

**TOWN OF DAVIE
REGULAR MEETING
SEPTEMBER 18, 2002**

1. PLEDGE OF ALLEGIANCE

The meeting was called to order at 7:06 p.m. and was followed by the Pledge of Allegiance.

2. ROLL CALL

Present were: Mayor Venis, Vice-Mayor Clark, Councilmembers Paul, Starkey, and Truex. Also present were Town Administrator Willi, Town Attorney Kiar and Town Clerk Muniz recording the meeting.

Mayor Venis introduced Senator Steve Geller and State Representatives Nan Rich and Tim Ryan.

Representative Rich presented a grant in the amount of \$95,000 from the Florida Recreation Development Assistance Program for the second phase development of Betty Booth Roberts Park. Senator Geller complimented staff for excellent preparation of the grant documentation. Representative Ryan noted that this was a matching grant, thus it was a collaborative effort between the State and the Town.

3. PRESENTATIONS

3.1 Upcoming Special Events - Bonnie Stafiej and Dennis Andresky

Ms. Stafiej advised of the upcoming special events: Championship Wrestling Fan Appreciation Night (September 21st); rodeo (September 28th); Gold Coast Dogs Agility (October 12th-13th); Fraternal Order of Police concert (October 19th); Safe Halloween Trick-or-Treat (October 28th); family bike rally (November 9th); 1st Annual Diversity Festival Celebration (November 23rd); Holiday Craft Show (November 16th-17th).

Mr. Andresky announced upcoming special events: AARP 55 Alive Mature Driving Program (October 15-16); 2nd Annual International Fall Food Fest (October 25); Young at Arts Children Museum field trips; Chess Club (Fridays); and youth soccer registration.

4. MAYOR/COUNCILMEMBER'S COMMENTS

Comments were provided later in the meeting.

5. TOWN ADMINISTRATOR'S COMMENTS

No comments were provided.

6. TOWN ATTORNEY'S COMMENTS

Comments were provided later in the meeting.

Mayor Venis advised that item 10.2 needed to be added to the agenda.

Councilmember Truex made a motion, seconded by Councilmember Paul, to add. In a voice vote, all voted in favor. (Motion carried 5-0)

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10.2 Pocket Park - SW 71 Terrace

Programs Administrator Chris Kovanes indicated that the proposal was a passive park and was approximately 3.88 acres. The density in the area was high density, apartments. He described the surrounding uses and current development plans, as well as the current condition of the property. Mr. Kovanes outlined the purchase details of \$239,000 per acre price and indicated that the owner has requested a decision be made.

Mr. Willi indicated that the financing was being explored at this time, but the worse case scenario was an adjustment to the capital budget. Mr. Kovanes advised that the owner presented a sale within the past 180 days and it was necessary to update the appraisal to \$847,000. The previous appraisals were \$680,000 and \$720,000.

In response to Councilmember Starkey's question, Mr. Willi advised that an adjustment could be made to the capital budget or other projects could be impacted. It was a matter of borrowing against reserves until a refinancing or new bond was done. Mayor Venis felt it was best to borrow against the reserves and not impact other projects. He favored this acquisition.

Vice-Mayor Clark noted that this was under consideration long before prioritizing of other property considered by the Town. With respect to the Town's priority of public safety and the need for a fire station raised by Councilmember Starkey, Mayor Venis indicated that the CRA was working on funding.

Norm Blanco, President of Villas of Arista Park and Co-chair of the Associations of Nova Drive, supported the purchase and noted that the east side of the Town had long been neglected. He enumerated the reasons why he felt this was the correct location and indicated that it was favorable to use the property for a park versus industrial.

Councilmember Truex made a motion, seconded by Councilmember Paul, to approve the acquisition of this property for a park. In a voice vote, all voted in favor. (Motion carried 5-0)

Mayor Venis stated that item 8.36 needed to be tabled to October 2, 2002.

Councilmember Paul made a motion, seconded by Councilmember Starkey, to table. In a voice vote, all voted in favor. (Motion carried 5-0)

Mayor Venis indicated that items 10.3, 11.4 and 11.5 needed to be added to the agenda.

Councilmember Paul made a motion, seconded by Vice-Mayor Clark, to add. In a voice vote, all voted in favor. (Motion carried 5-0)

7. PUBLIC HEARINGS

Resolutions

7.1. **MILLAGE RATE - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-2002-208 ESTABLISHING THE MILLAGE RATE TO BE LEVIED FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2002, AND ENDING SEPTEMBER 30, 2003.**

Town Clerk Muniz read the resolution by title.

Mayor Venis read a document regarding the Town of Davie's millage rate for the fiscal year 2002-2003.

Mayor Venis opened the public hearing portion of the meeting.

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Norm Blanco, 2880 SW 72 Avenue, expressed his desire for the Town to contribute \$500 towards PODS Angels (Parents of Downs Syndrome Angels).

Sherry Blanco described the PODS organization and advised that a fundraising was being held on October 20th in recognition of Down Syndrome Awareness Month. She asked for assistance in publicizing the event.

Mayor Venis closed public hearing.

Councilmember Truex stated he was voting against the resolution because he wanted to be consistent in his support of decreasing the millage rate. He clarified that he would not vote against Mr. Blanco's request as this would come from a different fund.

Mayor Venis requested that Mr. Blanco's request be added to the next agenda under Old Business. Assistant Town Administrator Ken Cohen advised that this item could be voted on at this meeting. Mayor Venis advised that this would be voted on under item 7.3.

Mayor Venis advised that the Town's millage rate had remained constant and the overall millage rate had decreased this year.

Councilmember Paul made a motion, seconded by Vice-Mayor Clark, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Clark - yes; Councilmember Paul - yes; Councilmember Starkey - yes; Councilmember Truex - no. (Motion carried 4-1)

7.2. **VOTER APPROVED DEBT SERVICE - A RESOLUTION OF THE TOWN OF R-2002-209 DAVIE, FLORIDA, ESTABLISHING THE MILLAGE RATE TO BE LEVIED FOR VOTER APPROVED DEBT SERVICE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2002, AND ENDING SEPTEMBER 30, 2003.**

Town Clerk Muniz read the resolution by title.

