

**TOWN COUNCIL
REGULAR MEETING
NOVEMBER 20, 1996**

1. PLEDGE OF ALLEGIANCE

The meeting was called to order at 7:05 p.m. by Mayor Venis and was followed by the Pledge of Allegiance.

2. ROLL CALL

Present were Mayor Venis, Vice-Mayor Cox and Councilmembers Bush, Kiar and Santini. Also present were Town Administrator Flatley, Town Attorney Webber, and Assistant Town Clerk Bergamini recording the meeting.

3. PRESENTATIONS

3.1 Queenie Archer - Miss Florida Wheelchair Awards - Miss Talent, Talent Achievement and Miss Potential Runner Up

Mr. Flatley advised that Ms. Archer represented the Town at the State competition and displayed a painting that Ms. Archer had painted. Ms. Archer thanked Council for sponsoring her in the competition and for letting her represent the Town. Mayor Venis stated that the Town was proud of Ms. Archer and presented her with a Key to the Town.

3.2 Officer Margaret Hart

Police Chief Jack Mackie introduced Officer Hart who was one of the Town's first official mounted patrol officers. He indicated that Officer Hart had represented the Town at the recent Mobile Mounted Patrol National Championships and displayed the awards that she won. Officer Hart provided information on the competition.

Chief Mackie advised that on November 27th, all the mounted patrol police units from Dade and Broward County's would be hold training in the rodeo arena.

3.3 Dianne Arndt, Police Officer - Ten Years
Officer Arndt was not present.

3.4 Mark Dornacker, Community Services Athletic Supervisor - Ten Years
Mayor Venis presented Mr. Dornacker with a service award.

3.5 Gary Killam, Police Lieutenant - Ten Years
Mayor Venis presented Lieutenant Killam with a service award.

3.6 Sandra Saikley, Permit Clerk - Ten Years
Mayor Venis presented Ms. Saikley with a service award.

3.7 Gregg Behrends, Police Officer - Fifteen Years
Mayor Venis presented Officer Behrends with a service award.

3.8 Norman Buskin, Code Enforcement Supervisor - Fifteen Years
Mayor Venis presented Mr. Buskin with a service award.

3.9 Edwin Orellana, Maintenance Technician III - Fifteen Years
Mayor Venis presented Mr. Orellana with a service award.

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3.10 Laurence Pasko, Fire Lieutenant - Fifteen Years
Mayor Venis presented Lieutenant Pasko with a service award.

3.11 Ariel Edelsburg
Chief Mackie provided Mr. Edelsburg with a plaque for his donation of store front space for use by the Boys and Girls Club.

3.12 Gold Wing Road Riders
A representative from the Gold Wing Road Riders Chapter FL2R presented Council with \$500 in gift certificates and advised that 16 cases of vegetables. Mayor Venis presented the representative with a Certificate of Appreciation for their help with the Emergency Assistance Service Efforts program (EASE).

3.13 Community Redevelopment Agency
Neal Kalis, Chairman, updated Council on the Agency's efforts. He indicated that the Agency had discussed augmenting the Town's budget regarding additions to the base bid that may be able to be included in the planned improvements for the entranceway to the Bergeron Rodeo Arena. Mr. Kalis indicated that the additions included lighting upgrades, upgraded pavers and electric wiring and asked Council to consider endorsing the request.

Grant Marant, President - Davie Merchants and Industrial Association, presented donations to the Police Athletic League (\$300), Habitat for Humanity (\$300) and EASE (\$400).

4. OCCUPATIONAL LICENSES

Seasonal Sales - Christmas Trees - Waiver of Fees

4.1 EASE, 6591 SW 45 Street (location: 4850 South State Road 7;
November 28 - December 25, 1996)

Linda Owen, the applicant, was present.

Councilmember Kiar made a motion, seconded by Vice-Mayor Cox, to approve with a waiver of fees. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

4.2 St. David Boy Scouts (Men's Club), 3900 South University Drive
(location: 3900 South University Drive; November 29 - December 23,
1996)

Ed Matula, the applicant, was present and requested a waiver of fees.

