

**TOWN COUNCIL
REGULAR MEETING
DECEMBER 17, 1997
7:00 P.M.**

1. PLEDGE OF ALLEGIANCE

The meeting was called to order at 7:04 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. PRESENTATIONS

3.1 Town of Davie Junior Orange Bowl Preliminary Winners

Mayor Venis announced that Rebecca Stone and Monica Hadnik were co-winners of the Junior Orange Bowl and represented the Town. He presented a certificate and roses to the co-winners. Ms. Stone and Hadnik thanked the Town for its support.

3.2 Charles Bass, Fire Lieutenant - Twenty Five Years

Lieutenant Bass was not present.

3.3 Community Redevelopment Agency

Grant Marant, Agency member, updated Council on the Agency's efforts with discussion following.

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

Bonnie Stafiej, Special Projects Coordinator, thanked those who sponsored the Lighting of the Green event and indicated that over \$3,000 had been raised in sponsorships. She advised that upcoming events included: Concert in the Park (December 21st); Bull Riding Series (January 10th); 5 Star Rodeo (January 23rd - 24th). Ms. Stafiej advised that Councilmember Bush and Mr. Flatley had won the annual staff ping pong tournament.

Sharon Pierce-Kent, Director of Community Services, advised that upcoming events included: boys and girls baseball and girls softball registration (ongoing); and Pine Island Community Center open house (January 10th). Vice-Mayor Santini suggested that homeowner's meetings be moved to the Old Davie School or the Community Room which would allow the Pine Island Community Center to be used for more activities. Councilmember Cox added that meetings could also be held at the Robbins Lodge and once the new police facility was completed, meetings could be held there.

Councilmember Cox hoped that when the fields at the Pine Island Community Center were expanded, that the trail system would also be expanded. Ms. Pierce-Kent indicated that staff had been working on revising the master plan for Pine Island and one goal was to install a self-directed fitness program. She asked that any revisions be provided to Council before it came back to Council in final form.

4. MAYOR/COUNCILMEMBER AND TOWN ADMINISTRATOR'S COMMENTS

COUNCILMEMBER BUSH

LIGHTING OF THE GREEN. Councilmember Bush stated that this event seemed to be getting bigger and better every year.

PALM TREE PROJECT. Councilmember Bush stated that the planting of the palm trees along Davie Road to I-595 had been completed.

HAPPY HOLIDAYS. Councilmember Bush wished everyone happy and safe holidays.

VICE-MAYOR SANTINI

BICYCLES. Vice-Mayor Santini stated that the Latin Builders Association had contributed ten bicycles to each Broward County Commissioner to be distributed to children in need. She advised that Commissioner Scott Cowan had provided three bicycles to the Town and Commissioner Lori Parrish had provided two. Vice-Mayor Santini indicated that she had contacted Chief of Police Jack Mackie to determine who the bicycles should be given

to. Chief Mackie advised that the Community Oriented Policing Officers had identified five children and indicated that Commissioners Cowan and Parrish would be notified of the names.

ROTARY CHRISTMAS LUNCHEON. Vice-Mayor Santini stated that the luncheon was held today and 200 Davie children attended. She advised that each children had lunch and left with a gift.

LIGHTING OF THE GREEN. Vice-Mayor Santini stated that the event was spectacular.

COMPUTERS. Vice-Mayor Santini stated that she would like Council to consider purchasing IBM computers to replace the current Macintoshes. She said that technology was geared to IBM and recommended that either the computers be replaced individually, by department or across the board. Vice-Mayor Santini questioned if a cost study should be done. Councilmember Kiar agreed with Vice-Mayor Santini. Councilmember Cox stated that she would like to see the cost and equipment then phased in if needed. Mayor Venis agreed that it was a good idea to commission a study to determine the pro's and con's and then should a change be approved, the new system should be phased in. Vice-Mayor Santini indicated that the Macintoshes could be donated to the local schools with Councilmember Cox indicating that the computers could also be donated to the Police Athletic League or Brookwood Home.

HAPPY HOLIDAYS. Vice-Mayor Santini wished everyone happy and safe holidays.

COUNCILMEMBER COX

LIGHTING OF THE GREEN. Councilmember Cox stated that the Town Hall had to be the best decorated municipal facility anywhere. She complimented the employees who worked to put the event together.

