

**TOWN COUNCIL  
REGULAR MEETING  
JULY 2, 1997**

**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 Santini and Councilmembers Bush, Cox and Kiar. Also present were Town Administrator Flatley, Town Attorney Webber, and Town Clerk Reinfeld recording the meeting.

**3. OPEN PUBLIC MEETING**

Mayor Venis advised the speakers of the Open Public Meeting procedures.

Van Conley discussed single member districts for the Broward County School Board and encouraged that single member districts be accepted during the November election. He asked that this matter be provided in the Davie Update.

Jay Stahl, 5801 Surrey Circle West, asked for an update on the Dykes Road and Griffin Road improvement and the MovieCo Theater complex. Mr. Flatley indicated that the Dykes Road and Griffin Road design should be constructed by summer's end. He advised that the Town had not received a site plan regarding the MovieCo Theater. Mayor Venis indicated that the Town was attempting to arrange a meeting with the residents and officials from the MovieCo Theater to discuss a site plan.

Richard Weiner, 10244 SW 18 Street, congratulated Mayor Venis on trying to solve the Town's water problems. He indicated that he was becoming involved in the community and invited all to attend future meetings of the Democratic Club. Mr. Weiner advised that there was a problem with speeders on Nob Hill Road and requested that some consideration be given for a traffic signal south of the new police/fire/EMS facility. Mr. Flatley advised that there would be a traffic signal at the schools and an emergency light at the new police/fire/EMS facility.

Councilmember Cox indicated that the Town was working on this issue and suggested that there be some selective traffic enforcement in this area. Councilmember Kiar recommended that the residents also contact the Broward County Commissioners to voice their concerns.

Judy Paul, 14421 SW 24 Street, announced that there would be a meeting sponsored by the Oak Hill Community Crime Watch on July 9th at 7:30 p.m. to discuss hurricane measures for horse owners.

Michael Davenport, 14041 SW 22 Place, advised that Development Services Director Michele Mellgren held a planning area workshop and a total of six people attended with two being Town staff. He said that the residents needed to attend these meetings and become involved.

Mr. Davenport requested that Mr. Flatley's report be given immediately after Council's comments instead of at the end of the meeting.

Lloyd Phillips, 14220 SW 29 Court, advised that he was having a problem with the Code Compliance Division and asked for an individual's name that he could contact. He presented pictures of his property and explained his problems.

**4. PRESENTATIONS**

**4.1 Reward - Chief of Police Jack Mackie**

Assistant Chief of Police Robert McDaniel presented Charles Medlin with a certificate of appreciation for his efforts in helping to solve a theft of Town property which occurred at Wolf Lake.

Fire Chief Michael Donati announced that Leonard DePaola had been promoted as the Town's first Deputy Fire Chief. He advised that this position was created as a result of a study conducted by David M. Griffith and Associates and thanked Mr. Flatley for his assistance.

**4.2 Police/Fire/EMS Facility Schematic Design - Spillis Candela and Partners and James A. Cummins, Inc.**

Christopher Wallace, Director of Budget and Finance, advised that Council needed to choose a schematic for the facility.

Rick Macia and Steve Berler, representing Spillis Candela and Partners, were present. Mr. Macia displayed and distributed plans denoted as Alternative A (separate buildings) and B (combined buildings) which he explained.

He advised that his firm was recommending Alternative A. Mr. Berler displayed elevation plans denoted as Alternative C (flat roof) and D (tiled roof) which he explained. He advised that his firm was recommending Alternative D, however, there was an issue with cost.

Rick Doerr, representing James A. Cummins, Inc., advised that his company was also recommending Alternative A which was less than one-half of one percent more than Alternative B. He added that Alternative D was four to five percent more than Alternative C. Mr. Doerr recommended that Spillis Candela continue with the design and his company would continue pricing the information. He indicated that Council could make its determination at a later date.

Discussion followed on the roof and parking requirements.