Councilmember Kiar made a motion, seconded by Vice-Mayor Cox, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

Chief Mackie stated that Home Depot would be selling Christmas trees on behalf the Police Athletic League and asked for waiver of fees.

Vice-Mayor Cox made a motion, seconded by Councilmember Kiar, to add the request as item 4.4. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

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Councilmember Santini made a motion, seconded by Vice-Mayor Cox, to approve item 4.4. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

Carnival - Waiver of Fees

4.3 Davie/Cooper City Chamber of Commerce, 4185 Davie Road
(location: Bergeron Rodeo Grounds; November 21 - 24, 1996)

The applicant was not present.

Councilmember Bush made a motion, seconded by Councilmember Kiar, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

Mayor Venis advised that a request had been made to table item 8.7 to December 18, 1996.

Vice-Mayor Cox made a motion, seconded by Councilmember Kiar, to table to December 18, 1996. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

Mayor Venis advised that a request had been made to table item 8.8 to December 18, 1996.

Councilmember Kiar made a motion, seconded by Vice-Mayor Cox, to table to December 18, 1996. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

5. COUNCILMEMBER COMMENTS

COUNCILMEMBER BUSH

THANKSGIVING. Councilmember Bush wished everyone a safe and happy Thanksgiving holiday.

SENIOR LUNCHEON. Councilmember Bush stated that Council had attended a senior citizen Thanksgiving luncheon at Ivanhoe.

TURKEY TROT. Councilmember Bush stated that Council had been invited to the Turkey Trot which was a walk-a-thon sponsored by the Davie Elementary School.

DAN PEARL. Councilmember Bush advised that Sunrise Mayor Dan Pearl had recently passed away and he had attended the funeral.

GERRY THOMPSON. Councilmember Bush stated that he was presented with a first place golf trophy for a tournament in tribute to Gerry Thompson, who had retired from the Broward County Commission. He indicated that the money that was raised benefited Outreach Broward.

VICE-MAYOR COX

THANKSGIVING. Vice-Mayor Cox wished everyone a safe and happy Thanksgiving holiday.

DAVIE ATMOSPHERE. Vice-Mayor Cox stated that the Town had a small town atmosphere as it had the advantage of everyone helping each other.

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COUNCILMEMBER SANTINI

SCHOOL CONCURRENCY. Councilmember Santini stated that Art Whitman, the Broward County School Board's demographer, had provided his services to chart the number of children and schools in the Town. She distributed the first report to Council with this information and added that Council should hold a workshop once the report was solidified to determine the Town's direction. Councilmember Santini advised that Mr. Whitman would be providing the final reports by the end of December.

GERRY THOMPSON. Councilmember Santini stated that the golf tournament was a tribute to Gerry Thompson, who had retired from the Broward County Commission.

THANKSGIVING. Councilmember Santini wished everyone a happy Thanksgiving holiday.

COUNCILMEMBER KIAR

THANKS. Councilmember Kiar stated that everyone should be thankful for family.

COMMUNITY SUPPORT. Councilmember Kiar stated that he agreed with Vice-Mayor Cox on the community support.

DAN PEARL. Councilmember Kiar stated that Mayor Pearl was an honorable man and asked that he be kept in everyone's prayers.

CONGRATULATIONS. Councilmember Kiar congratulated JCC's basketball team and Mark Kiar for their last game.

TRAFFIC LIGHT. Councilmember Kiar stated that he had received a phone call from the residents in Everglades Mobile Home Park requesting a traffic light at Reese Road and SW 64th Avenue. He asked that this be looked into.

THANKSGIVING. Councilmember Kiar wished everyone a happy Thanksgiving holiday.

HANUKKAH. Councilmember Kiar wished a happy Hanukkah to those of the Jewish faith.

NEW LAW REQUIRING NOTIFICATION. Councilmember Kiar stated that there was a new law that required local law enforcement agencies to advise residents when a pedophile moved into the community. Chief Mackie indicated that the new law provided for notification, however, the mechanism had not been worked out. He advised that the Broward Chief's Association was working on this matter and he would provide a report at the next meeting. Councilmember Kiar stated that the costs were necessary to safeguard the children and questioned if grants were available for this. Chief Mackie indicated that the funding mechanism was what the Association was trying to accomplish.