Councilmember Cox advised that the Jingle Bell Parade had to be postponed because of the weather but announced that the parade had been rescheduled to December 21st.

YOUTH SUMMIT. Councilmember Cox discussed a seminar that she and Mr. Flatley had attended on Youth Summits during the League of Cities Conference.

HAPPY HOLIDAYS. Councilmember Cox wished everyone a happy and safe holiday.

COUNCILMEMBER KIAR

THANKS. Councilmember Kiar thanked Council for negotiating additional savings from the garbage franchise. He also thanked Mr. Tyler for his comments made at the December 10th meeting.

WELCOME. Councilmember Kiar welcomed the new Asian American Democratic Club to the Town.

CONDOLENCES. Councilmember Kiar advised that Don Wright had passed away and offered his condolences.

LIGHTING OF THE GREEN. Councilmember Kiar stated that the event was great and indicated that he had accepted first place for St. David Middle School decorating of the tree.

KIWANIS CHILDREN'S CHRISTMAS PARTY. Councilmember Kiar stated that the Kiwanis Club held its party for the Town's children. He thanked the Town for being able to use the Community Room.

LUNCHEON. Councilmember Kiar stated that he attended a luncheon with Miami-Dade Mayor Alex Pinellas and President Clinton. He indicated that these men tried to impress that everyone deserved a chance, a good education, and the opportunity to get a head.

EARL MORRALL. Councilmember Kiar stated that past Councilmember Earl Morrall was probably the finest man he had ever met and discussed the organizations that Mr. Morrall was involved with. He recommended that 75th Avenue be renamed after Mr. Morrall as he was always there when the Town needed him and asked Mr. Flatley to look into this.

GRANT. Councilmember Kiar stated that the Town had recently applied for a \$50,000 Emergency Operations Center and he had heard that the Town was being looked upon favorably to receive the grant. Chief Mackie advised that this grant would allow for special equipment and it appeared that the Town would be receiving this grant.

HAPPY HOLIDAYS. Councilmember Kiar wished everyone happy and safe holidays.

MAYOR VENIS

LIGHTING OF THE GREEN. Mayor Venis congratulated the staff who were involved with the event.

HAPPY HOLIDAYS. Mayor Venis wished everyone happy and safe holidays.

MUVICO. Mayor Venis stated that he visited the Waverly Hundred residents and discussed the Muvico plans and some of the amenities. He advised that discussions were still being held on the lighting and landscaping plans

and added that the developer had committed to vacate the right-of-way.

POLICE ATHLETIC LEAGUE. Mayor Venis announced that the League's Christmas Party would be held on December 18th at the Eastside Community Center.

4H CLUB. Mayor Venis stated that he and Ms. Stafiej had met with officials from the 4H Club and indicated that he was looking at the 4H Club having a greater presence in the Town.

METROPOLITAN PLANNING ORGANIZATION (MPO). Mayor Venis stated that the MPO had made a recommendation that the Town have its own seat on the MPO Board.

SHERIDAN GLEN. Mayor Venis thanked Assistant Town Administrator Robert Rawls for meeting with the residents in Sheridan Glen on residential concerns and asked that a report be presented at an upcoming Council meeting. He added that Mr. Rawls had also been working on the light spillage from CarMax into the residential area.

WELCOME. Mayor Venis advised that County Commissioner Parish had moved into the Town and welcomed her.

TOWN ADMINISTRATOR'S REPORT

WELCOME. Mr. Flatley advised that Valerie Moran and her family had moved back into the Town.

NEIGHBORHOOD WORKSHOP. Mr. Flatley advised that on January 13th, the Town would hold a neighborhood workshop at the Hawkes Bluff Elementary School.

EMERGENCY Mr. Flatley stated that the Town had encountered an emergency situation with its radio system. Christopher Wallace, Director of Budget and Finance, discussed the current system and the problems that had been encountered. He advised that the discussions that were held on systems which included cellular phones and a Town owned system. Mr. Wallace advised that staff was considering a 900 megahertz system and recommended that the bid be approved for Rapid Wireless. He asked that money from reserves be removed and then be reimbursed at a later date through a bond issue. Mr. Wallace also asked that formal bidding be waived as time did not allow for the bid procedure and asked for permission to purchase the system that the users felt they wanted. Discussion followed.