Mayor Venis opened the public hearing portion of the meeting. As no one spoke, the public hearing was closed.

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

Ordinances - Second and Final Reading

7.3. **BUDGET - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, 2002-31 ADOPTING THE BUDGET FOR THE TOWN OF DAVIE FOR THE FISCAL YEAR 2003.**

Town Clerk Muniz read the ordinance by title.

Mayor Venis opened the public hearing portion of the meeting. As no one spoke, the public hearing was closed.

Councilmember Truex made a motion, seconded by Vice-Mayor Clark, to amend to add the \$500 request to PODS. Councilmember Truex withdrew his motion when he realized the amendment could not be separate from the vote on the budget.

Councilmember Paul made a motion, seconded by Vice-Mayor Clark, to approve item 7.3 with the addition of \$500 for Parents of Down Syndrome. In a roll call vote, the vote was as

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follows: Mayor Venis - yes; Vice-Mayor Clark - yes; Councilmember Paul - yes; Councilmember Starkey - yes; Councilmember Truex - no. (Motion carried 4-1)

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7.4. **QUIT CLAIM DEED - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING A QUIT CLAIM DEED FROM THE BROWARD COUNTY COMMISSION, CONVEYING CERTAIN PROPERTIES WHICH WERE ACQUIRED BY VIRTUE OF THE PROPERTIES BEING DELINQUENT TAX LANDS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**
2002-32

Town Clerk Muniz read the ordinance by title.

Mayor Venis opened the public hearing portion of the meeting. As no one spoke, the public hearing was closed.

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

Ordinances - First Reading (Public Hearing to be held on October 2, 2002)

7.5. **COMPREHENSIVE PLAN AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING, FOR TRANSMITTAL TO THE DEPARTMENT OF COMMUNITY AFFAIRS, APPLICATION LA 02-6, AMENDING THE TOWN OF DAVIE COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE PLAN MAP DESIGNATION OF CERTAIN LANDS FROM "RESIDENTIAL 1 DU/AC" TO "COMMERCIAL"; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (Laystrom/Spear and Varat, 8550 Stirling Road) Local Planning Agency recommended denial**

Mayor Venis advised this ordinance would need to be transmitted to the Department of Community Affairs, and therefore would not be heard for second reading on October 2, 2002.

Town Clerk Muniz read the ordinance by title.

Director of Development Services Mark Kutney summarized the planning report. In response to Councilmember Truex's question, Mr. Kutney indicated the applicant was looking for all commercial.

Bill Laystrom, representing the petitioner, presented a letter from the Waldrep family which indicated there were no objections to the rezoning. The property owner had agreed to not permit typical adult uses for bookstores or entertainment as well as any retail usage. Mr. Laystrom advised that discussions with prospective developers would not take place until after the land use was set.

In response to Councilmember Starkey's question, Mr. Laystrom indicated that based on some previous discussion about the general area from the developer standpoint, he thought a broad look would include commercial and office mixed use, not industrial or residential.

Mayor Venis opened the public hearing portion of the meeting. As no one spoke, the public hearing was closed.

Councilmembers disclosed that that they spoke with Mr. Laystrom regarding this item.

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

- 7.6. **WARRANTY DEED - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING A WARRANTY DEED FROM CERTAIN RESIDENCES CONVEYING CERTAIN PROPERTY FOR USE AS A PUBLIC RIGHT-OF-WAY; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.**
(residences along SW 23rd Street)

Town Clerk Muniz read the ordinance by title.

Mr. Kiar reported that the deed from Mr. and Mrs. Islam was not properly executed and indicated that he was in the process of obtaining a properly executed deed. He requested that the deed indicate it was prepared by him and should be returned to the Town Clerk's office. Councilmember Starkey indicated that the address needed to be added.

Mayor Venis asked Public Works Director Bruce Bernard if he was going to fix the potholes on SW 25 Street. Mr. Bernard indicated that as soon as Council voted on this as a public route for the Town, the potholes would be fixed.

Mayor Venis opened the public hearing portion of the meeting. As no one spoke, the public hearing was closed.

Councilmember Paul made a motion, seconded by Councilmember Starkey, to approve pending execution of the new deed from the Islams. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Clark - yes; Councilmember Paul - yes; Councilmember Starkey - yes; Councilmember Truex - yes. (Motion carried 5-0)

Mayor Venis indicated that the second reading for item 7.6 was scheduled for October 2, 2002.

Mayor Venis closed the public hearing portion of the meeting.

8. CONSENT AGENDA

Minutes

- 8.1. July 10, 2002 - Regular Meeting

Home Occupational Licenses

- 8.2. Senior Care Solutions, L.L.C., 13330 SW 29 Court
8.3. A Ring A Ding Associates, 10221 SW 40 Street
8.4. AACI, 11193 SW 37 Manor

Proclamation

- 8.5. International Day of Peace (September 21, 2002)

