

**TOWN OF DAVIE**  
**TOWN COUNCIL AGENDA REPORT**

**TO:** Mayor and Councilmembers

**FROM/PHONE:** Barbara McDaniel, MMC, Assistant Town Clerk/954-797-1023

**PREPARED BY:** Barbara McDaniel, MMC, Assistant Town Clerk

**SUBJECT:** October 17, 2007 minutes

**AFFECTED DISTRICT:** n/a

**ITEM REQUEST:** **Schedule for Council Meeting**

**TITLE OF AGENDA ITEM:** October 17, 2007 minutes (Regular Meeting)

**REPORT IN BRIEF:** Council minutes from the October 17, 2007 Council meeting.

**PREVIOUS ACTIONS:** n/a

**CONCURRENCES:** n/a

**FISCAL IMPACT:** not applicable

Has request been budgeted? n/a

**RECOMMENDATION(S):** Motion to approve

**Attachment(s):** October 17, 2007 minutes

**REGULAR MEETING  
OCTOBER 17, 2007  
6:30 PM**

**1. PLEDGE OF ALLEGIANCE**

The meeting was called to order at 6:30 p.m. and was followed by the Pledge of Allegiance.

**2. ROLL CALL**

Present at the meeting were Mayor Truex, Vice-Mayor Caletka, and Councilmembers Crowley, Luis and Starkey. Also present were Assistant Town Administrator Cohen, Town Attorney Rayson and Town Clerk Muniz recording the meeting.

**3. PRESENTATIONS**

3.1 My Safe Florida Home - Marie Buchanan, State of Florida Department of Financial Services

Ms. Buchanan stated that the State's goal was to complete 400,000 wind inspections and described the My Safe Florida Home program. Ms. Buchanan announced that a My Safe Florida Home fair would be held in Coconut Creek on November 3rd.

Councilmember Starkey asked that this information be included on the Town's website.

3.2 Representative Evan Jenne, Florida House of Representatives, District 100

Representative Jenne was present.

3.3 Tree Legacy Program

Urban Forester Tim Lee announced that the Tree Legacy Program was now operational. He presented graphics of Pine Island Park, where staff planned to initiate the program, and described areas where they intended to plant new trees.

Programs Manager Susan Dean advised residents to contact her office regarding the program. She informed Council that participants would select the tree and its location. Buyers had the option to install a bronze plaque, at additional cost, near each tree, and a certificate was given to the buyer.

Mayor Truex advised that item 7.6 needed to be added.

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

Mayor Truex advised that item 4.8 was being withdrawn.

**4. APPROVAL OF CONSENT AGENDA**

*Minutes*

4.1 August 15, 2007 (Regular Meeting) (tabled from October 3, 2007)

4.2 September 5, 2007 (Special Meeting)

- 4.3 September 5, 2007 (Regular Meeting)
- 4.4 September 12, 2007 (Special Meeting)
- 4.5 September 19, 2007 (Special Meeting)

*Proclamation*

- 4.6 Cyril 'Sid' Spiro Day (October 25, 2007)

*Home Business Tax Receipt*

- 4.7 GMI Contracting, Inc., 2931 SW 108 Way

*Resolutions*

- 4.8 **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH GYM-BAZ, LLC TO PROVIDE A GYMNASIAC PROGRAM AT THE DAVIE PINE ISLAND MULTIPURPOSE CENTER. (registration fees projected at \$12,000 - Town retains 20% to 25% as revenue) (tabled from October 3, 2007)
  
- R-2007-292 4.9 **CONTRACT EXTENSION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING AN EXTENSION OF THE CONTRACT BETWEEN THE TOWN OF DAVIE AND LITTLE CRITTER CORRAL, INC. FOR LIVESTOCK GRAZING SERVICE AT ROBBINS LODGE PARK. (\$204/month revenue to Town)
  
- R-2007-293 4.10 **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE ESTATES OF ALPINE WOODS CONDOMINIUM AND THE TOWN OF DAVIE POLICE DEPARTMENT FOR TRAFFIC CONTROL.
  
- R-2007-294 4.11 **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE TOWN OF DAVIE AND THE SOUTHEAST FLORIDA REGIONAL TASK FORCE.
  
