

**TOWN COUNCIL
REGULAR MEETING
MARCH 19, 1997**

1. NATIONAL ANTHEM - Clariann Morales

The national anthem was sung by Ms. Morales.

2. PLEDGE OF ALLEGIANCE

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

3. ROLL CALL

The meeting was called to order at 7:40 p.m. by Mayor Venis and was followed by the Pledge of Allegiance.

4. INVOCATION - Reverend Edmond Prendergast

Reverend Prendergast gave the invocation.

5. CERTIFICATION OF RESULTS - MARCH 11, 1997 ELECTION

Town Clerk Reinfeld read the results into the record (attached hereto and made a part hereof these records). Councilmember Kiar made a motion, seconded by Vice-Mayor Cox, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; Councilmember Santini - yes. (Motion carried 5-0)

6. OATH OF OFFICE - Judge Howard Zeidwig

6.1 Harry Venis, Mayor

6.2 James Bush, Councilmember

Judge Zeidwig administered the oath of office individually to Mayor Venis and Councilmember Bush.

7. SELECTION OF VICE-MAYOR

Councilmember Cox nominated Councilmember Santini as Vice-Mayor. Councilmember Bush seconded the nomination. No other nominations were offered. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; Councilmember Santini - yes. (Motion carried 5-0)

INTERMISSION (7:48 p.m. to 8:00 p.m.)

8. PRESENTATIONS

8.1 WestFair Update - Tim Sheahan

Mr. Sheahan was not present.

8.2 Community Redevelopment Agency

Neal Kalis, Chairman, updated Council on the Agency's efforts.

8.3 Greyhound Adoption Program - Debra Raskin

Debra Raskin explained the adoption program and asked anyone who was interested in the program to call her at 370-6556.

8.4 Building a Better Davie Design Program

Bonnie Stafiej, Special Projects Coordinator, explained that this Program recognized and honored outstanding residential, commercial, industrial and institutional designs which contributed to the neighborhood appeal. She added that the recipients of the award would be presented with a bronze plaque and indicated that a contest for the design of the plaque was being conducted at the McFatter Vocational and Technical Institute.

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

Ms. Stafiej announced upcoming events: Five Star Rodeo (March 21st - 22nd); Waterway Cleanup (March 22nd); 50-60's Revue Concert (April 5th); and the Annual Spring Egg Hunt at Robbins Lodge (March 29th).

Ms. Pierce-Kent announced upcoming events: afterschool programs; eastside community clean up (April 5th); youth basketball league (June 14th - August 9th); and summer job openings.

9. OCCUPATIONAL LICENSE

Home Occupational License

9.1 Museum Quality, 1300 Danbury Avenue (deferred from February 19, 1997)

No action was taken as the applicant was not present.

Mayor Venis announced that items 12.9 and 12.10 needed to be tabled to April 2, 1997.

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

10. MAYOR/COUNCILMEMBER COMMENTS

COUNCILMEMBER BUSH

THANKS. Councilmember Bush thanked his supporters for re-electing him to office. He indicated that he thought the difference in the percentages was indicative of the work of the current Council. Councilmember Bush thanked Council for their work over the past few years.

VICE-MAYOR SANTINI

CONGRATULATIONS. Vice-Mayor Santini congratulated Councilmember Bush and Mayor Venis on their re-election.

TRAIL SYSTEM. Vice-Mayor Santini stated that she had recently ridden a horse after falling off a horse several years ago. She advised that Councilmember Cox had provided a tour of the Town's trail system and encouraged everyone to take a tour.

SIGNATURE GRAND. Vice-Mayor Santini stated that she attended a dinner at Signature Grand that had been attended by people from all over Broward County.

COUNCILMEMBER COX

ELECTIONS. Councilmember Cox congratulated Councilmember Bush and Mayor Venis on their re-election; however, she was disappointed in the voter turnout. She added that there were a number of issues regarding the Charter and the residents were able to vote for the Town's mayor. Councilmember Cox indicated that she would be interested to know

why more voters had not voted and asked that the residents contact her. She stated that she had heard Red Cross President Elizabeth Dole and former President George Bush speak and they reminded her that it was a great privilege to serve in public office.

WATKINS ELEMENTARY SCHOOL. Councilmember Cox stated that she and Mr. Flatley had visited the school recently and indicated that this was a functional school which was being used as a prototype for the school to be built on Nob Hill Road.