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Resolutions

- R-2002-210 8.6. **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A SERVICE AGREEMENT FOR INFECTIOUS DISEASE BASELINE TESTING AND VACCINATION PROGRAM BETWEEN THE TOWN OF DAVIE AND MEDWORK 84 (NBHD), FOR EMERGENCY PERSONNEL. (\$40,000)
- R-2002-211 8.7. **BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE BID FOR DIGITAL COPIER, STATE OF FLORIDA CONTRACT NUMBER 600-340-01-1. (\$11,449 - Minolta Business Solutions, Inc)
- R-2002-212 8.8. **BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE BID FOR WINDOWS BASED COMPUTERS, SOFTWARE AND EQUIPMENT, BROWARD COUNTY CONTRACT NO. A998204B1. (\$20,770 - Dell Computer Corporation)
- R-2002-213 8.9. **BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, WAIVING FORMAL BIDDING AND ACCEPTING THE BID FOR WALKABOUT COMPUTERS, INC. AS A SOLE SOURCE SUPPLIER FOR HAMMER HEAD 3 COMPUTERS. (\$27,163)
- R-2002-214 8.10. **BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, WAIVING FORMAL BIDDING AND ACCEPTING THE BID FROM PINPOINT TECHNOLOGIES, INC. AS A SOLE SOURCE SUPPLIER FOR WINDOW BASED COMPUTER SOFTWARE AND LICENSING, TITLED EMS PRO. (\$55,200)
- R-2002-215 8.11. **BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE BID AWARDED BY THE TOWN OF DAVIE, BID NO. B-02-118 TO "CONTRACT CONNECTION INC." FOR SUPPLYING AND INSTALLING TWO OCTAGONAL "POLIGON" PAVILIONS MODEL #GOX 28 MR FOR USE AT BETTY BOOTH ROBERTS PARK. (\$84,524)
- R-2002-216 8.12. **CHANGE ORDER** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE CHANGE ORDER #1 WITH INTRASTATE CONSTRUCTION CORP. FOR DIRECTIONAL BORING AND THE INSTALLATION OF PLUMBING PIPING UNDER ORANGE DRIVE FOR TWO DRINKING FOUNTAINS FOR "LINEAR PARK" PROJECT. (\$7,236.08)
- R-2002-217 8.13. **GRANT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING APPLICATION, APPROVAL AND EXECUTION FOR A GRANT FROM THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION DIVISION OF RECREATION AND PARKS FOR A FLORIDA

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- RECREATION DEVELOPMENT ASSISTANCE PROGRAM (FRDAP) GRANT FOR LINEAR PARK FOR \$75,000. (\$75,000 in-kind local match)
- 8.14. **BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING
R-2002-218 THE BIDS FOR COMPUTER SOFTWARE FOR WINDOWS 2000 COMPUTERS.
((\$52,689.45 - lowest responsive and responsible bidder for each item)
- 8.15. **BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING
R-2002-219 THE BID AWARDED BY BROWARD COUNTY, BID NO. H-5-01-090-B1 FOR
MEDIAN BEAUTIFICATION ON PINE ISLAND ROAD. (\$85,500 - Weekly
Asphalt Paving, Inc.)
- 8.16. **PURCHASE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,
R-2002-220 AUTHORIZING THE PURCHASE OF CAST IRON STREET LIGHTS FROM A
SINGLE SOURCE SUPPLIER, VISCO THROUGH LIGHTING
REPRESENTATIVES, INC. (\$44,935.00)
- 8.17. **GRANT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA
R-2002-221 AUTHORIZING THE APPLICATION, APPROVAL AND EXECUTION OF A
GRANT FROM THE FLORIDA DEPARTMENT OF ENVIRONMENTAL
PROTECTION, FLORIDA RECREATION DEVELOPMENT ASSISTANCE
PROGRAM (FRDAP) FOR THE DEVELOPMENT OF FALCON'S LEA PARK.
((\$132,000 grant - \$132,000 local match)
- 8.18. **COST OF LIVING ADJUSTMENT - A RESOLUTION OF THE TOWN OF**
R-2002-222 **DAVIE, FLORIDA, APPROVING A COST OF LIVING ADJUSTMENT FOR**
NON-REPRESENTED AND NON-CLASSIFIED EMPLOYEES.
- 8.19. **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,
R-2002-223 AUTHORIZING THE HUMAN RESOURCES MANAGEMENT DIRECTOR TO
EXECUTE A PROPERTY AND CASUALTY INSURING AGREEMENT WITH
SERMA, A MUNICIPAL SELF-INSURANCE RISK POOL ADMINISTERED BY
EMI, PROVIDING FOR CURRENT AND CONTINUED COVERAGE OF THE
TOWN'S PROPERTY, AUTO LIABILITY, GENERAL LIABILITY AND
WORKERS COMPENSATION INSURANCE COVERAGE. (\$2,185,000)
- 8.20. **EXPENDITURE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,
R-2002-224 AUTHORIZING THE UTILIZATION OF FUNDS FROM THE LAW
ENFORCEMENT TRUST FUND FOR THE PURPOSE OF CRIMINAL AND
NARCOTIC INVESTIGATIONS. (\$6,000 unbudgeted)
- 8.21. **EXPENDITURE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,
R-2002-225 AUTHORIZING THE EXPENDITURE FROM THE LAW ENFORCEMENT
TRUST FUND AND APPROVAL FOR TWO REPRESENTATIVES TO ATTEND

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THE NATIONAL ASSOCIATION OF TRIADS, INC. 2002 CONFERENCE.
(\$1,500)

- 8.22. **EXPENDITURE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,
R-2002-226 AUTHORIZING THE EXPENDITURE OF FUNDS FROM THE LAW
ENFORCEMENT TRUST FUND TO PROVIDE FUNDING FOR THE DAVIE
POLICE DEPARTMENT COMMUNITY RELATIONS ACTIVITIES. (not to
exceed \$10,000 - unbudgeted)
- 8.23. **EXPENDITURE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,
R-2002-227 AUTHORIZING THE EXPENDITURE OF FUNDS FROM THE LAW
ENFORCEMENT TRUST FUND TO SUPPLEMENT THE DAVIE CHILD
SAFETY BOARD IN AN AMOUNT NOT TO EXCEED \$2,000.
- 8.24. **EXPENDITURE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,
R-2002-228 AUTHORIZING THE EXPENDITURE OF FUNDS FROM THE LAW
ENFORCEMENT TRUST FUND FOR A DONATION TO BEAT THE HEAT INC.
(\$2,500)
- 8.25. **EXPENDITURE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,
R-2002-229 AUTHORIZING THE EXPENDITURE OF FUNDS FROM THE LAW
ENFORCEMENT TRUST FUND FOR A DONATION TO THE BROWARD
COUNTY CRIME STOPPERS. (\$3,500)
- 8.26. **EXPENDITURE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,
R-2002-230 AUTHORIZING THE EXPENDITURE OF FUNDS FROM THE LAW
ENFORCEMENT TRUST FUND TO SUPPLEMENT THE FISCAL YEAR 2002-
2003 POLICE DEPARTMENT TRAINING.
- 8.27. **FUND AUTHORIZATION** - A RESOLUTION OF THE TOWN OF DAVIE,
R-2002-231 FLORIDA, AUTHORIZING FUNDS FROM THE LAW ENFORCEMENT TRUST
FUND TO PURCHASE SUPPLIES FOR THE DRUG ABUSE RESISTANCE
EDUCATION (D.A.R.E.) PROGRAM. (\$15,000)
- 8.28. **FUND AUTHORIZATION** - A RESOLUTION OF THE TOWN OF DAVIE,
R-2002-232 FLORIDA, AUTHORIZING THE ALLOCATION OF FUNDS FROM THE LAW
ENFORCEMENT TRUST FUND TO THE DAVIE POLICE ATHLETIC LEAGUE
IN AN AMOUNT NOT TO EXCEED \$35,000.
- 8.29. **ADAPT PROGRAM** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,
R-2002-233 AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND
APPROPRIATE STAFF TO PARTICIPATE IN AND FUND THE A.D.A.P.T.
PROGRAM. (\$25,000)