- R-2007-295 4.12 **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE TOWN OF DAVIE TO ENTER INTO AN AGREEMENT BETWEEN THE DAVIE PRO RODEO INC AND THE TOWN OF DAVIE FOR MONTHLY PROFESSIONAL RODEO AND APPROVING A REDUCED RENTAL RATE. (\$6,750/yearly)

- 4.13 **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,  
R-2007-296 SELECTING A PROVIDER AND THIRD PARTY ADMINISTRATOR OF GROUP HEALTH BENEFITS AND AUTHORIZING THE MAYOR TO EXECUTE A ONE (1) YEAR AGREEMENT WITH UNITED HEALTHCARE FOR THE ADMINISTRATION OF SELF-INSURED GROUP HEALTHCARE COVERAGE TO BE EFFECTIVE JANUARY 1, 2008 AND PROVIDING FOR EXTENDING OR RENEWING THE AGREEMENT FOR UP TO FOUR (4) ADDITIONAL ONE (1) YEAR PERIODS.
- 4.14 **PROPOSAL** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,  
R-2007-297 AUTHORIZING THE MAYOR OR HIS DESIGNEE (TOWN ADMINISTRATOR) TO EXECUTE THE PROPOSAL FOR ADDITIONAL SERVICES FOR CONSTRUCTION ADMINISTRATION WITH CORZO, CASTELLA, CARBALLO, THOMPSON, SALMAN, P.A. (C3TS), FOR THE OAKES ROAD FIRE STATION. (\$20,000)
- 4.15 **BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE  
R-2007-298 BIDS AWARDED BY THE STATE OF FLORIDA AND THE FLORIDA SHERIFF'S ASSOCIATION FOR AUTOMOBILES, TRUCKS, AND HEAVY EQUIPMENT. (\$1,400,000)
- 4.16 **DELEGATION REQUEST** - A RESOLUTION OF THE TOWN OF DAVIE,  
R-2007-299 FLORIDA, APPROVING A DELEGATION REQUEST TO CHANGE THE FINDING OF ADEQUACY DATE ON THE PLAT KNOWN AS THE "SIERRA ESTATES," AND PROVIDING AN EFFECTIVE DATE. (DG 8-2-07, Sierra Estates, 1900 Hiatus Road)

*Temporary Use Permits*

- 4.17 TU 09-01-07, Davie United Methodist Church, 6500 SW 47 Street (Annual Pumpkin Sales)
- 4.18 TU 09-02-07, Future Point Trail of Terrors, 3900 SW 100 Avenue (Fundraising Event)
- 4.19 TU 9-3-07, BrightStar Credit Union, 2400 Davie Road (Promotional Event)
- 4.20 TU 9-4-07, Young at Art, Inc., 11584 West State Road 84 (Performance)
- Vice-Mayor Caletka pulled items 4.13 and 4.15 from the Consent Agenda. He requested that item 6.5 be moved up on the agenda. Councilmember Starkey requested that item 8.1 be moved up on the agenda.

Vice-Mayor Caletka made a motion, seconded by Councilmember Luis, to approve the Consent Agenda, less items 4.13 and 4.15. In a voice vote, all voted in favor. (Motion carried 5-0)

## **5. DISCUSSION OF CONSENT AGENDA ITEMS**

4.13 Mr. Cohen advised that the consultant would give a brief presentation and the providers were available to answer questions.

Rachel Sapoznick described the services and rate structure for different healthcare carriers. She advised that the agreement with Sheridan Group would be effective on November 1, 2007. Ms. Sapoznick explained the different disruption reports Council had received.

Vice-Mayor Caletka pointed out that this was one of the few items Council considered that benefited Town employees, not residents, and recommended that union members be included on the selection committee in the future. Mr. Cohen explained that the existing Bid Spec Committee served as the selection committee. He said the union groups had been invited to participate in the consultant selection, and they had been informed that this subject would be discussed this evening as well.

Councilmember Luis asked what sort of problems would occur if the Town changed carriers. Ms. Sapoznick explained that disruptions were inevitable, but carriers would work to accommodate patients' needs.

Councilmember Crowley asked Linda Strutt, the Cigna representative, to explain apparent discrepancies in information Cigna had supplied. Ms. Strutt advised that these discrepancies could have come up as a result of a difference in "actual", "expected" and "maximum" claim numbers. She felt the \$300,000 cost difference was a compelling reason to select Cigna.

Mayor Truex was not interested in switching unless there was a compelling reason to do so and believed this was a good plan. He noted that United was preferred by far by the selection committee as well.

Mr. Cohen advised that the resolution that was presented had been changed to reflect a different contribution strategy in Section 1. He recommended that any motion should strike the phrase: "at the maximum liability level" from the last sentence.