RODEO. Vice-Mayor Cox indicated that the Davie/Cooper City Chamber of Commerce was holding its rodeo on November 21st and 22nd.

MAYOR VENIS

VOLUNTEERS. Mayor Venis stated that volunteers were needed to help with a telemarketing campaign to prevent fraud. He indicated that volunteers were needed on December 5th and 6th.

SENIOR LUNCHEON. Mayor Venis stated that he attended the senior citizen Thanksgiving luncheon at Ivanhoe.

THANKSGIVING. Mayor Venis wished everyone a happy Thanksgiving holiday.

BINGO. Mayor Venis stated that he called an afternoon of bingo with the seniors on November 15th.

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TRUCK TRAFFIC. Mayor Venis stated that he had received calls on dump trucks traveling on SW 136th Avenue and asked if this had been corrected. Chief Mackie responded that this traffic was not illegal on SW 136th Avenue but the Police Department would continue monitoring and tickets issued if there were any violations.

SCHOOL OVERCROWDING. Mayor Venis stated that on December 4th, he and Mr. Flatley would be meeting with a group of principals regarding school overcrowding.

HANUKKAH. Mayor Venis wished a happy Hanukkah to those of the Jewish faith.

BEAUTIFICATION PROJECT. Mr. Flatley stated that the Town had begun a new project to beautify neighborhoods. He stated that the Town would be in the Shenandoah area on November 30th and if the residents were caught improving their neighborhood, shirts would be provided. Mr. Flatley advised that the shirts were donated by the business community and each area of the Town would be visited in the coming months.

6. CONSENT AGENDA

Minutes

6.1 September 18, 1996 - Regular Meeting

Parade Permit

6.2 South Florida TrailRiders - December 8, 1996 (10:30 a.m. to 1:30 p.m.)

Resolutions

6.3 GRANT AWARD - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,

R-96-360 **ACCEPTING THE GRANT AWARD FROM THE STATE OF FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS FOR A HURRICANE HAZARD MITIGATION PROJECT. (\$28,004)**

6.4 BID - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING

R-96-361 **THE BID FOR RENTAL OF WORK UNIFORMS, CO-OP BID 3399. (National Uniform Service - 3.65/employee/week)**

6.5 BID - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING

R-96-362 **THE BID FOR POLICE PURSUIT VEHICLES, FLORIDA SHERIFF'S ASSOCIATION BID NO. 9604-0918. (Don Reid Ford, Inc.; Ford Crown Victorias - \$19,694 and Ford Explorers - \$24,025 with the total expenditure not to exceed \$222,102 (which includes \$1,600/unit cost for tag, title, bid fee, and emergency equipment))**

6.6 EXTENDING A BID - A RESOLUTION OF THE TOWN OF DAVIE,

R-96-363 **FLORIDA, EXTENDING THE BID FOR BUSH HOG MOWING. (EDJ Lawn Service, Inc.)**

6.7 WAIVING FORMAL BIDDING - A RESOLUTION OF THE TOWN OF

R-96-364 **DAVIE, FLORIDA, WAIVING FORMAL BIDDING AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT FOR BERGERON RODEO**

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**GROUNDS IMPROVEMENTS. (Shared costs between the Town and
Bergeron Land Development, Inc.)**