Councilmember Kiar made a motion, seconded by Vice-Mayor Santini, to authorize staff to purchase up to 94 units and four base stations from Rapid Wireless Limited and the waiving of the bid. 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)

5. OCCUPATIONAL LICENSES

5.1 L & I Gallo Accounting, 1200 Danbury Avenue

Louis Gallo, the applicant, was present. He confirmed that the request was for mail and phone use only.

Councilmember Bush 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)

6. CONSENT AGENDA

Minutes

6.1 November 5, 1997 - Regular Meeting

Proclamation

6.2 Keep the Dream Alive, January 19, 1998

Resolutions

6.3 **BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE R-97-425 BID FOR SANDBLASTING AND PAINTING BERGERON RODEO GROUNDS AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT FOR SUCH SERVICES. (Inclan Painting Corp. - \$60,000)

6.4 **BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE R-97-426 BID FOR BERGERON RODEO GROUNDS PREPARATION. (Five Star Rodeo, Inc. -

\$24,800/year)

6.5 BID - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE R-97-427 BID FOR JANITORIAL SERVICES FOR TOWN HALL BUILDINGS. (Sir Clean Building Services, Inc. - \$29,676/year)

6.6 BID - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE R-97-428 BIDS FOR PICK UP TRUCKS, STATE OF FLORIDA BID #070-001-98-1. (Maroone Chevrolet Chevy S-10 p/u - \$10,755; Ed Morse Chevrolet 3/4 ton p/u truck - \$15,940; and Kaiser Pontiac GMC 1 ton cab & chassis - \$20,532; total expenditure - \$47,227)

6.7 GRANT APPLICATION - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-97-429 AUTHORIZING THE APPLICATION FOR A GRANT FROM THE NATIONAL RECREATION TRAILS FUNDING PROGRAM, ADMINISTERED BY THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR THE TRAIL LINK ADJACENT TO SW 73 AVENUE, FROM SW 39 STREET TO SW 36 STREET; AND PROVIDING AN EFFECTIVE DATE. (total grant request - \$78,750; \$39,375 match requirement)

6.8 LIEN SUBORDINATION - A RESOLUTION OF THE TOWN OF DAVIE, R-97-430 FLORIDA, SUBORDINATING THE LIEN OF THE TOWN OF DAVIE ON PROPERTY OWNED BY JOLMY ENTERPRISES, INC. WITH RESPECT TO CERTAIN MORTGAGE INDEBTEDNESS; AND PROVIDING AN EFFECTIVE DATE.

6.9 COLLECTIVE BARGAINING AGREEMENT - A RESOLUTION OF THE TOWN R-97-431 OF DAVIE, FLORIDA, RATIFYING THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE TOWN OF DAVIE AND THE FEDERATION OF PUBLIC EMPLOYEES BLUE COLLAR UNIT.

6.10 AGREEMENT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA, R-97-432 TO ENTER INTO AN AGREEMENT, ON BEHALF OF THE TOWN OF DAVIE, FLORIDA, WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE RELOCATION, CHANGE OR ADJUSTMENT OF THEIR FACILITIES LOCATED ON STATE ROAD 818.

Councilmember Kiar asked that item 6.3 be removed from the Consent Agenda. Mr. Flatley asked that item 6.2 be removed.

Vice-Mayor Santini made a motion, seconded by Councilmember Cox, to approve the Consent Agenda without items 6.2 and 6.3. 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)

6.2 Mr. Flatley announced that a poster and essay contest in connection with Martin Luther King Day would be held on January 16th.

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)

6.3 Councilmember Kiar stated that he was surprised at the difference in the bidders and he hoped that the vendor chosen could perform the job. Mr. Wallace explained that this also had also been a concern to staff and it was apparent that the firms were not bidding on the same issues. Ms. Pierce-Kent explained that the vendors were interviewed on the bid and she explained the bid.

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 announced that item 8.10 needed to be tabled to January 21, 1998.

Vice-Mayor Santini made a motion, seconded by Councilmember Cox, to table. 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 announced that items 8.11 and 8.12 needed to be tabled to January 7, 1998.

Councilmember Cox made a motion, seconded by Vice-Mayor Santini, to table. 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 announced that items 8.13 and 8.14 needed to be tabled to February 4, 1998.