Councilmember Starkey made a motion, seconded by Mayor Truex, to accept the staff recommendations with the elimination of the phrase in Section 1, "at the maximum liability level." In a roll call vote, the vote was as follows: Mayor Truex - yes; Vice-Mayor Caletka - no; Councilmember Crowley - yes; Councilmember Luis - yes; Councilmember Starkey - yes. (Motion carried 4-1)

Vice-Mayor Caletka stated that the reason he voted against this was, "Just do the money; there's a \$300,000 savings and I think we're better off saving money."

4.15 Vice-Mayor Caletka acknowledged that the Sheriff's Association would probably provide a good deal, but he believed if it were bid out, it was possible that a better deal could be found.

Councilmember Starkey requested a review checklist be included with all "piggyback" bids.

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

**6. PUBLIC HEARING**

*Ordinances - Second and Final Reading*

- 6.1 **VACATION - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA,**  
2007-31 APPROVING VACATION APPLICATION VA 7-1-07 “VISTA VIEW PARK” VACATING PORTIONS OF RIGHTS-OF-WAY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (VA 7-1-07, Vista View Park, 4001 SW 142 Avenue) *Planning and Zoning Board recommended approval {Approved on first reading October 3, 2007, subject to constructing a guard rail at Orange Drive entrance and one at 142nd Avenue. All voted in favor.}*

Mr. Rayson read the ordinance by title.

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

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

- 6.2 **REZONING - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING REZONING PETITION ZB 6-2-06, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM M-4 (COUNTY), LIMITED HEAVY INDUSTRIAL DISTRICT TO M-3, PLANNED INDUSTRIAL PARK DISTRICT; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB 6-2-06, Barranco Gonzalez Architecture/Anchor Development, LLC, 2600 Davie Road) *Planning and Zoning Board recommended approval {Approved on first reading October 3, 2007, subject to rezoning to M-1; no outside storage of used truck tires; no overnight storage of commercial vehicles; and no sexually oriented businesses. The vote was as follows: Mayor Truex - no; Vice-Mayor Caletka - yes; Councilmember Crowley - yes; Councilmember Luis - yes; Councilmember Starkey - no. Motion carried 3-2}***

John Voigt, representing the applicant, requested the rezoning item be tabled in the hopes they could be reheard on the site plan issue.

Councilmember Luis made a motion, seconded by Vice-Mayor Caletka, to reconsider the site plan.

Councilmember Crowley requested that if the motion to reconsider passed, Council not hear this until a later date. Councilmember Luis agreed.

In a voice vote, with Mayor Truex dissenting, all voted in favor. (Motion carried 4-1)

Councilmember Crowley made a motion, seconded by Councilmember Luis, to table the site plan until the first meeting in December [December 5, 2007]. In a voice vote, all voted in favor. (Motion carried 5-0)

Councilmember Crowley made a motion, seconded by Vice-Mayor Caletka, to table the rezoning until the first meeting in December [December 5, 2007]. In a roll call vote, the vote was as follows: Mayor Truex - yes; Vice-Mayor Caletka - yes; Councilmember Crowley - yes; Councilmember Luis - yes; Councilmember Starkey - yes. (Motion carried 5-0)

Mr. Voigt confirmed that the applicant was not asking for reconsideration of the variance request.

*Ordinance - First Reading (Second and Final Reading to be held November 7, 2007)*

6.3 **VACATION - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING VACATION APPLICATION, VA 12-1-06 "FORD," VACATING PORTIONS OF SOUTHWEST 127TH AVENUE RIGHTS-OF-WAY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (VA 12-1-06, Ford, 12702 SW 26 Street) Planning and Zoning Board recommended approval**

Mr. Rayson read the ordinance by title.

Mayor Truex opened the public hearing portion of the meeting.

Ms. Nolan summarized the planning report and noted that Sunrise would require an easement to approve the vacation request.

Mayor Truex closed the public hearing portion of the meeting.

Councilmember Luis asked why this vacation was needed. Ms. Nolan explained that the site plan rights-of-way triggered additional landscape requirements. The vacation process was a condition of the site plan approval.

Eric Granger, representing the applicant's permitting company, explained that the original intent of the right-of-way was to provide access to their parcel from the west. They had decided to access from Flamingo Road and this was now an unused piece of land.

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

*Ordinance - First Reading/Quasi-Judicial Item (Second and Final Reading to be held November 7, 2007)*

6.4 **AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING REZONING APPLICATION ZB 5-4-07, CHANGING**

THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM M-4 (COUNTY), LIMITED HEAVY INDUSTRIAL DISTRICT TO B-3, PLANNED BUSINESS CENTER DISTRICT; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB 5-4-07, Coker & Feiner/Equity One (Florida Portfolio) Inc., 6505 Nova Drive) *Planning and Zoning Board recommended approval*

Mr. Rayson read the ordinance by title.