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- R-96-365 **6.8 SUBDIVISION PLAT - A RESOLUTION OF THE TOWN OF DAVIE,**
FLORIDA, APPROVING A SUBDIVISION PLAT AND AUTHORIZING THE MAYOR AND TOWN CLERK TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING THE MAYOR'S SIGNATURE AND THE TOWN SEAL TO SUCH PLAT; AND PROVIDING AN EFFECTIVE DATE. (P 7-2-96, Stirling Meadows, south side of Stirling Road approximately 1/4 mile east of University Drive (R-5) Planning and Zoning Division approved; Planning and Zoning Board approved subject to the planning report)
- R-96-366 **6.9 CHANGE ORDER - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,**
AUTHORIZING THE MAYOR TO EXECUTE CONTRACT CHANGE ORDERS FOR OLD DAVIE SCHOOL RENOVATION. (Change Order No. 3 - net increase in the amount of \$6,571 and Change Order No. 6 - net increase in the amount of 5,084)
- R-96-367 **6.10 SUBORDINATION OF UTILITY INTERESTS - A RESOLUTION OF THE**
THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE APPROPRIATE TOWN OFFICIALS TO EXECUTE A SUBORDINATION OF TOWN UTILITY INTERESTS IN FAVOR OF THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE WIDENING OF GRIFFIN ROAD; AND PROVIDING AN EFFECTIVE DATE.
- R-96-368 **6.11 REVISING CLASS SPECIFICATIONS - A RESOLUTION OF THE TOWN OF**
DAVIE, FLORIDA, REVISING THE CLASS SPECIFICATIONS FOR BUILDING INSPECTOR, BUILDING PLANS EXAMINER, ELECTRICAL INSPECTOR, MECHANICAL INSPECTOR, AND PLUMBING INSPECTOR IN THE FEDERATION OF PUBLIC EMPLOYEES, WHITE COLLAR UNIT TO BE IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT.
- R-96-369 **6.12 REVISING/CREATING CLASS SPECIFICATIONS - A RESOLUTION OF**
THE TOWN OF DAVIE, FLORIDA, REVISING THE CLASS SPECIFICATION FOR BUILDING OFFICIAL AND CREATING THE CLASS SPECIFICATIONS FOR OFFICE ASSISTANT AND PLANNING AIDE IN THE NON-REPRESENTED PAY AND CLASSIFICATION PLAN TO BE IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT.
- R-96-370 **6.13 APPLICATION FOR FUNDING - A RESOLUTION OF THE TOWN OF**
DAVIE, FLORIDA, AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND APPROPRIATE STAFF TO SUBMIT AN APPLICATION FOR FUNDING UNDER THE COMMUNITY ALCOHOLISM RESOURCES AND EDUCATION (CARE) PROGRAM

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**ADMINISTERED BY THE FLORIDA DEPARTMENT OF JUVENILE
JUSTICE PREVENTION/DIVERSION PROGRAM IN THE AMOUNT OF
\$21,350 WITH A 20% IN-KIND MATCH.**

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R-96-371

6.14 SETTLEMENT 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 SILVERADO DEVELOPMENT CORPORATION PROVIDING FOR REMEDIAL MEASURES TO SATISFY CONCURRENCY REQUIREMENTS RELATED TO THE ICW NORTH PLAT AND ICW SOUTH PLAT; TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING THEIR SIGNATURES TO SAID AGREEMENT.

Ordinances - First Reading (Public Hearing to be held December 4, 1996)

6.15 CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF DAVIE, SECTION 12-503, DEFINITIONS, ADDING DEFINITIONS OF "AGRICULTURE" AND "FARM BUILDING," REVISING THE DEFINITION OF "FARM"; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

6.16 REZONING - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM E AND AG TO A-1; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB 9-1-96, west side of Flamingo Road approximately 1/2 mile south of SW 14 Street)

6.17 EASEMENTS - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING EASEMENTS FROM THE DAVIE COMMUNITY REDEVELOPMENT AGENCY CONVEYING CERTAIN PROPERTY FOR USE AS PUBLIC UTILITY EASEMENTS; AND PROVIDING AN EFFECTIVE DATE. (four lots on SW 43 Street)

6.18 EXTENDING SUSPENSION OF REVIEW OF TELECOMMUNICATION TOWERS - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING ORDINANCE NO. 96-28 BY EXTENDING FOR A PERIOD NOT TO EXCEED 120 DAYS THE SUSPENSION OF REVIEW OF SITE PLANS FOR TELECOMMUNICATION TOWERS, ANTENNAE OR SIMILAR STRUCTURES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