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- 8.30. **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,
R-2002-234 AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN
THE SCHOOL BOARD OF BROWARD COUNTY AND THE TOWN OF DAVIE
SUBJECT TO BUDGETARY APPROVAL TO PROVIDE A SCHOOL RESOURCE
OFFICER PROGRAM FOR WESTERN HIGH SCHOOL, INDIAN RIDGE
MIDDLE SCHOOL AND SEVEN ELEMENTARY SCHOOLS IN THE TOWN OF
DAVIE. (\$36,000 reimbursement)
- 8.31. **PARTNERSHIP** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,
R-2002-235 WHEREBY THE MAYOR AUTHORIZES THE TOWN ADMINISTRATOR TO
ENTER INTO A PARTNERSHIP INCLUDING THE TOWN OF DAVIE, THE
DAVIE POLICE DEPARTMENT FOP 100 AND THE DAVIE FIRE RESCUE
DEPARTMENT IAFF LOCAL 2315 FOR THE PURPOSE OF DEVELOPING A
MEMORIAL STATUE TO BE ERECTED AND DEDICATED TO THE POLICE
AND FIRE DEPARTMENTS AND THEIR MEMBERS.
- 8.32. **CONTRACT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,
R-2002-236 AUTHORIZING THE MAYOR OR HIS DESIGNEE TO EXECUTE A
CONTRACT WITH CHARLIE FRYMYER PAVING, INC., FOR S.W. 23RD
STREET PAVING AND DRAINAGE. (\$206,801.15)
- 8.33. **PLAT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A
R-2002-237 BOUNDARY PLAT TITLED, "SIERRA ESTATES PLAT", AND AUTHORIZING
THE MAYOR AND TOWN CLERK TO ACKNOWLEDGE SUCH APPROVAL
BY AFFIXING THE MAYOR'S SIGNATURE AND THE TOWN SEAL TO SUCH
PLAT; AND PROVIDING AN EFFECTIVE DATE. (P 12-3-01, 2000 Hiatus Road)
- 8.34. **EASEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,
R-2002-238 AUTHORIZING THE MAYOR AND TOWN ADMINISTRATOR TO EXECUTE
A GRANT OF EASEMENT TO CENTRAL BROWARD WATER CONTROL
DISTRICT FOR DRAINAGE PURPOSES; TO ACKNOWLEDGE SUCH
APPROVAL BY AFFIXING THEIR SIGNATURES AND THE TOWN SEAL TO
SAID EASEMENT; AND PROVIDING FOR AN EFFECTIVE DATE. (SW 142nd
Avenue)
- 8.35. **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA
R-2002-239 AUTHORIZING THE MAYOR AND THE TOWN ADMINISTRATOR TO
ENTER INTO AN AGREEMENT BETWEEN THE TOWN OF DAVIE,
BROWARD COUNTY, AND SOUTHERN HOMES OF DAVIE II LLC, FOR
REGIONAL ROAD CONCURRENCY RELATING TO THE FLAMINGO PLAT;
PROVIDING FOR REMEDIAL MEASURES TO SATISFY CONCURRENCY
REQUIREMENTS; TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING

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THEIR SIGNATURES TO SAID AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE. (DA 8-1-02, 12901 Orange Drive)

- 8.36. **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA AUTHORIZING THE MAYOR AND THE TOWN ADMINISTRATOR TO ENTER INTO AN AGREEMENT BETWEEN THE TOWN OF DAVIE, BROWARD COUNTY, AND STONE HARBOR, INC., FOR COMPLIANCE WITH CONDITIONS SET FORTH IN AN ENVIRONMENTAL IMPACT REPORT PREPARED FOR THE STONE HARBOR, INC. PLAT; PROVIDING FOR MITIGATION MEASURES TO SATISFY CONDITIONS OF THE ENVIRONMENTAL IMPACT REPORT; TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING THEIR SIGNATURES TO SAID AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE. (DA 8-2-02, 3201 West State Road 84)

Temporary Use Permits

8.37. TU 8-3-02, St. Bonaventure Catholic Church, 1301 SW 136 Avenue

8.38. TU 8-5-02, Simmons Company, 8858 State Road 84

Mayor Venis asked that item 8.19 be removed from the Consent Agenda. Councilmember Truex asked to remove items 8.1 and 8.8. Councilmember Paul asked to remove items 8.31, 8.32 and 8.33.

Councilmember Paul made a motion, seconded by Vice-Mayor Clark, to approve the Consent Agenda without items 8.1, 8.8, 8.19, 8.31, 8.32, and 8.33. In a voice vote, all voted in favor. (Motion carried 5-0)

8.1 Councilmember Truex made a motion, seconded by Councilmember Paul to table until the next meeting. In a voice vote, all voted in favor. (Motion carried 5-0)

8.8 Councilmember Truex asked what the total cost of the project was. Police Chief John George stated that the entire cost was just under \$100,000, including items 8.8 and 8.9. He added that the money must be spent prior to February, 2003.