FLORIDA REGIONAL GREENWAYS TASK FORCE. Councilmember Cox advised that she had been appointed to the Task Force which she thought would be a significant program for the Town as well as the State.

OLD DAVIE SCHOOL FOUNDATION. Councilmember Cox stated that the Broward Mall was sponsoring a playhouse event and McCartney Construction had constructed a replica of the Old Davie School. She indicated that on March 31st, the different replicas would be auctioned with monies going to the different organizations.

COUNCILMEMBER KIAR

CONGRATULATIONS. Councilmember Kiar congratulated Councilmember Bush and Mayor Venis on their re-election. He also congratulated Vice-Mayor Santini for being selected as vice-mayor.

BIRTHDAY. Councilmember Kiar wished Mariann, Uncle Mark and Muffins the dog a happy birthday.

HOLIDAYS. Councilmember Kiar wished happy holidays to those of the Jewish and Christian faiths.
BROOKWOOD. Bea Schwartz and Dianne and Lori Glasser provided an explanation on the work being accomplished at Brookwood for abused girls. Ms. Schwartz indicated that 10 girls from the Town were residing at Brookwood and asked the Town to consider providing funds. Vice-Mayor Santini asked if the residents could donate services or supplies. Ms. Schwartz replied affirmatively. Ms. D. Glasser indicated that requests for donations were being made to each municipality and requested that the Town provide \$3,000. Vice-Mayor Santini indicated that a request for services or list of supplies could be published in the Davie Update. Mr. Flatley indicated that staff planned to finish their review of the requests for funds from the different organizations in the next few months. Ms. Schwartz invited Council to tour the facilities.

MAYOR VENIS

THANKS. Mayor Venis thanked his family for enduring a tough election campaign and the volunteers who worked on his campaign. He also thanked voters for re-electing him to office.

CONGRATULATIONS. Mayor Venis congratulated Councilmember Bush on his re-election and Vice-Mayor Santini for being selected as vice-mayor.

PROCLAMATION. Mayor Venis provided Mr. Flatley with a proclamation from the County for Mentoring Awareness Month for the next agenda.

FLAMINGO ELEMENTARY OLYMPICS. Mayor Venis stated that he attended the Olympics on March 18th and his son came in second in the relay races. He indicated that some of the events had been rained out and added that these would be rescheduled.

SPEEDING. Mayor Venis stated that he had received calls from the residents on 14th Street regarding speeders. Assistant Police Chief Robert McDaniel advised that more than 60 citations had been issued over the past week and indicated that there was a problem in this area.

Mayor Venis stated that there was also a problem with speeders on Shotgun Road and asked that patrols be stationed in this area. Assistant Chief McDaniel responded that discussions had been held with Mr. Flatley regarding the establishment of another motorcycle unit.

OPEN SPACE ADVISORY COMMITTEE. Mayor Venis indicated that he would like to remove Al Tyler from this Committee and asked for a motion.

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

Mayor Venis appointed Bob Hoth to the Open Space Advisory Committee. Councilmember Kiar seconded the appointment. No objections were noted.

11. CONSENT AGENDA

Minutes

11.1 February 19, 1997 - Regular Meeting

Proclamations

11.2 Community Development Week, March 24 - 30, 1997

11.3 United Way of Broward County Appreciation Week, March 26 - April 2, 1997

Resolutions

11.4 **MITIGATION - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-97-97 APPROVING A REQUEST FOR MITIGATION OF THE CODE ENFORCEMENT FINES IN CASE NO. 96-249 FROM \$60,500 IN AMOUNT TO \$6,000; AND PROVIDING AN EFFECTIVE DATE.** (Sterling Stores, Inc.) (tabled from March 5, 1997)

11.5 **MITIGATION - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-97-98 APPROVING A REQUEST FOR MITIGATION OF THE CODE ENFORCEMENT FINES IN CASE NO. 96-538 FROM \$14,500 IN AMOUNT TO \$1,000; AND PROVIDING AN EFFECTIVE DATE.** (Jerry L. and Elizabeth L. Noble)

11.6 DISABLED PARKING - A RESOLUTION OF THE TOWN OF DAVIE, R-97-99 FLORIDA ENCOURAGING COUNTIES AND MUNICIPAL GOVERNMENTS WITHIN THE STATE OF FLORIDA TO SUPPORT THE RECENT CHANGES TO FLORIDA STATE STATUTES REGARDING DISABLED PARKING.