After further discussion, Council voted in favor of Alternative A. Mayor Venis indicated that Council appeared to be in favor of the elevation with the sloped roof and added that a decision would be made when a report on the cost was made. Councilmember Cox added that the Town wanted to have a little sensitivity in terms of the site design.

#### 4.3 Davie/Cooper City Chamber of Commerce

Doug Bleckie, representing the Chamber, advised of the upcoming golf event.

#### 4.4 Davie Water Advisory Board Update

Dean Alexander, Vice-Chairman of the Board, provided an update on the Board's activities. Discussion followed on the legislation concerning the 25% surcharge.

#### 4.5 Presentation by Howard Zimmerman

Mr. Zimmerman was not present.

#### 4.6 Upcoming Special Events - Bonnie Stafiej and Sharon Pierce-Kent

Sharon Pierce-Kent, Director of Community Services, announced upcoming events: registration for flag football and cheerleading programs; training of eight Brazilian Olympic hopefuls; and Swim American swim classes beginning July 8th.

Ms. Stafiej announced that upcoming events included Fireworks and Family Day (July 4th) and 5 Star Rodeo (July 25th - 26th).

## 5. OCCUPATIONAL LICENSE

### *Home Occupational Licenses*

#### 5.1 BVG Inc., d/b/a Pride Properties of South Florida, 3630 SW 106 Terrace

The applicant was not present.

#### 5.2 Wachtstetter Enterprises, Inc., 5150 SW 70 Avenue

Tom Wachtstetter, the applicant, was present. He confirmed that the request was for mail and phone use only. 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 advised that item 7.12 and 7.16 needed to be tabled to August 6, 1997.

Councilmember Kiar made a motion, seconded by Councilmember Cox, to table to August 6, 1997. 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 advised that item 9.6 needed to be tabled to August 6, 1997.

Councilmember Kiar made a motion, seconded by Councilmember Bush, to table to August 6, 1997. 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)

## 6. MAYOR/COUNCILMEMBER COMMENTS

## **COUNCILMEMBER BUSH**

**JULY 4TH HOLIDAY.** Councilmember Bush reminded everyone to drive safely during the July 4th holiday. He added that July 4th was also his birthday.

## **VICE-MAYOR SANTINI**

**JULY 4TH HOLIDAY.** Vice-Mayor Santini recommended that everyone attend the events at the Pine Island Community Center. She indicated that the fireworks were being paid for with private donations.

**TOWN ADMINISTRATOR'S REPORT.** Vice-Mayor Santini agreed that it was important that Mr. Flatley's report be heard after Council made its comments. There were no objections from Council.

**GILD'S CLUB.** Vice-Mayor Santini stated that she attend the ribbon cutting ceremony for Gilda's Club of South Florida which provided support to cancer victims and their families.

**PUBLIC SERVICE AWARD.** Vice-Mayor Santini stated that she had been awarded the Public Service Award on the national level from the American Society of CPA's. She discussed some of the areas that she visited while in Spokane, Washington.

**THANKS.** Vice-Mayor Santini thanked Ms. Stafiej for her efforts with the Labor Day events.

## **COUNCILMEMBER COX**

**ROBBINS LODGE RENOVATIONS.** Councilmember Cox stated that the bid for Robbins Lodge renovations was on tonight's meeting. She indicated that renovations would be made during the next few months. Councilmember Cox congratulated the Open Space Advisory Committee for its efforts and support. She added that the construction trailer at Forest Ridge had been removed.

**HURRICANE CLEAN UP.** Councilmember Cox advised that Waste Management would be providing dumpsters for hurricane clean up which was being held at the Bergeron Rodeo Grounds and Flamingo Road Fire Station on July 12th and 13th.

**JULY 4TH.** Councilmember Cox wished everyone a safe and happy July 4th.

## **COUNCILMEMBER KIAR**

**THANKS.** Councilmember Kiar thanked the editor of the Western Express who had asked him to write a monthly article regarding the Council meetings.