Councilmember Truex noted that the bid with the County had expired and he was certain the equipment the Town was purchasing was different than that quoted in the bid. The documentation reflected a 5% discount and questioned why this was not being sought for other purchases.

Councilmember Paul made a motion, seconded by Vice-Mayor Clark, to approve. In a voice vote, with Councilmember Truex dissenting, all voted in favor. (Motion carried 4-1)

8.19 Risk Manager Dan Lutzke, reviewed the advantages of changing to SERMA. He advised that he had verified with the Town's primary legal defense counsel, Johnson, Anselmo, Murdoch, et al., and was assured they would provide legal services to the Town regardless of the provider selected.

Mayor Venis asked about financial stability. Mr. Lutzke noted that over a period of three years, the League lost over \$90,000,000 and dropped to a \$21,000,000 base. He advised that SERMA had minimum retained earnings requirement of \$500,000, which was currently at

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\$1,600,000. Mr. Lutzke added that SERMA has also purchased insurance from A rated companies to meet needs of the members.

Mayor Venis asked how the Town would know if all of the current insurance coverages for members were maintained. Mr. Lutzke advised that a representative from the Town would sit on SERMA's Board of Directors. He explained that the Town would act on the advice of EMI, who was performing this function for many agencies in Florida. EMI's actuaries were regularly reviewing SERMA's books and the Town would be provided with copies of the insurance policies.

Mr. Lutzke advised there were currently five cities using SERMA. He indicated that if another smaller municipality had significant losses, Davie would not be impacted because of the stop-loss insurance and reinsurance.

Councilmember Starkey discussed a lawsuit with the City of Green Acres and SERMA. She also mentioned a situation where Councilmembers in the City of Parkland were sued individually and SERMA refused to represent them. Vice-Mayor Clark was concerned whether the instances conveyed by Councilmember Starkey were factual.

Chuck Wilde, representing the Florida League of Cities, recommended the matter be tabled for a better understanding. He indicated that there were major differences in the funds and he believed that the Town was responsible for other members in SERMA. In examining the bids, he was concerned that premiums were not quoted in the submitted SERMA documentation and there were no originals from SERMA.

Mr. Cohen indicated that the Town recently became self-insured for health insurance and felt it would be safe to select SERMA. For this type of coverage, the least it would cost would be a little more than the premium for SERMA and if the worst occurred, it would cost a great deal more. The cost was linked to the number of employees on payroll, which has increased since the bid was prepared. If a decision was not reached now, the Town would have to re-sign with the League, and there was a 10% cancellation penalty of approximately \$180,000.

In response to Councilmember Starkey's question, Mr. Lutzke advised that the contract with SERMA was for two years. Mr. Lutzke added that the mandated State assessment that covered the agency if their insurance provider went bankrupt was already included in the quoted amount by SERMA.

Councilmember Starkey wanted to resolve the outstanding questions before considering SERMA. Discussion turned to the situation that occurred in Parkland and the lawsuit, as well as another situation where the League had refused to represent the Town in some pending litigation.

Mr. Kiar indicated that Section 1 of the resolution indicated that renewals may be handled by staff and asked whether Council would prefer that renewals come before Council. Council agreed.

Vice-Mayor Clark made a motion, seconded by Councilmember Paul, to approve with the changes Mr. Kiar mentioned. In a voice vote, with Councilmember Starkey and Councilmember Truex dissenting, all voted in favor. (Motion carried 3-2)

8.31 Councilmember Paul complimented Councilmember Starkey on this endeavor. Councilmember Paul was concerned with staff involvement in the memorial being developed

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because of the time and cost incurred and felt that the verbiage indicating staff involvement be eliminated. With respect to funding, Councilmember Starkey advised that this was discussed and it was concluded that a separate account be established and that funds were not needed from the Town. Chief George explained the intent in the resolution wording was in-kind services of staff. Councilmember Starkey indicated that most of the money was donations from the public and she planned to secure the services of an architect to design the statue.

Councilmember Truex did not think there was need to revise the language. He did not anticipate any excessiveness on the part of staff and added that this could be addressed if it occurred. Councilmember Paul wanted some parameters established for this project. For example, she made changes to the Safety Summit because it usurped too much staff resources. She felt it would be beneficial to amend the language. Councilmember Truex suggested it be passed and be subject to Council review.

Chief George explained that staff involvement was of a planning nature and that was the intent of the language in the resolution. Mr. Willi suggested that the police and fire union presidents be selected to serve as co-chairs. Councilmember Starkey explained that it was felt a better approach was to involve the entire Council and community, as the police and fire personnel were uncomfortable with seeking donations for a memorial for themselves. Chief George suggested that Mr. Willi be empowered to regulate staff's involvement.

Councilmember Starkey made a motion, seconded by Councilmember Truex, to approve with the recommendation to include the second sentence from the end, "whereas the Town Administrator to direct, regulate staff involvement in developing the memorial. In a voice vote, all voted in favor. (Motion carried 5-0)

8.32 Councilmember Paul voiced her objections to receiving the amended contract minutes before the meeting. Town Engineer Larry Peters indicated that staff had made minimal changes which were discussed with Mr. Kiar. Councilmember Paul indicated that recommendation of approval was not on the revision. Mr. Willi indicated that approval was recommended on the original resolution.

Councilmember Paul made a motion, seconded by Councilmember Starkey, to approve. In a voice vote, all voted in favor. (Motion carried 5-0)

8.33 Councilmember Paul felt the calculations used to determine the number of lots was incorrect. Planning and Zoning Manager Fernando Leiva indicated that a proposed lake had not been included in the calculations. He stated that if Council approved the resolution, it would not affect the Town's ability to review this application at site plan. Councilmember Paul felt it was a substantial issue and should be included because of the concerns with wetland mitigation. She questioned the size of the proposed lake.

Dennis Mele, representing the petitioner, indicated that there could not be a lake size yet because the drainage calculations were not done due to the pervious conditions of the soil. He indicated that his client was aware that they were probably not going to get 88 lots on this property. Mr. Mele stated that his client wrote a letter indicating his understanding of the Zoning in Progress and the potential restrictions.