Mr. Rayson swore in the witnesses. Mayor Truex announced that a public hearing would be held on this item at the November 7, 2007 meeting.

Ms. Nolan summarized the planning report.

Rod Feiner, representing the applicant, agreed with staff recommendations and conditions, and said they would request rezoning separate from the site plan.

Mr. Rayson opened the public hearing portion of the meeting. As no one spoke, Mr. Rayson closed the public hearing portion of the meeting.

Council gave their disclosures on this item.

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

#### *Quasi-Judicial Item*

6.5 V 6-1-07, Bage, 5750 SW 56 Street (R-3) (to reduce the side setback from 15-feet to 10-2-inches, and to reduce the front setback from 30-feet to 15-2-inches) *Planning and Zoning Board recommended approval*

Earlier in the meeting, Mr. Rayson read the rules of evidence and swore in the witnesses.

Acting Planning and Zoning Manager Marcie Nolan summarized the request.

Mr. Rayson opened the public hearing portion of the meeting.

Robert Bage, the applicant, explained the yard had a unique "L" shape, noting that the encroachment into the side setback was not noticeable. He advised that his neighbors had expressed no objection to him regarding this request and he had 17 letters of support from his neighbors.

Council gave their disclosures on this item.

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

## **7. APPOINTMENTS**

7.1 Mayor Truex

7.1.1 Senior Citizen Advisory Committee (one exclusive appointment - term expires April 2008) (members shall be a minimum 60 years of age)

No appointment was made.

Comment: It's very important that this comment be added if it was said. This is also the standard language - please use it

- 7.1.2 Youth Education and Safety Advisory Board (one exclusive appointment - term expires April 2008) (members shall, whenever possible, have interest and expertise in law enforcement, elementary school instruction, education matters, child psychology, pediatric medicine, parenthood and grandparenthood)

No appointment was made.

7.2 Councilmember Crowley

- 7.2.1 Budget Advisory Board (one exclusive appointment - term expires April 2008) (members shall have experience in financial related occupation or similar skills)

No appointment was made.

- 7.2.2 Parks and Recreation Advisory Board (one exclusive appointment - term expires April 2008) (members should have a concern with or an interest in the park facilities and recreational needs of the citizens of the Town)

No appointment was made.

7.3 Councilmember Luis

- 7.3.1 Airport Advisory Board (two exclusive appointments; terms expire December 2007)

No appointments were made.

7.4 Councilmember Starkey

- 7.4.1 Airport Advisory Board (one exclusive appointment - terms expire December 2007)

Councilmember Starkey appointed Christopher Winkelholz.

- 7.4.2 Mobile Home Task Force (one exclusive appointment - representing a mobile home park owner/manager)

No appointment was made.

- 7.5 Unsafe Structures Board (two non-exclusive appointments; terms expire April 2009) (members shall be permanent resident or have their principal place of business within the Town's jurisdiction) (one appointment shall be a plumbing contractor and one appointment shall be a real estate property manager)

No appointments were made.

7.6 National League of Cities

Councilmember Starkey made a motion, seconded by Vice-Mayor Caletka, to nominate Councilmember Luis to be the Town's voting delegate. In a voice vote, all voted in favor. (Motion carried 5-0)

Councilmember Starkey made a motion, seconded by Mayor Truex, to nominate Vice-Mayor Caletka as alternate. In a voice vote, all voted in favor. (Motion carried 5-0)

**8. OLD BUSINESS**

8.1 Airport Consultant Retention Letters

Public Information Officer Braulio Rosa reminded Council that in July, they had authorized the consultant to proceed with Phase 1. He requested Council's approval of the retention letters for the exact amounts they had approved in July.

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

8.2 Lobbyist Services Contract Extension

Mr. Cohen explained that the two contracts were from last year, in the amount of \$38,000 each. He reminded Council that they had specified only \$40,000 in the budget for lobbying costs, so if both contracts were approved, Council must identify additional funding, or the contracts must be modified.

Councilmember Starkey and Mayor Truex agreed they should approve the Sigerson firm's contract first because of its record of performance for the Town. Councilmember Luis wanted to keep both firms. He believed the Town was getting its money's worth.

Councilmember Luis made a motion, seconded by Mayor Truex, to approve the contracts for both firms.

Vice-Mayor Caletka asked Mr. Cohen where Council could identify the additional funds to afford both lobbyists. Mr. Cohen recommended moving the funds from legal services, where they had some excess. There was also a line item with funding for reserves that had never been identified for a specific use, which amounted to approximately \$30,000. Mr. Cohen said that these funds could be used first, and any additional could come from the attorney's funds. Councilmember Luis agreed to add this specification to his motion.