**JULY 4TH.** Councilmember Kiar wished everyone a safe and happy July 4th.

## **MAYOR VENIS**

**JULY 4TH.** Mayor Venis wished everyone a safe and happy July 4th.

**SOUTH BROWARD UTILITIES.** Mayor Venis stated that he was meeting with Sunrise Mayor Feren and Pembroke Pines Mayor Fekete on July 7th regarding the acquisition of the Utilities. He advised that he would provide a report on the outcome of this meeting.

**LIBRARY.** Mayor Venis stated that he and Mr. Flatley would be attending the County's budget meeting to make a presentation on why the Town's new library should be escalated in the County's capital projects plan.

**BIKE PATHS.** Mayor Venis advised that the bike path on SW 14 Street was overgrown and recommended that all the bike paths be edged routinely.

**MOSQUITOES.** Mayor Venis stated that the western residents were experiencing mosquitoes and asked that Mosquito Control be contacted to begin spraying in the area.

**NUMBERS PROJECT.** Mayor Venis stated that the Fraternal Order of Police Association wanted to begin a Numbers Project and asked that Mr. Flatley schedule a meeting. He explained that this Project placed numbers of addresses on homes.

**REWARD PROGRAM.** Mayor Venis stated that the Town's Reward Program was offering up to \$2,500 for any information leading to a conviction of the individual(s) who caused the arson at the Driftwood Pavilion.

## **7. CONSENT AGENDA**

### *Proclamation*

7.1 Parks and Recreation Month, July 1997

### *Resolutions*

**7.2 ARENA RENTAL** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-97-215 AUTHORIZING THE TOWN TO ENTER INTO AN AGREEMENT WITH THE GOLD COAST DOG CLUB, INC. FOR THE RENTAL OF THE DAVIE ARENA TO PRESENT DOG HANDLING CLASSES. (July 9, 1997 to June 30 , 1998; rental fee - \$3,120)

**7.3 ARENA RENTAL** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-97-216 AUTHORIZING THE TOWN OF DAVIE TO ENTER INTO AN AGREEMENT WITH THE HOLLYWOOD DOG CLUB, INC. FOR THE RENTAL OF THE BERGERON RODEO GROUNDS OF DAVIE, FLORIDA. (July 8, 1997 to June 29, 1998; rental fee - \$3,120)

**7.4 MITIGATION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-97-217 APPROVING A REQUEST FOR MITIGATION OF THE CODE ENFORCEMENT FINES IN CASE NO. 92-126 FROM \$31,000 IN AMOUNT TO \$24,800; AND PROVIDING AN EFFECTIVE DATE. (The Home Depot, Bernard Marcus and Arthur M. Blank)

**7.5 MITIGATION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-97-218 APPROVING A REQUEST FOR MITIGATION OF THE CODE ENFORCEMENT FINES IN CASE NO. 96-316 FROM \$26,750 IN AMOUNT TO \$1,000; AND PROVIDING AN EFFECTIVE DATE. (Carole Partin)

**7.6 MITIGATION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-97-219 APPROVING A REQUEST FOR MITIGATION OF THE CODE ENFORCEMENT FINES IN CASE NO. 97-055(b) FROM \$7,500 IN AMOUNT TO \$800; AND PROVIDING AN EFFECTIVE DATE. (Froman's Towing Inc.)

**7.7 BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE R-97-220 BID FOR ROBBINS LODGE RENOVATIONS. (John Luther, Inc. - \$153,953)

**7.8 BID EXTENSION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-97-221 EXTENDING THE BIDS FOR PARK LAWN MAINTENANCE. (EDJ Lawn Service and Marfam Enterprises)

**7.9 RATIFYING SELECTION OF AFFORDABLE HOUSING CONTRACTORS AND EXPENDITURE OF GRANT FUNDS** - A RESOLUTION OF THE TOWN OF R-97-222 DAVIE, FLORIDA, RATIFYING THE DAVIE COMMUNITY REDEVELOPMENT AGENCY'S SELECTION OF AFFORDABLE HOUSING CONTRACTORS AND EXPENDITURE OF GRANT FUNDS FOR SUCH HOUSING. (DeAngelo Development, Inc. and Atlantic Coastal Construction, Inc.)