6.19 EXTENDING SUSPENSION OF REVIEW OF SITE PLANS OR BUILDING PERMITS FOR SPECIAL RESIDENTIAL FACILITIES - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING ORDINANCE NO. 96-29 BY EXTENDING FOR A PERIOD NOT TO EXCEED 120 DAYS THE SUSPENSION OF REVIEW OF SITE PLANS OR BUILDING PERMITS FOR ANY AND ALL EXISTING OR PROPOSED SPECIAL RESIDENTIAL FACILITIES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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Councilmember Bush asked that item 6.13 be removed from the Consent Agenda. Councilmember Santini asked that items 6.18 and 6.19 be removed. Vice-Mayor Cox asked that item 6.2 be removed. An unidentified man (Arthur Joseph) asked that item 6.14 be removed. An unidentified man asked that item 6.15 be removed. Mr. Flatley asked that item 6.7 be removed.

Assistant Town Clerk Bergamini read the ordinances - first reading by title only. Mayor Venis advised that a public hearing on items 6.15 through 6.19 would be held on December 4, 1996.

Councilmember Kiar made a motion, seconded by Vice-Mayor Cox, to approve the Consent Agenda without items 6.2, 6.7, 6.13, 6.14, 6.15, 6.18, and 6.19. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

6.2 Vice-Mayor Cox announced that parade route.

Vice-Mayor Cox made a motion, seconded by Councilmember Santini, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

6.7 Assistant Town Administrator Robert Rawls discussed the development of the first phase of the Bergeron Rodeo Grounds. He stated that staff was requesting a waiver of the formal bidding process as 50% of the cost would be underwritten by Ron Bergeron and staff was also asking Council for its consideration of the contract. Mr. Rawls added that the Community Redevelopment Agency was proposing that its suggestions be funded 50:50 between the Agency's revenues and a transfer of funds from the previously approved Davie Streetscape funding. He stated that the proposed suggestions included: 1) adding two additional street light fixtures to enhance the lighting at Davie Road; 2) providing designer fixtures to continue through phase two; 3) upgrading the asphalt walkway to a brick paver theme through to the Town Hall complex; and 4) providing electrical facilities at each tree.

Vice-Mayor Cox indicated that she had reservations on extending the brick pavers at this stage because the plan for phase two had not been finalized and should changes be made, the pavers would have to be removed. Councilmember Santini suggested that the funds for the pavers be allocated for a future date. Vice-Mayor Cox suggested holding off on spending the money for the brick pavers until further in the process. Mr. Kalis stated that the Agency did not want to waste money and if the plans for the area had not been finalized, he agreed that it was prudent to wait.

Mr. Bergeron stated that phase two would match the asphalt or paved design and he thought the pavers would never be removed. Councilmember Kiar and Mayor Venis thought the pavers should be installed at the same time. Vice-Mayor Cox stated that the Town may want to install a median in phase two instead of the two lanes. Mr. Rawls indicated that it was possible to accommodate both issues by providing a design flexibility which Council was agreeable to.

Councilmember Kiar made a motion, seconded by Councilmember Santini, to approve item 6.7 with the additions of one through four. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

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Mayor Venis indicated that item 7.1 would be taken out of order.

7.1 Ms. Mellgren summarized the planning report and explained the Site Plan Committee's recommendation.

Councilmember Bush made a motion, seconded by Councilmember Bush, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

Mr. Rawls announced that the groundbreaking for the entranceway was scheduled for December 5th at 9:00 a.m.

6.13 Councilmember Bush explained the grant that the resolution authorized. Recreation Supervisor Bette Stark provided additional information and indicated that there would be no cost to the Town as in-kind contributions would be provided.

Councilmember Bush made a motion, seconded by Councilmember Bush, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

6.14 Ms. Mellgren explained that this resolution assured that roadway improvements would be made and no building permits would be issued until the necessary right-of-way was dedicated. She added that no final certificates of occupancy would be issued until the improvements listed in the agreement had been completed.