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Councilmember Paul asked what the final determination by Broward County was on how much of this property was wetlands. Mr. Mele did not have an answer and reiterated that his client was aware of the process with South Florida Water Management regarding wetlands. He indicated that the plat process was extensive and his client met all requirements in the Town's Code regarding plat approval.

Councilmember Starkey indicated that she wanted to see the lot sizes at a minimum of 35,000 square feet. Councilmember Paul felt this was inappropriate information at this time. Mr. Mele indicated that his client was planning on 35,000 square foot lots.

Vice-Mayor Clark made a motion, seconded by Councilmember Truex, to approve. In a voice vote, with Councilmember Paul and Councilmember Starkey dissenting, all voted in favor. (Motion carried 3-2)

9. APPOINTMENTS

- 9.1. Parks and Recreation Advisory Board Agency (one exclusive appointment - Councilmember Truex; terms expire April 2004) (members should have a concern with or an interest in the park facilities and recreational needs of the citizens of the Town)

Councilmember Truex deferred his appointment.

- 9.2. Child Safety Board (one exclusive appointment - Councilmember Starkey; term expires April 2004) (whenever possible, members shall have interest and expertise in law enforcement, elementary school instruction, child psychology, pediatric medicine, parenthood and grandparenthood)

Councilmember Starkey deferred her appointment. Councilmember Paul shared information regarding Lynn Waters who was interested in serving on this Board. Councilmember Starkey indicated that she already had someone in mind.

10. OLD BUSINESS

- 10.1. Final Construction Improvements for Imagination Farms East

Mayor Venis advised that a meeting was held on September 17th and referred to a memorandum that he had prepared for Council which he explained.

Carlos Lopez, expressed his concern with the equestrian park and the drainage issue. He felt that the agreement did not adequately address this issue. Mayor Venis advised that Central Broward Water District would have to grant approval for the park and if there was still a problem, the developer would have to resolve it.

Brenda DiIoia-Prager asked about the bridle path and whether it would be straight or if it would meander. She also wanted to know if the bridle path and the recreation path would run the entire length of the berm. Mayor Venis advised that it would meander and both would run the entire length of the berm. Ms. DiIoia-Prager asked what the time frame was. Mayor Venis advised that the Engineering inspectors would be out at the site as soon as possible.

Ms. DiIoia-Prager asked what assurances were in place to ensure that the developer would complete the improvements. Mayor Venis and Mr. Mele indicated that a \$50,000 bond

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was in place. Mayor Venis stated that the client would not get a final approval if the improvements were not completed.

Councilmember Truex asked how the bond would be allocated. Mr. Mele indicated that the \$50,000 estimate was generated by the Town to install the bridle path, but the developer's contractor indicated it would cost as little as \$33,000, which would leave \$17,000 available for other improvements. Howard Zimmerman indicated that the sidewalk would take at least 60 days.

Mr. Lopez urged Council to restrict the issuances of any certificates of occupancy prior to the improvements being completed. Mr. Mele indicated that the issuance of certificates was predicated by the Building Code and could not be restricted by Council.

Councilmember Paul was hopeful that this project would be completed expeditiously and that the developer would comply with the resolutions set forth.

11. NEW BUSINESS

11.1. Commercial Trucks in Summerlake - Mayor Venis

Mr. Peters distributed an aerial which outlined where three signs should be placed to eliminate truck traffic through this area. He asked Council to approve this alternative route.

Larry Siegel opposed the proposed alternative route because it would shut him down since SW 20th Street had a cul-de-sac that cut off traffic. He understood that SW 15th Manor was a public road. Councilmember Paul spoke of the history of this issue regarding the removal of the cul-de-sac. She felt that the road construction was being unduly delayed. Mr. Siegel reiterated that closing SW 20 Street would, in effect, shut down his business. Councilmember Paul was concerned that Mr. Siegel would not have access. Mr. Peters indicated that the contractor had just pulled the permit and that he would be ready to pave within a couple of weeks of this meeting.

Councilmember Paul felt that barricades should not be up until the road was ready to be paved. Mr. Bernard explained why the road had to be closed prior to actual paving. Chief George advised that he could provide officers to keep truck traffic to a minimum until SW 20 Street could be opened. He stated that the area had to be restricted as it was a safety issue.

It was clarified that Mr. Siegel would have access and could use the FPL road. Mr. Siegel stated that it was not physically possible for his trucks to turn onto the FPL road. Mayor Venis indicated that Mr. Peters said it was possible and the Town would assist Mr. Siegel with navigating the area.

June Connors 1701 SW 127 Avenue, was in favor of the proposed alternative as the truck traffic was horrendous.

Nancy Myer also was in favor of the proposed alternative route.

Chief George provided two photographs which illustrated the conditions of the FPL easement. He reiterated that once the signs were posted, defiance would not be tolerated.

Ms. Myer asked when the road would be paved. Mayor Venis stated it would be done in two weeks.

11.2. Removal of Fill from RiverStone - GL Homes

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Rick Elsner, representing GL Homes who was the developer of the RiverStone Development, asked for permission to exit the property with trucks in order to remove fill from the property. He stated that the settlement agreement gave permission to remove fill as long as the trucks exited onto Orange Drive. Mr. Elsner asked that this be changed to allow removal from the north end of the property. He advised that the developer was willing to post a \$25,000 bond to cover the repair of Orange Drive should it be damaged. Mr. Elsner stated that trucks would be kept off residential streets and if fill was needed in a residential area, they would contact the Town. He agreed not to take the material north on Shotgun Road stating that it would go south or west into Weston.

Councilmember Paul referred to a discussion she had with Mr. Elsner. She stated that the settlement agreement would stand and indicated that she was not sure if the \$25,000 was enough for the scope of the project. Councilmember Paul was concerned because residents in Oak Hill had complained about the truck traffic and the condition was dangerous for children. She asked that advance notice be given so that Public Works could post signs to notify residents.