11.7 CRITICAL RESTORATION PROJECT - A RESOLUTION OF THE TOWN OF R-97-100 DAVIE, FLORIDA, ENDORSING THE WESTERN C-11 WATER QUALITY TREATMENT PROJECT AS A CRITICAL RESTORATION PROJECT AND URGING THE CONGRESS TO APPROPRIATE THIS PROJECT AS AUTHORIZED BY THE WATER RESOURCES DEVELOPMENT ACT OF 1996; AND PROVIDING AN EFFECTIVE DATE.

11.8 SUMMER PROGRAM - A RESOLUTION OF THE TOWN OF DAVIE, R-97-101 FLORIDA, AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND APPROPRIATE STAFF TO USE THE SILVER OAKS MOBILE HOME COMMUNITY CENTER FOR THE TOWN'S EIGHT WEEK DAVIE SUMMER DAZE PROGRAM FROM JUNE 23, 1997 THROUGH AUGUST 15, 1997.

11.9 EXTENDING CONTRACT - A RESOLUTION OF THE TOWN OF DAVIE, R-97-102 FLORIDA, EXTENDING THE BID FOR JANITORIAL SERVICES FOR VARIOUS PARK LOCATIONS. (Perm-A-Care Janitorial Services, Inc.)

11.10 EXTENDING CONTRACT - A RESOLUTION OF THE TOWN OF DAVIE, R-97-103 FLORIDA, EXTENDING THE BID FOR LAWN MAINTENANCE SERVICES FOR THE TOWN HALL COMPLEX AND VARIOUS ROADWAY CORRIDORS. (H & L Lawn Service, Keep-It-Cut, Inc. and EDJ Lawn Service)

11.11 EXTENDING CONTRACT - A RESOLUTION OF THE TOWN OF DAVIE, R-97-104 FLORIDA, EXTENDING THE BID FOR SUMMER SPORTS CAMP/CHEERLEADING CAMP. (YMCA of Broward County, FL, Inc.)

11.12 EXTENDED TRAVEL - A RESOLUTION OF THE TOWN OF DAVIE, R-97-105 FLORIDA, AUTHORIZING EXTENDED TRAVEL FOR CAPTAIN JOHN GEORGE OF THE DAVIE POLICE DEPARTMENT. (\$498.30 - Federal Bureau of Investigation Academy; April 5 - June 20, 1997)

11.13 BID - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, WAIVING R-97-106 FORMAL BIDDING AND ACCEPTING THE BID FROM L. W. ROZZO, INC., FOR THE EXCAVATION AND HAULING OF FILL MATERIALS FOR THE ROBBINS OPEN SPACE PRESERVE AND PINE ISLAND PARK. (\$3.00 per cubic yard)

11.14 QUIT CLAIM DEED - A RESOLUTION OF THE THE TOWN OF DAVIE, R-97-107 FLORIDA, AUTHORIZING THE APPROPRIATE TOWN OFFICIALS TO EXECUTE A QUIT CLAIM DEED AND JOINDER AND CONSENT AGREEMENT OF TOWN INGRESS AND EGRESS FACILITIES TO THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION TO FACILITATE THE WIDENING OF GRIFFIN ROAD; AND PROVIDING AN EFFECTIVE DATE.

11.15 AGREEMENT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE APPROPRIATE TOWN OFFICIALS TO ENTER INTO AN AGREEMENT BETWEEN THE TOWN OF DAVIE AND JOLMY ENTERPRISES, INC. RELATING TO THE PROVISION OF A LIEN FOR THE SECURITY TO SECURE THE REQUIREMENT IMPROVEMENTS ASSOCIATED WITH THE ECONOMIC DEVELOPMENT GRANT RECEIVED BY THE TOWN OF DAVIE FOR INFRASTRUCTURE IMPROVEMENTS NECESSARY FOR THE JOLMY ENTERPRISES

DEVELOPMENT; AND TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING THEIR SIGNATURES TO SAID AGREEMENT.

11.16 FILL MATERIALS - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-97-109 ACCEPTING THE OFFER OF THE BROWARD COUNTY SCHOOL BOARD TO MAKE AVAILABLE TO THE TOWN, STRUCTURAL QUALITY FILL MATERIALS IN AN AMOUNT IN EXCESS OF 45,000 CUBIC YARDS IN CONSIDERATION OF THE TOWN RELINQUISHING OR OTHERWISE SATISFYING THE CURRENT EMS ASSESSMENT FOR SCHOOL BOARD FACILITIES LOCATED WITHIN THE TOWN OF DAVIE; AND PROVIDING AN EFFECTIVE DATE.