Councilmember Santini made a motion, seconded by Councilmember Bush, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

6.15 Ms. Mellgren explained that this ordinance provided finite definitions for farm buildings and agriculture. She indicated that the Town was not discouraging agriculture and farming but the Town needed some control over small parcels of land and to protect the residents that lived next to the smaller parcels. Vice-Mayor Cox added that agricultural buildings could still be erected on tracts that were larger than five acres.

Vice-Mayor Cox made a motion, seconded by Councilmember Santini, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

6.18 and 6.19 Councilmember Santini indicated that the ordinances were almost completed and she thought the 120 day extension was excessive. Mr. Webber responded that the ordinances were almost ready to present to Council, however, time was needed for review, changes and the two readings of the ordinance. He stated that he did not think 120 days was needed and explained that the ordinances had to be completed and in place within the 120 days. Vice-Mayor Cox indicated that she preferred to have extra time and this ordinance did not mean that Council had to wait 120 days to adopt.

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Councilmember Santini made a motion, seconded by Councilmember Bush, to approve items 6.18 and 6.19. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

7. SITE PLANS

7.1 SP 10-4-96, Bergeron Rodeo Grounds, 4350 SW 65 Way (CF and B-2) Planning and Zoning Division approved; Site Plan Committee approved subject to ensuring that the lighting level did not fall below .4, reworking the sign structure to eliminate the wood structure itself, looking at the signage text to focus more on the Town of Davie than on the rodeo arena, having the sign meet size requirements set by Town Code, and using bonded waterproofing for the planter boxes

This item was approved earlier in the meeting.

8. PUBLIC HEARINGS

Mayor Venis opened the public hearing.

Ordinances - Second and Final Reading

8.1 CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE,

96-45 FLORIDA, REPEALING ARTICLE II OF CHAPTER 26 OF THE CODE OF DAVIE ENTITLED "TREE PRESERVATION" IN ITS ENTIRETY; AMENDING CHAPTER 26 BY CREATING A NEW ARTICLE II ENTITLED "TREE PRESERVATION" AND A NEW ARTICLE III ENTITLED "TREE ABUSE"; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Assistant Town Clerk Bergamini read the ordinance by title.

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

Al Tyler, 8090 SW 19 Court, asked if this ordinance made the tree ordinance tougher. Ms. Mellgren responded that this ordinance established tree preservation.

Mayor Venis closed the public hearing.

Vice-Mayor Cox asked if there was latitude to root prune a large tree instead of the tree being removed. Ms. Mellgren recommended that staff review this matter and provide a report to Council. She added that the ordinance could be amended at a later date. Discussion followed.

Councilmember Bush made a motion, seconded by Vice-Mayor Cox, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

8.2 CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE,

96-46 FLORIDA, AMENDING SECTION 12-107(A)(5) OF THE CODE OF THE TOWN OF DAVIE ENTITLED "SITE LANDSCAPING," TO CLARIFY THE REQUIREMENTS FOR DIVERSITY AND PLACEMENT OF LANDSCAPE MATERIALS WITHIN A BUFFER STRIP, AND TO REGULATE THE PLACEMENT OF FENCES AND WALLS RELATIVE TO LANDSCAPE BUFFERS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN

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EFFECTIVE DATE.

Assistant Town Clerk Bergamini read the ordinance by title.

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

Vice-Mayor Cox made a motion, seconded by Councilmember Santini, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

8.3 CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE,

96-47 FLORIDA, AMENDING SECTION 12-260 OF THE CODE OF THE TOWN OF DAVIE ENTITLED "LIGHTING STANDARDS" BY AMENDING SAID STANDARDS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Assistant Town Clerk Bergamini read the ordinance by title.

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

Arthur Joseph, 13700 SW 18 Court, asked for an explanation with an explanation being provided by Mr. Rawls.

Mayor Venis closed the public hearing.