In a voice vote, all voted in favor. (Motion carried 5-0)

Vice-Mayor Caletka requested letters of interest for next year. Councilmember Crowley disagreed. Mayor Truex suggested that Vice-Mayor Caletka bring this recommendation back as a resolution for discussion next year. Mr. Cohen advised that this would not require a resolution and staff could start the process in June with applicants making presentations to Council.

Vice-Mayor Caletka made a motion, seconded by Mayor Truex, to direct staff to start this process in June. In a voice vote, with Councilmember Crowley and Councilmember Starkey dissenting, all voted in favor. (Motion carried 3-2)

**9. NEW BUSINESS**

9.1 Schedule of Next Meeting

Mr. Muniz explained there had been a request to schedule a special meeting with Resource Management Group between November 5th and 9th. Council agreed on November 5th at 6 p.m.

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

**FALCONS LEA PARK.** Mayor Truex thanked staff and residents for their efforts.

**PARK CITY SHUFFLEBOARD TOURNAMENT.** Mayor Truex advised that Park City had requested sponsorship for the tournament in the amount of \$300 and asked staff to locate the funds for this. Councilmember Crowley suggested that Park City make a submission during the budget process to request these funds.

**MR. KUTNEY'S RESIGNATION.** Mayor Truex thanked Mr. Kutney for his years of service and wished him well.

**SOCCER FEE.** Mayor Truex said he had received several emails regarding the soccer fee. Mr. Cohen suggested that for this session only, the Town honor the original fee requests and refund anyone who paid the additional \$20. Notices for the next session would reflect an accurate price.

Councilmember Luis made a motion, seconded by Mayor Truex, to follow Mr. Cohen's recommendation. In a voice vote, all voted in favor. (Motion carried 5-0)

**COUNCILMEMBER LUIS**

**DANIEL WULTZ BASKETBALL COURT DEDICATION.** Councilmember Luis thanked everyone involved with the dedication.

**OAK HILL CRIME WATCH.** Councilmember Luis said they would try to revive Crime Watch in west Davie.

**VICE MAYOR CALETKA**

**EVERGLADES BUS SERVICE.** Vice-Mayor Caletka asked about extending bus service to Everglades. Mr. Cohen stated that staff was currently analyzing the information and would report back to Council. He pointed out that a stop(s) would need to be eliminated to accommodate this stop, which must be approved by Broward County.

**COUNCILMEMBER STARKEY**

**BOYS AND GIRLS CLUB GOLF TOURNAMENT.** Councilmember Starkey thanked the sponsors and players.

**SOROPTOMIST GOLF TOURNAMENT.** Councilmember Starkey explained the Soroptomists awarded a scholarship called the Violet Richardson award and the award was presented to a young woman between 14 and 17 who was committed to making the world a better place, especially for women and children. She requested recommendations for the award.

**BROWARD TRANSIT MEETING.** Councilmember Starkey advised that she had attended the Broward Transit "Think Transit" meeting the previous day. She asked everyone to encourage the Broward County Commission to move forward with alternative transit.

**RED LIGHT CAMERA SYSTEM.** Councilmember Starkey stated that she had received a letter from Charles Miller regarding the red light camera system. She agreed to provide copies to Council and staff.

**BIRTHDAY.** Councilmember Starkey wished Police Chief John George a happy birthday.

**COUNCILMEMBER CROWLEY**

**DAVIE MERCHANTS PUMPKIN SALES.** Councilmember Crowley asked Council to consider approving this permit. Mr. Cohen stated that staff would move this forward if Council approved and the applicant provided all the needed information.

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

**11. TOWN ADMINISTRATOR'S COMMENTS**

No comments were provided.

**12. TOWN ATTORNEY'S COMMENTS**

**WAL-MART.** Mr. Rayson reported that Wal-Mart had appealed to the U.S. District Court after losing in the Circuit Court. Wal-Mart had filed a petition to enforce a 20-year old settlement agreement the Town had entered into with Spielman, a former landowner.

**NOVEMBER 27TH MEETING.** Mr. Rayson advised that he could not attend the meeting scheduled for November 27th, and asked Council to reschedule to November 26th. Mayor Truex advised Mr. Rayson to send another attorney from his firm in his stead.

**13. ADJOURNMENT**

There being no further business to discuss and no objections, the meeting was adjourned at 9:06 p.m.

Approved \_\_\_\_\_

\_\_\_\_\_

Mayor/Councilmember

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