Ordinances - First Reading (Public Hearing to be held April 2, 1997)

11.17 CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING CHAPTER 2, ARTICLE III OF THE TOWN CODE BY ADDING THERETO SECTION 2-41 ENTITLED "QUALIFYING DISTRICT BOUNDARIES"; ESTABLISHING FOUR GEOGRAPHICAL DISTRICTS FROM WHICH FOUR COUNCILMEMBERS SHALL QUALIFY; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

11.18 CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING CHAPTER 2, ARTICLE VII OF THE TOWN CODE ENTITLED "DEPARTMENTS" BY ADDING THERETO DIVISION 6, SECTIONS 2-310 THROUGH 2-311, CREATING A FINANCE DEPARTMENT AND PROVIDING FOR RESPONSIBILITIES OF THE DEPARTMENT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

11.19 CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING CHAPTER 2, ARTICLE III OF THE TOWN CODE ENTITLED "TOWN COUNCIL" BY DELETING SECTIONS 2-36 ENTITLED "SALARY OF COUNCIL MEMBERS" AND 2-37 ENTITLED "SALARY OF MAYOR"; AND ADDING A NEW SECTION 2-36 ENTITLED "SALARY OF MAYOR AND COUNCILMEMBERS"; PROVIDING FOR A SALARY TO THE MAYOR AND COUNCILMEMBERS IN THE AMOUNT OF \$600.00 PER MONTH; PROVIDING FOR AN ANNUAL COST OF LIVING ADJUSTMENT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Town Clerk Reinfeld read the ordinances-first reading by title only. Mr. Flatley asked that item 11.5 be removed from the Consent Agenda. Mayor Venis advised that a public hearing on items 11.17 through 11.19 would be held on April 2, 1997.

Councilmember Kiar made a motion, seconded by Councilmember Cox, to approve the Consent Agenda without item 11.15. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 5-0)

11.15 Mr. Webber explained the amended attachment that was distributed.

Councilmember Kiar made a motion, seconded by Cox, to approve item 11.15. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 5-0)

Mr. Flatley congratulated Messrs. Rawls and Webber for the efforts on item 11.15.

12. PUBLIC HEARINGS

Ordinances - Second and Final Reading

12.1 TELECOMMUNICATIONS - AN ORDINANCE OF THE TOWN OF DAVIE, 97-16 FLORIDA, AMENDING CHAPTER 12 OF THE CODE OF ORDINANCES BY CREATING ARTICLE XV, ENTITLED "TELECOMMUNICATIONS TOWERS AND ANTENNAS", PROVIDING INTENT AND DEFINITIONS; PROVIDING MINIMUM STANDARDS FOR LOCATION AND APPROVAL OF TELECOMMUNICATIONS TOWERS; PROVIDING MINIMUM STANDARDS FOR LOCATION AND APPROVAL OF COMMUNICATIONS ANTENNAS; PROVIDING FOR SHARED USE OF COMMUNICATIONS ANTENNAS; PROVIDING FOR OCCUPATIONAL LICENSES;

PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Town Clerk Reinfeld read the ordinance by title. Michele Mellgren, Director of Development Services, advised that staff had not had an opportunity to workshop this issue with any telecommunication's carriers because of the time constraints. She indicated that staff was recommending that this item be approved with the ordinance being refined at a later date if necessary once a workshop had been held. Ms. Mellgren explained the ordinance.

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

Jay Stahl, 5801 Surrey Circle West, suggested that the setbacks be required at twice the height of the antennae and asked that the ordinance be approved.

Jerry Knight, representing PrimeCo Communications, agreed with Ms. Mellgren's recommendation on a workshop with the area representatives. He asked that the workshop be held in a certain timeframe and recommended that a report be returned to Council within 45 days. Mayor Venis indicated that staff was agreeable to the 45 day recommendation.

John Chamoris, representing Nextel, supported and agreed with Mr. Knight's comments. He added that a letter had been provided with his concerns.

Mayor Venis closed the public hearing.

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

12.2 EXTENDING SUSPENSION OF REVIEW OF SITE PLANS OR BUILDING PERMITS FOR SPECIAL RESIDENTIAL FACILITIES - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING ORDINANCE NOS. 96-29 AND 96-52 BY EXTENDING TO NOVEMBER 5, 1997, 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.

Town Clerk Reinfeld read the ordinance by title.