Vice-Mayor Cox made a motion, seconded by Councilmember Santini, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

8.4 AMENDING THE COMPREHENSIVE PLAN - AN ORDINANCE OF THE

96-48 TOWN OF DAVIE, FLORIDA, APPROVING APPLICATION NO. LA 96-2, AMENDING THE COMPREHENSIVE PLAN OF THE TOWN OF DAVIE BY CHANGING THE FUTURE LAND USE DESIGNATION OF CERTAIN LANDS FROM "RESIDENTIAL 5 DU/ACRE" TO "INDUSTRIAL"; GENERALLY LOCATED IN SECTION 36, TOWNSHIP 50 SOUTH, RANGE 41 EAST, AS DESCRIBED HEREINBELOW; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (4.4 acres located east of the Turnpike, south of SW 48 Street)

Assistant Town Clerk Bergamini read the ordinance by title.

Al Tyler, 8090 SW 19 Court, advised that he was opposed to the ordinance.

Mayor Venis closed the public hearing.

Vice-Mayor Cox made a motion, seconded by Councilmember Bush, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

8.5 AMENDING THE COMPREHENSIVE PLAN - AN ORDINANCE OF THE

96-49 TOWN OF DAVIE, FLORIDA, APPROVING APPLICATION NO. LABC 96-1, AMENDING THE COMPREHENSIVE PLAN OF THE TOWN OF DAVIE BY CHANGING THE FUTURE LAND USE DESIGNATION OF CERTAIN LANDS FROM "RESIDENTIAL 5 DU/ACRE" AND "COMMERCIAL" TO "RESIDENTIAL 8.5 DU/ACRE"; GENERALLY LOCATED IN SECTION 7, TOWNSHIP 50 SOUTH, RANGE 41 EAST, AS DESCRIBED HEREINBELOW; AND PROVIDING AN EFFECTIVE DATE.

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(40 acres located south of State Road 84, east of Hiatus Road)
Assistant Town Clerk Bergamini read the ordinance by title.
Mayor Venis asked if anyone wished to speak for or against the ordinance.

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Robert Lockread, representing the applicant, advised that the application had been adopted and transmitted by Broward County. Ms. Mellgren explained the location and indicated that land was being provided for a library.

Al Tyler, 8090 SW 19 Court, stated his opposition to the ordinance. Ms. Mellgren advised that Council had previously heard this application on its merits and added that the density had not changed from the time of the application.

Don Wright, 11041 SW 11 Place, spoke in favor and asked Council to approve the ordinance.

Mayor Venis closed the public hearing.

Councilmember Santini stated that she had previously voted against this application because she did not approve of increasing the designation to 8.5 dwelling units per acre. She said that this change would affect the schools and did not think the change was appropriate.

Councilmember Kiar advised that the residents who would be affected had voiced their approval and he was pleased with the addition of the library.

Vice-Mayor Cox stated that Councilmember Santini's concerns were valid reasons, however, she was in favor of this change.

Vice-Mayor Cox made a motion, seconded by Councilmember Bush, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - no. (Motion carried 4-1)

8.6 IMPACT FEE - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, ADOPTING THE TOWN OF DAVIE IMPACT FEE ORDINANCE FOR POLICE, FIRE, AND EMERGENCY MEDICAL SERVICES FACILITIES; PROVIDING FOR A SHORT TITLE, AUTHORITY AND APPLICABILITY; PROVIDING FOR INTENT AND PURPOSE; PROVIDING FOR DEFINITIONS AND RULES OF CONSTRUCTION; PROVIDING FOR THE IMPOSITION OF THE FAIR SHARE IMPACT FEE; PROVIDING FOR A FEE SCHEDULE; PROVIDING FOR ANALYSIS; PROVIDING FOR CREDITS; PROVIDING FOR REVIEW OF THE ORDINANCE AND FEE SCHEDULE; PROVIDING FOR ACCOUNTABILITY; PROVIDING FOR LIBERAL CONSTRUCTION AND SEVERABILITY; PROVIDING FOR PENALTIES; AND PROVIDING AN EFFECTIVE DATE.

Assistant Town Clerk Bergamini read the ordinance by title.

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

Arthur Joseph, 13700 SW 18 Court, spoke in opposition to the ordinance and discussed the inequities.

Christopher Wallace, Director of Budget and Finance, provided an explanation of the impact fee and being fair and equitable. He indicated that the fee would be approximately \$200 to \$400 for residential property.