**7.10 NEW POLICE OFFICER TRAINING** - A RESOLUTION OF THE TOWN OF R-97-223 DAVIE, FLORIDA, AUTHORIZING THREE NEWLY HIRED POLICE OFFICERS OF THE TOWN OF DAVIE POLICE DEPARTMENT TO ATTEND THE CRIMINAL JUSTICE INSTITUTES 148TH POLICE ACADEMY. (\$1,375/each for a total of \$4,125)

**7.11 POLICE ATHLETIC LEAGUE** - A RESOLUTION OF THE TOWN OF DAVIE, R-97-224 FLORIDA, AUTHORIZING THE ASSISTANCE OF A COLLEGE INTERN IN THE POLICE ATHLETIC LEAGUE SUMMER PROGRAM WITH FUNDING FROM THE LAW ENFORCEMENT TRUST FUND ACCOUNT. (eight weeks; not to exceed \$1,800)

**7.12 CERTIFYING BILLBOARD SITES** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, CERTIFYING BILLBOARD SITES PURSUANT TO SECTION 12-238(J)(9) OF THE CODE OF THE TOWN OF DAVIE PURSUANT TO THE REQUEST OF THE BOYS AND GIRLS CLUB OF BROWARD COUNTY, INC. AND GOLD COAST ADVERTISING; AND PROVIDING AN EFFECTIVE DATE.

7.13 **BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE R-97-225 BID FOR A FIRE DEPARTMENT COMMAND VEHICLE, FLORIDA SHERIFF'S ASSOCIATION BID NO. 96-04-0918. (Don Reid Ford, Inc. - F-250 HD 4 x 4 pick up truck; \$29,272)

7.14 **BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE R-97-226 BID TO FURNISH CONCRETE SURFACES ON STREETS & HIGHWAYS, BROWARD COUNTY BID AWARDED ON APRIL 29, 1997. (H&R Paving, Inc.; \$95,000)

*Ordinances - First Reading (Public Hearing to be held July 16, 1997)*

7.15 **CODE AMENDMENT** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF DAVIE, CHAPTER 2, ARTICLE VIII, RELATING TO PURCHASING PROCEDURES, BY AMENDING SECTION 2-316 AND CREATING SECTION 2-238; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

7.16 **CODE AMENDMENT** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING SECTION 12-238(J)(9) BY AMENDING SUBSECTION (b) THEREOF RELATING TO BILLBOARDS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Vice-Mayor Santini asked that item 7.4 be removed from the Consent Agenda. Mayor Venis asked that item 7.14 be removed.

Town Clerk Reinfeld read the ordinance-first reading by title only. Mayor Venis advised that a public hearing on item 7.15 would be held on July 16, 1997.

Councilmember Kiar made a motion, seconded by Councilmember Cox, to approve without items 7.4 and 7.14 (item 7.16 was previously tabled to August 6, 1997). 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)

7.4 Vice-Mayor Santini questioned why the amount had not been reduced to only cover costs. Ms. Mellgren indicated that Home Depot was a repeat offender and had agreed to the amount.

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)

7.14 Mayor Venis indicated that he had requested if a better price could be found. Mr. Flatley advised that the County's bid was the lowest.

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)

## **8. SITE PLAN**

8.1 SP 2-6-96, Commercial Building for Mr. Thomas Rafael, 4233 SW 64 Avenue (B-2) *Planning and Zoning Division approved subject to the planning report; Site Plan Committee approval subject to the planning report and providing two specimen yucca trees, planted on the east and west corners of the building.*

Sam Engel, representing the petitioner, was present. Ms. Mellgren read the planning report. Mr. Engel explained the request with discussion following.

Councilmember Cox made a motion, seconded by Councilmember Kiar, to approve with the changes for the specimen yucca, the substitution of the silver buttonwoods for the oak trees where necessary and the movement of one tree to obscure the front of the house. 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)

## **9. PUBLIC HEARINGS**

Mayor Venis opened the public hearing.