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

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

Quasi-Judicial Proceedings

12.3 VACATION/ABANDONMENT - VA 12-2-96, Acme Commercial Corporation D.B.A. Carmax, 7420 State Road 84 (to vacate a portion of a 30 foot wide right-of-way known as SW 75 Avenue for approximately 778 feet south of State Road 84 and to vacate a portion of a 15 foot wide right-of-way known as SW 71 Terrace for approximately 689 feet south of State Road 84) *Planning and Zoning Division approved subject to the planning report; Planning and Zoning Board approved subject to the planning report*

Mr. Webber explained the rules concerning the admission of evidence.

Jerry Knight, representing the petitioner, was present.

Town Clerk Reinfeld swore in the witnesses. Ms. Mellgren read the planning report and stated that the following documents were to be included into the record: the application, the subject site map, planning report, and an aerial.

Mr. Knight explained the request.

Mayor Venis asked if anyone wished to provide testimony in favor of or opposition to the vacation/abandonment.

The following individuals spoke:

Norman Blanco, 2080 SW 72 Terrace, discussed his concerns with the pollution.

Pam Aressi, 7193 SW 20 Place, discussed her concerns.

Mayor Venis closed the public hearing.

Councilmember Kiar questioned the landscaping. Mr. Knight responded that the applicant had worked with staff on the landscaping. Ms. Mellgren advised that on the south side of the lake, the applicant was doubling the amount of trees required by Code, and would be providing a hedge and a wall.

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

12.4 VACATION/ABANDONMENT - VA 1-1-97, Town of Davie, 5700 SW 44 Street (to vacate a 50 foot wide right-of-way known as SW 44 Street located between SW 44 Avenue and SW 57 Terrace) *Planning and Zoning Division approved; Planning and Zoning Board approved*

Gayle Easterling, Program Manager, summarized the report.

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

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

12.5 REZONING - ZB 12-1-96, AEP Broward, Inc., west side of Nob Hill Road, south of I-595 (from B-3 to B-3 amending the master plan) (tabled from February 19, 1997) *Planning and Zoning Division approved subject to the planning report; Planning and Zoning Board approved subject to the planning report*

Town Clerk Reinfeld swore in the witnesses. Mr. Webber asked if anyone wished to provide testimony in opposition to the rezoning. No one spoke. Ms. Mellgren offered the planning report into evidence and summarized the request. She advised that the petitioner had voluntarily agreed to provide heavy landscaping on an undulating berm in exchange for a reduced buffer.

Dick Coker, representing the petitioner, explained the request.

Mr. Webber asked if anyone wished to provide testimony in favor of or opposition to the rezoning. No one spoke.

Mr. Webber stated that the hearing was concluded and Council could deliberate.

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

12.6 VARIANCE - V 12-3-96, AEP Broward, Inc., 1100 SW 101 Road (B-3) (tabled from February 19, 1997) *Planning and Zoning Division approved subject to the planning report; Planning and Zoning Board approved*

Mr. Webber asked if any individuals needed to be sworn in with no one being sworn. He asked if anyone wished to provide testimony in opposition to the rezoning. No one spoke. Ms. Easterling summarized the request.

Dick Coker, representing the petitioner, explained the request.

Steve Rothblatt, owner of Burger King on Stirling Road, explained parking statistics on area Burger Kings.

Mr. Webber asked if anyone wished to provide testimony in favor of or opposition to the variance. No one spoke.

Mr. Webber stated that the hearing was concluded.

Vice-Mayor Santini made a motion, seconded by Councilmember Cox, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - out of room; Councilmember Cox - yes; and Councilmember Kiar - yes. (Motion carried 4-0)

12.7 VARIANCE - V 12-4-96, Advance Business Associates/City Furniture, 8210 State Road 84 (B-3, Old Code) (tabled from February 19, 1997) *Planning and Zoning Division approved; Planning and Zoning Board approved*

Town Clerk Reinfeld swore in the witnesses. Mr. Webber asked if anyone wished to provide testimony in opposition to the rezoning. No one spoke. Ms. Easterling summarized the request.

Keith Koenig, representing the petitioner, explained the request.

Mr. Webber stated that the hearing was concluded.

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

12.8 VARIANCE - V 12-6-96, Corporate Property Services, Inc./Wendy's International Inc., southwest corner of University Drive and SW 30 Street (B-2) (to reduce the required number of parking spaces from 62 to 47)

(tabled from February 19, 1997) *Planning and Zoning Division denied; Planning and Zoning Board denied*
Mr. Webber advised the public hearing had not been officially closed at the last meeting and asked if anyone wished to provide testimony on the variance other than the petitioner. No one spoke. Mr. Webber indicated that the issue to be discussed was the new information that was requested by Council. Ms. Mellgren indicated that the petitioner had conducted several parking studies and with the information provided, staff had a level of comfort that the variance was warranted.