John Tulle, 11250 Orange Drive, spoke in opposition to the ordinance.

Mayor Venis closed the public hearing.

Vice-Mayor Cox asked that Council be provided with a list of impact fees that were required for new developments.

Councilmember Santini indicated that she would like to see this ordinance tabled until more specific information was provided on the costs of the impact. Discussion followed.

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Councilmember Santini made a motion, seconded by Councilmember Bush, to table this item to December 18, 1996. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

8.7 STAFF REQUESTING A TABLING TO DECEMBER 18, 1996

VACATION/ABANDONMENT - VA 1-2-96A, G. L. Homes of Davie Corporation, 3001 Nob Hill Road (to vacate a recreational path easement within Parcel "A" of the Buckram Oak Farm Plat) (tabled from October 2, 1996) *Planning and Zoning Division approved; Planning and Zoning Board approved*

This item was tabled earlier in the meeting.

8.8 PLANNING AND ZONING TABLED TO DECEMBER 11, 1996; COUNCIL CAN TABLE TO DECEMBER 18, 1996

VARIANCE - V 9-4-96, Felicella/Oran Family Trust, 4851 Griffin Road (tabled from November 6, 1996) *Planning and Zoning Division approved; Planning and Zoning Board approved*

This item was tabled earlier in the meeting.

9. APPOINTMENTS

9.1 Child Safety Board (terms expire July 1997; 1 exclusive appointment by Councilmember Kiar and 2 exclusive appointments by Mayor Venis)

Councilmember Kiar appointed Victoria Parraga. Mayor Venis appointed Lil Olfern and Jerilyn O'Neal.

10. DISCUSSION AND POSSIBLE ACTION

10.1 Clarification of Terms for Parks and Recreation Board (1 and 2 year terms) (Councilmember Kiar)

Councilmember Kiar indicated that Joyce Stewart would serve for one year and Robert Sammons would serve for two years.

Mr. Flatley announced that he had attended the Economic Development Council (EDC) meeting on November 19th and it was asked that Mayor Venis be reappointed to the EDC.

Councilmember Kiar made a motion, seconded by Vice-Mayor Cox, to add this matter to the agenda. In a voice vote, all voted in favor. (Motion carried 5-0)

Councilmember Kiar made a motion, seconded by Vice-Mayor Cox, to appoint Mayor Venis to the EDC. In a voice vote, all voted in favor. (Motion carried 5-0)

11. TOWN ADMINISTRATOR'S REPORT

11.1 Not-For-Profit Grant Process Update

Mr. Wallace distributed an application for the grant process to award monies to not-for-profit agencies. He indicated that Council had requested a process that could be taken to the Budget Advisory Committee for a recommendation to be provided to

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Council. Mr. Wallace stated that the application would not be required for any requests under \$2,500 but a letter requesting the funds would be required.

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Councilmember Santini indicated that she would like to review all the requests and either give every organization a percentage or prioritize the requests. Mr. Wallace questioned if Council wanted recommendations from the Budget Advisory Committee. Councilmember Santini and Mayor Venis indicated their desire for the process to be brought to Council directly.

Mr. Webber advised that Councilmember Bush had brought to his attention that the ordinance regarding the limitation on boardmembers had a scrivener's error which he would like to have corrected. He indicated that Section 2 conflicted within Section 1 and explained the conflict. Mr. Webber asked that the ordinance be reconsidered and Section 2 deleted.

Councilmember Bush made a motion, seconded by Vice-Mayor Cox, to reconsider Ordinance 96-41. In a roll call, the vote was as follows: Mayor Venis - no; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - no; and Councilmember Santini - yes. (Motion carried 3-2)

Councilmember Santini made a motion, seconded by Vice-Mayor Cox, to delete Section 2 and renumber Sections 3 and 4. In a roll call, the vote was as follows: Mayor Venis - no; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - no; and Councilmember Santini - yes. (Motion carried 3-2)

12. ADJOURNMENT

There being no objections or further business, the meeting was adjourned at 9:45 p.m.

APPROVED _____

Mayor/Councilmember

Town Clerk