*Ordinances - Second and Final Reading*

**9.1 CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, 97-36 FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF DAVIE, SECTION 12-34, ENTITLED, "STANDARDS ENUMERATED," PARAGRAPH (A), "ADULT FACILITIES," ELIMINATING THE TERM "HEAD SHOP" AND DIRECTLY REGULATING THE SALE OF PARAPHERNALIA THAT IS ASSOCIATED WITH ILLICIT DRUG USE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR 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 - out of the room;

Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 4-0)

**9.2 CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, 97-37 FLORIDA, AMENDING ARTICLE VIII, SIGNS, LIGHTING, SECTION 12-238(A), PROVIDING FOR FREESTANDING SIGN DESIGN STANDARDS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR 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.

Council discussed the amendment.

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)

**9.3 CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING ARTICLE X, PLANNING AND DEVELOPMENT, SECTIONS 12-302, 12-303, 12-304, 12-306 AND 12-307, REVISING A SUBMITTAL DEADLINE; REVISING PUBLIC NOTICE AND APPLICATION SUBMITTAL REQUIREMENTS; PROVIDING FOR AN ADDITIONAL TOWN COUNCIL REVIEW CRITERION FOR LAND USE PLAN AMENDMENT AND REZONING APPLICATIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR 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.

Councilmember Cox thought the property should be posted. Mayor Venis questioned the mailing procedure which Ms. Mellgren explained. Discussion followed on the mailing procedure with Council deciding to table the ordinance to allow staff time to research the method of mailing.

Councilmember Kiar made a motion, seconded by Councilmember Cox, to table the ordinance to July 16, 1997. 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)

**9.4 CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, 97-38 FLORIDA, AMENDING SECTION 12 OF THE CODE OF DAVIE ENTITLED, "REQUIREMENTS FOR OFF-STREET PARKING", BY ADDING SECTION 12-208(A)(5)(a) ENTITLED "COMMERCE CENTER"; 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.

Ms. Mellgren clarified that a commerce center was typically characterized by a mix of manufacturing, light industrial, research service, storage, and warehousing facilities along with ancillary office.

Councilmember Cox 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)

**9.5 LAND USE PLAN AMENDMENT - AN ORDINANCE OF THE TOWN OF 97-39 DAVIE, FLORIDA, APPROVING APPLICATION LABC 96-2, AMENDING THE TOWN OF DAVIE COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE PLAN MAP DESIGNATION OF CERTAIN LANDS FROM "RESIDENTIAL 5 D.U./ACRE" TO "COMMERCIAL" AND "RESIDENTIAL/OFFICE"; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (LA BC 96-2, Sunnyslakes Land Use Plan Amendment, Griffin Road at the Turnpike)**  
Town Clerk Reinfeld read the ordinance by title.

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

An unidentified man (Michael Davenport) spoke in favor the ordinance.

Vincent Arico, 4630 SW 54 Terrace, spoke against the ordinance.

Dick Coker, representing the applicant, advised that soil testing had been previously completed and submitted to the Town.

Councilmember Cox made a motion, seconded by Councilmember Bush, 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 - out of room. (Motion carried 4-0)

**9.6 STAFF REQUESTING A TABLING TO AUGUST 6, 1997 REZONING - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM A-1, B-1, AND B-2 TO B-3; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB 3-1-97, 7550 Griffin Road)**  
This item was tabled earlier in the meeting.

Mayor Venis closed the public hearing portion of the meeting.

## **10. DISCUSSION AND POSSIBLE ACTION**

**10.1 Rescheduling of October 1, 1997 Council Meeting to October 2, 1997 in Observance of a Religious Holiday**  
Councilmember Kiar made a motion, seconded by Councilmember Cox, to move the October 1st meeting to October 2nd. 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)

### **10.2 Town Administrator's Performance Review**

#### **(A) Goals/Objectives and Performance Review**

Mr. Flatley reviewed the goals that had been completed over the past year. After a brief discussion, Mr. Flatley indicated that a change to the severance package from six months to a guarantee of three months had been recommended which he would agree to. He added that another change was that two months notice would be provided should either he decide to leave or if Council decided not to renew his contract.