Councilmember Cox indicated that her reservations were with the variance that was granted to Walgreens. Vice-Mayor Santini agreed.

Vice-Mayor Santini asked if additional landscaping could be provided. David Felton, representing the petitioner, advised that the site plan submitted to staff was "lush" and beyond the Code's requirement.

Mr. Webber stated that the hearing was concluded and Council could deliberate.

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

12.9 STAFF REQUESTING A TABLING TO APRIL 2, 1997

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 February 19, 1997) *Planning and Zoning Division approved; Planning and Zoning Board approved subject to the planning report*

This item was tabled earlier in the meeting.

12.10 STAFF REQUESTING A TABLING TO APRIL 2, 1997

VARIANCE - V 1-1-97, David Posnack Hebrew Day School/Jewish Federation of Broward County, 5850 South Pine Island Road (CF) (to reduce the required number of parking spaces from 521 parking spaces to 463 parking spaces) *Planning and Zoning Division approved; Planning and Zoning Board approved*

This item was tabled earlier in the meeting.

Resolution

12.11 LOCAL HOUSING ASSISTANCE PROGRAM - A RESOLUTION OF THE R-97-110 TOWN OF DAVIE, FLORIDA ADOPTING THE LOCAL HOUSING ASSISTANCE PROGRAM ESTABLISHED PURSUANT TO THE STATE HOUSING INITIATIVES PARTNERSHIP ACT; AND PROVIDING AN EFFECTIVE DATE.

Town Clerk Reinfeld read the resolution by title. Glenn Irwin, Redevelopment Administrator, explained the resolution.

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

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

Mayor Venis closed the public hearing portion of the meeting.

13. RESOLUTION

13.1 AGREEMENT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-97-111 APPROVING AN INTERLOCAL AGREEMENT WITH BROWARD COUNTY FOR THE IMPLEMENTATION OF THE STATE HOUSING INITIATIVES PARTNERSHIP PROGRAM.

Town Clerk Reinfeld read the resolution by title.

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

14. ORDINANCES - FIRST READING (Public hearing to be held April 2, 1997)

14.1 VACATION - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, VACATING A PORTION OF ROAD RIGHT-OF-WAY FOR SW 75TH AVENUE AND SW 71ST TERRACE ADJACENT TO THE SOUTH 84 PLAT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (VA 12-2-96, 7420 State Road 84)

Town Clerk Reinfeld read the ordinance by title. Mayor Venis advised that a public hearing would be held on April 2, 1997.

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

14.2 VACATION - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, VACATING A PORTION OF ROAD RIGHT-OF-WAY FOR SW 44 STREET WITHIN THE DAVIE CHAMBER OF COMMERCE SUBDIVISION PLAT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (VA 1-1-97, 5700 SW 44 Street)

Town Clerk Reinfeld read the ordinance by title. Mayor Venis advised that a public hearing would be held on April 2, 1997.

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

14.3 REZONING - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM B-3 TO B-3; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB 12-1-96, 1100 SW 101 Avenue)

Town Clerk Reinfeld read the ordinance by title. Mayor Venis advised that a public hearing would be held on April 2, 1997.

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

15. APPOINTMENTS

15.1 Davie Water Advisory Board (exclusive appointment by Mayor Venis; term expires December 1997)
Mayor Venis deferred his appointment to the April 2nd Council meeting.

16. DISCUSSION AND POSSIBLE ACTION

16.1 Purchase of Sweeper for Parks and Trail Maintenance

Mr. Flatley advised that the cost of the sweeper was \$4,100. Councilmember Kiar made a motion, seconded by Councilmember Cox, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 5-0)

17. TOWN ADMINISTRATOR'S REPORT

Mr. Flatley had nothing to report.

Councilmember Cox stated that neither a crossing light nor a cross walk was provided for the main spine trail and this area had the potential to be dangerous. She advised that County Commissioner Lori Parrish had indicated that the County may be able to help but a resolution from the Town accepting liability was needed. Councilmember Cox indicated that she had requested Mr. Webber to prepare a resolution.

18. ADJOURNMENT

There being no objections or further business, the meeting was adjourned at 10:28 p.m.