Mr. Bernard suggested that flagmen be employed by the developer to direct and calm traffic because there was a problem with speeding in the area in question. He also assured that most of the fill was going to big developments rather than individual properties.

Councilmember Paul asked Mr. Bernard if the bond was adequate. Mr. Elsner indicated that staff had determined the bond amount. Mr. Peters referred to the bond and stated that he understood that the trucks would move due west onto Shotgun Road and then south approximately 500 feet to the bridge. He stated that if this was not the plan, the \$25,000 estimate was not appropriate.

Mayor Venis asked about the roundabout and stated that if it was going to be repaved, then the bond would not be used anyway. He suggested that the bond be used to cover Shotgun Road. Mr. Elsner agreed to use the bond for Shotgun Road from the south property line to the north property line.

Mr. Elsner stated that his company had lost over 150,000 yards in contracts in the past few weeks because they were told not to take anything off the property. He added that the Town was not recognizing the settlement agreement. Mayor Venis clarified that in accordance with the settlement agreement, the developer would be allowed to use a different route, but the route would be longer. Mr. Elsner agreed and stated the distance was not an issue. He urged Council to make a decision so the project could proceed.

Councilmember Paul asked Chief George if personnel could be placed in this area to monitor it. Chief George replied affirmatively.

Damon Carroll, speaking on behalf of the residents in the area, advised that none of the residents in the area were in favor of this request. He stated that the residents were not notified and if they were, they would have come before Council. Mr. Carroll stated that trucks from past developers ruined the roads and felt that the \$25,000 bond was insufficient. Mayor Venis stated that if this was not approved, the developer had the right to exit onto Orange Drive. Mr. Carroll questioned how the trucks would be exiting the property. Mr. Elsner clarified that the trucks would not go north on Shotgun Road.

Councilmember Truex asked Mr. Willi about the three-week delay the developer mentioned. Mr. Willi advised that the Town had sent a letter to the engineering company

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advising them to cease and desist until it was determined by the Town Attorney that the settlement agreement was assignable thereby allowing GL Homes to remove fill from the site.

Mr. Elsner agreed to reconstruct and resurface Shotgun Road to the north end of the property and to the southern most exit point of the property. Also, the \$25,000 bond would be used for other areas. He also agreed to keep the road clean.

Councilmember Paul clarified Mr. Elsner's promises and stated that if all the contingencies were met, then she would be in favor.

Vice-Mayor Clark made a motion, seconded by Councilmember Starkey, to approve with the conditions Councilmember Paul set forth and voluntarily offered by the developer. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Clark - yes; Councilmember Paul - yes; Councilmember Starkey - yes; Councilmember Truex - yes. (Motion carried 5-0)

Mr. Willi asked that proper occupational licenses be submitted by Smith and Company and that a direct contact number be provided in case of emergency. Mr. Elsner agreed.

11.3. Tree Preservation - Fernando Leiva

Mr. Leiva spoke of Council's direction for staff to research the County's tree preservation ordinance to check compatibility with the Town's ordinance and to contact FPL regarding their tree trimming practices around power lines. He advised that staff was recommending that tree trimming by FPL not have to be part of an ordinance; a tree advisory committee be created; and an aggressive outreach and information program be developed.

Chief Landscape Inspector Jack Martin distributed a brochure on proper tree pruning and a memorandum from Broward County for tree trimming businesses.

Mr. Leiva referred to the Broward County Tree Trimmers Competence License and stated that staff recommended making this part of the Town's ordinance. Staff also recommended streamlining the process so that the tree preservation funds could be properly appropriated. The last recommendation was to develop a landscaping unit within the Planning and Zoning Division and to hire a licensed forester.

Mayor Venis referred to complaints from the community regarding how the contractors from FPL had "butchered" trees throughout the community. He was pleased that this issue was being addressed.

Councilmember Paul stated that this had been an issue for two years and she was pleased that staff was working on it diligently. She approved of raising the fine for illegal and improper clearing and grubbing. Councilmember Paul referred to the FPL issue and wondered if something could be done through an ordinance. She understood that a Town official had to be contacted when a tree was going to be trimmed so that the trimming could be supervised.

Councilmember Starkey felt that restrictions needed to be put into place in an ordinance and she disagreed that an advisory committee should be established. She felt that there should be restrictions regarding where trees were planted and that the Site Plan Committee should oversee this. Councilmember Starkey stated that FPL had a brochure regarding proper tree placement and it was not necessary for the Town to spend money to duplicate this. Councilmember Starkey agreed that a licensed arborist should be included and felt that a Town employee or an urban forester should supervise. She indicated that a cost factor was not

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included and she could not make a decision until it was available. Mr. Leiva stated that there would be no cost to add language to the Code. He stated that the outreach recommendation would be funded by monies already in place.

Councilmember Truex asked if the County's ordinance was binding for the Town. Mr. Leiva replied affirmatively and added that many municipalities had adopted additional assurances that would help to educate the public.

Mr. Willi stated that when County Code was incorporated into Town Code, it gave Code Compliance more power to enforce. He stated that if it was not adopted, then the County would be responsible for Code Enforcement.

Mr. Martin referred to FPL and explained that the reason staff chose not to add ordinances to the Code was that NZA300, which governed tree pruning on the national level, did not allow the Town to tell FPL how to trim trees. He clarified that FPL did not clear trees, but they cleared power lines. Mr. Martin indicated that Fort Lauderdale had established a committee that met regularly with FPL and they were working together to enforce and implement the "Right Tree, Right Place" brochure that FPL published. He stated that a similar program could be established in the Town.

Mr. Martin added that grants were available and being pursued to purchase brochures or create brochures for distribution to the residents. He referred to the Tree Trimmer Competency License and stated that staff had the authority to address tree abuse. The new ordinance required tree trimmers to take a competency test and the license must be visible. Also, crewmembers had to have licenses. The question was who was going to enforce this as the County only had three people to enforce this. If this was added to Town's Code, then Town staff could enforce.

