTO AN AGREEMENT BETWEEN THE TOWN OF DAVIE, BROWARD COUNTY, AND JACK LOWELL, JR., TRUSTEE; FOR ROAD CONCURRENCY RELATING TO THE POINTE WEST CENTER NORTH PLAT; PROVIDING FOR REMEDIAL MEASURES TO SATISFY CONCURRENCY REQUIREMENTS RELATED TO THE POINTE WEST CENTER NORTH PLAT; TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING THEIR SIGNATURES TO SAID AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Clerk Muniz read the resolution by title.

Mr. Willi stated that this issue was to take correct non-substantial type changes to the language on a plat that was about to expire.

Stephanie Toothacher Walker, representing the petitioner, stated that the County was requiring the petitioner to make last minute revisions and advised that the plat expired on September 21st

**TOWN COUNCIL MINUTES  
SEPTEMBER 19, 2001**

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

8.11 Mr. Wallace distributed a survey and advised that Council also needed to review the internal equity when other reclassifications were done. He stated that the survey indicated dissimilar positions as the same titled positions in other cities did not deal with management, preparation and opening of bids, and the maintenance of the fleet contract. He explained the internal equity and staff felt that the proposal was the proper pay grade.

Councilmember Truex asked what benchmark was driving the proposed salary for the Deputy Budget and Finance Director. Mr. Wallace stated that a differential needed to be maintained between the Deputy Director and other positions in the department. Councilmember Truex suggested that staff utilize averages. Mr. Wallace stated that if this were done, the Procurement Manager would be making less than those doing less work with fewer responsibilities. He compared several jobs, their grades and comparative responsibilities. Mr. Wallace advised that the Town's Procurement Manager was the lowest paid in the County.

Councilmember Starkey made a motion, seconded by Councilmember Clark, to approve based on the information received. Councilmember Starkey added that the Town's Procurement Manager was one of the lowest paid and Council needed to better recognize the employees so they remained an employee. She indicated that future reclassifications needed to have backup information provided.

Mayor Venis reiterated that he would like to see the Town's organizational charts prior to approving this resolution. Councilmember Truex stated that he would like to review all the surveys.

In a voice vote, the voted was as follows: Mayor Venis - no; Vice-Mayor Paul - absent; Councilmember Clark - yes; Councilmember Starkey - yes; Councilmember Truex - no. (Motion tied 2-2; automatically tabled to the October 3rd meeting)

Mr. Kiar questioned the E-zoning on open space and asked for direction on the fence in the easement issue. He indicated that it was his understanding that this issue strictly pertained to lakefront property in the E-zoning. Mayor Venis responded in the affirmative. Councilmember Starkey advised that Council wanted this to pertain only to lakefront and that gate access had to be provided.

Mr. Kutney stated that staff was being asked by many residents for fences, as they felt they were being denied a right. Until this matter was decided, a "hold harmless" could be done.

Mr. Kiar asked for direction on cell phone tower moratorium and it was decided to be placed on the next agenda.

Councilmember Truex stated that many churches and businesses were having problems in that any bake sale or other event needed to go before Council for approval. He felt this procedure needed to be revisited.

**TOWN COUNCIL MINUTES  
SEPTEMBER 19, 2001**

Mayor Venis spoke about the possibility of a Code of Ordinances Board whose job it was to review any proposed changes with staff. Councilmember Starkey advised that she had brought this issue up with the firm she was talking with and they agreed they could update the Code. Mayor Venis felt that input from business owners was important.

**13. ADJOURNMENT**

There being no objections or further business, the meeting was adjourned at 12:24 a.m.

APPROVED \_\_\_\_\_

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

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