Councilmember Kiar questioned the automatic renewal clause. Mayor Venis indicated that he did not want this clause in the agreement. Vice-Mayor Santini disagreed. After a brief discussion, Mayor Venis indicated that he did not have a problem with this clause. Councilmember Bush recommended that this issue be placed on the agenda for discussion 75 days prior to the end of the contract period.

Councilmember Santini indicated that she did not want the Consumer Price Index (CPI) increases in the contract as the completion of goals needed to be reviewed for success. She indicated that she would like to see a five percent merit raise which would increase his salary comparable to the other cities.

Councilmember Cox advised that she thought merit raises were appropriate but "was not big" on CPI increases as automatic increases took away an employee's initiative. She added that she was not sure that she agreed with the five percent raise this year because of tenure and she "was not big" on ranking with other cities. Councilmember Cox added that she thought a lot had been accomplished and Council and Mr. Flatley worked well as a team.

Mayor Venis indicated that he would prefer a merit increase instead of a CPI increase.

Councilmember Bush suggested that Mr. Flatley receive a three percent merit increase with tenure being an issue

for the next year. Councilmember Cox indicated that she would like to see criteria for a merit raise and Council should assess Mr. Flatley's strengths and weaknesses. Mayor Venis asked if this matter should be considered again so Council could assess an increase and the increase could be retroactive. Councilmember Cox responded that by the time Council completed its assessment, it would be time to begin Mr. Flatley's next assessment. She indicated that she did not have a problem with the three percent increase which she thought was fair. Councilmember Kiar commended Mr. Flatley for his open door policy and his responsiveness. Mayor Venis advised that Council appeared to be in agreement with the merit increase and the changes in the term of the contract.

Mr. Flatley advised that he was requesting a vehicle and life insurance in place of a car allowance. He indicated that there should not be any difference in costs. Council indicated that they had no problem with this as the amount was the same. Mr. Wallace explained the vehicle and life insurance information.

Vice-Mayor Santini made a motion, seconded by Councilmember Kiar, to approve the revised contract for annual review with a three percent merit raise, the change of a driven car versus car allowance with the difference being placed towards life insurance, a two year annual review automatic with a 75 day discussion being held in the month of April with a July 1st anniversary, and the revised severance package of three months upon involuntary leaving. 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)

**(B) A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING R-97-227 THE MAYOR TO EXECUTE AN AMENDMENT TO AGREEMENT FOR APPOINTMENT OF TOWN ADMINISTRATOR; AND PROVIDING AN EFFECTIVE DATE.**

Town Clerk Reinfeld advised that the resolution would need to be amended and requested that Council authorize Mr. Webber to make the amendments to be provided to Council. Mr. Webber indicated that the resolution could be adopted tonight and he would circulate the amendments prior to the contract being executed.

Councilmember Kiar made a motion, seconded by Councilmember Cox, to approve item 10.2[B]. 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. TOWN ADMINISTRATOR'S REPORT**

**RESOLUTION.** Mr. Flatley advised that a resolution regarding his vehicle needed to be added to the agenda pursuant to the previous discussion.

Councilmember Cox made a motion, seconded by Vice-Mayor Santini, to add a resolution as item 10.3. 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)

**10.3 A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE BID R-97-228 FOR A FORD CROWN VICTORIA FOR THE TOWN ADMINISTRATOR, FLORIDA SHERIFF'S ASSOCIATION BID NO. 96-04-0918.**

Councilmember Kiar 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)

**THANKS.** Mr. Flatley thanked Council and staff for supporting him.

## **12. ADJOURNMENT**

There being no objections or further business, the meeting was adjourned at 10:30 p.m.