Councilmember Truex asked if homeowners could trim their own trees. Mr. Martin replied affirmatively, adding that they could not remove trees from their property without a permit.

Mr. Leiva asked Council for direction regarding the requirements and the license so that staff could complete this project. Council directed staff to forge ahead with their recommendations and create a formal proposal.

10.3
R-2002-240 A RESOLUTION OF THE TOWN OF DAVIE APPROVING SETTLEMENT OF THE LAWSUIT STYLED COVENANT HOUSE FLORIDA, INC., PETITIONER, VS. TOWN OF DAVIE, RESPONDENT, CASE NUMBER 02-011871 CACE (04) IN THE CIRCUIT COURT OF THE 17TH JUDICIAL CIRCUIT, IN AND FOR BROWARD COUNTY, FLORIDA, BY AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT FOR PURCHASE AND SALE OF REAL PROPERTY SUBJECT TO VARIOUS CONTINGENCIES, INCLUDING THE OBTAINING OF TWO SATISFACTORY APPRAISALS OF VALUE FOR THE SUBJECT REAL PROPERTY.

Town Clerk Muniz read the resolution by title.

Mr. Kiar spoke of the final result of the negotiations with Covenant House attorneys. The items that Council were opposed to were removed and the Town had 51 days to conduct "due diligence." If the Town found that it was not advantageous to continue with this purchase

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within the 51 days, there were provisions for the Town to cancel the contract and receive a refund of the deposit.

Councilmember Paul made a motion, seconded by Vice-Mayor Clark, to approve. In a voice vote, all voted in favor. (Motion carried 5-0)

11.4 A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE
R-2002-241 HOLIDAYS TO BE OBSERVED BY THE TOWN OF DAVIE DURING FISCAL
YEAR 2002-2003; AND PROVIDING AN EFFECTIVE DATE.

Town Clerk Muniz read the resolution by title.

Councilmember Paul made a motion, seconded by Councilmember Starkey to approve. In a voice vote, all voted in favor. (Motion carried 5-0)

11.5 A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, STRONGLY
R-2002-242 RECOMMENDING THE BROWARD COUNTY COMMISSION RECONVENE
THE REGIONAL FIRE/EMS TASK FORCE TO REVIEW THE PROPOSED
BROWARD COUNTY REGIONAL FIRE RESCUE SERVICES DELIVERY PLAN
BEGINNING FISCAL YEAR 2003, TO STUDY THE IMPLEMENTATION AND
FUNDING METHODOLOGY OF THE PLAN, TO ENABLE THE REGIONAL
FIRE/EMS TASK FORCE TO PROMULGATE RECOMMENDATIONS FOR
IMPLEMENTATION, STAFFING AND FUNDING, AND OPPOSING THE USE
OF COUNTYWIDE GENERAL FUNDS EXCEPT WHERE RECOMMENDED.

Town Clerk Muniz read the resolution by title.

Councilmember Starkey made a motion, seconded by Councilmember Paul, to approve. In a voice vote, all voted in favor. (Motion carried 5-0)

COUNCILMEMBER STARKEY

NEW SCHOOL. Councilmember Starkey stated that there were rumors that the School Board and the Town had intentions of building a school on a contaminated dump site. She wanted to reassure residents that this was not true. Mr. Willi stated that the School Board was contacted and they confirmed via a letter that this was not the case.

COUNCILMEMBER PAUL

MILLAGE RATE. Councilmember Paul spoke of the increase in the Central Broward Water Control District millage rate that was attributed to an error made by the Property Appraiser's office.

GARBAGE HAULING SERVICES: Councilmember Paul spoke of the need to begin an RFP for these services and asked Mr. Willi to begin some preliminary action to put the process in place. Mr. Willi asked if Councilmember Paul wanted to hire a consultant. Councilmember Paul recommended R.W. Beck, a specialist, be contacted as he had already done research for surrounding communities.

SOFTBALL TOURNAMENT. Councilmember Paul spoke of the Rising Star Softball Tournament and felt that some of the information received by Council might have been misleading, as indicated by an anonymous informant.

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Councilmember Truex advised that he had spoken with Syd Weiner regarding the Rising Star organization and indicated that the organization might have filed their non-profit paperwork with the IRS erroneously. He stated that Ms. Weiner was agreeable to make her books available to Council.

BICYCLE HELMETS. Councilmember Paul urged parents to make sure their children were wearing helmets. She spoke of the Town's attempt to provide helmets for all children, especially the Child Safety Board. Councilmember Paul felt that parents needed to be informed about proper usage.

COUNCILMEMBER TRUEX

ZONING IN PROGRESS. Councilmember Truex asked if Council was going to vote on the Zoning in Progress. If so, he asked when the special edition of the Davie Update was going to be mailed out. Mr. Kutney indicated that the special edition would be mailed out after the ordinance was heard on first reading on October 2, 2002.

Councilmember Truex requested that a draft of the special edition and the ordinance be provided to Council prior to being mailed out so that he could be assured that fair representation was being given.

CITY OF SUNRISE SURPLUS PROPERTY. Councilmember Truex stated this property was near the water plant near Park City. He wanted more information from the City of Sunrise regarding their intentions because the Town might be interested in it.

VICE-MAYOR CLARK

COUNCIL CHAMBERS. Vice-Mayor Clark felt the temperature in the Council Chambers was much too cold and it was unhealthy.

MAYOR VENIS

LONG LAKE ESTATES HOMEOWNERS ASSOCIATION. Mayor Venis stated that he had received a letter stating that the Association was waiting for a statement from the Building Commission regarding whether the water was considered a natural barrier. Mr. Willi stated the statement had been issued, the water was not considered a natural barrier and they needed to put in fencing. Mayor Venis asked that Mr. Willi contact the Association president, Carol Cohen.

TOWN ADMINISTRATOR'S COMMENTS

GRANTS. Mr. Willi reported that the Town received two COPS grants.

12. ADJOURNMENT

There being no further business to discuss and no objections, the meeting adjourned at 12:01 a.m.

Approved _____

Mayor/Councilmember

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Town Clerk