Councilmember Bush made a motion, seconded by Councilmember Cox, to table. 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. SITE PLANS

7.1 SP 10-10-97, Town of Davie Police, Fire, EMS Facility, southeast corner of intersection at Nob Hill Road and State Road 84 (CF) (tabled from December 10, 1997) *Planning and Zoning Division recommends approval subject to the planning report; Site Plan Committee recommends approval subject to the planning report and ensuring that the details for the cricket condition are solvable*

Michele Mellgren, Director of Development Services, advised that a special Site Plan Committee meeting was held on December 16th to address some of the concerns that Council had at a previous meeting. She stated that in addition to the original recommendations, the Committee recommended addressing the roof line issue so there was more compatibility between the police and fire stations, providing guttering along the appropriate edges of the building, resolving drainage and berm issues along the perimeter of the site, and making a screen on the vent of the fire station so it would not be visible from the road. Councilmember Cox discussed the improvements made to the roof and added that she thought money would be saved because of the changes.

Councilmember Cox made a motion, seconded by Councilmember Kiar, to approve with the staff and Site Plan Committee's recommendations. 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)

7.2 SP 11-3-96, Country Western Store, 7550 Griffin Road (B-3) *Planning and Zoning Division approved subject to the planning report; Site Plan Committee approved subject to the petitioner revisiting the east facade treatment on building "B" and providing more dimension, the planning report and double checking the location of the brick pavers*

Ms. Mellgren read the planning report. Sam Engel, representing the petitioner, was present and explained the site plan.

Councilmember Cox made a motion, seconded by Councilmember Kiar, to approve with the Planning and Zoning's and Site Plan Committee's recommendations with some revisitation to the landscaping on Building B's east facade. 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)

7.3 SP 8-6-97, Davie Shopping Center, 4400 Weston Road (BP) *Planning and Zoning Division approved subject to the planning report; Site Plan Committee approved subject to the planning report, eliminating the center entrance to the rear, maintaining a minimum of 20 foot landscaping buffer, using natural clay roof tiles, using colors as represented in the color rendering, and providing a color rendering that accurately depicted what would be seen off South Pointe Drive*

Mayor Venis announced that this item needed to be tabled to January 7, 1998 as plans had not been submitted. Councilmember Kiar made a motion, seconded by Councilmember Cox, to table [to January 7, 1998]. 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 SP 10-4-97, Additions and Alterations for Bel-Tec Electrical Services, Inc., 4700 SW 64 Avenue (B-2, Western Theme) *Planning and Zoning Division approved subject to the planning report; Site Plan Committee approved subject to the planning report*

Ms. Mellgren read the planning report. Sam Engel, representing the petitioner, was present and explained the request.

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)

7.5 SP 10-6-97, Davie Car Wash, 5555 South University Drive (B-2) *Planning and Zoning Division approved subject to the planning report; Site Plan Committee approved subject to adding two additional 10 to 12 foot double Alexander Palms on the north side of the carwash, providing additional buffering on the south end to be determined at the time the dumpster is relocated, reorientation of the handicap space based on the location of the dumpster, having the Town Engineer review the traffic pattern of the site, and providing specifications for decorative panels on the carwash*

Bill Ferrante, representing the petitioner, was present. Ms. Mellgren read the planning report. Discussion followed. 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)

7.6 SP 11-1-97, Lake Pine Village, 11920 SW 7 Court (RM-5) *Planning and Zoning Division approved subject to the planning report; Site Plan Committee approved subject to the planning report*

Mayor Venis announced that this item needed to be tabled to January 7, 1998.

Councilmember Kiar made a motion, seconded by Vice-Mayor Santini, to table. 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)

7.7 SP 11-6-97, Waterside Deli, 3820 Davie Road (B-2) *Planning and Zoning Division approved subject to the planning report; Site Plan Committee approved subject to the planning report as revised by changing #7 to three yucca plants, planted five feet on center, on the north side, eliminating the landscaping on the south side, to continue the boardwalk on the south side, and accepting the CRA's recommendations with the exclusion of #2*

Nick Bianco, representing the petitioner, was present. Ms. Mellgren read the planning report. Mr. Bianco discussed his concerns with the proposal to change three parking spaces to parallel spaces with discussion following.

Councilmember Kiar made a motion, seconded by Councilmember Cox, to approve subject to eliminating requirement #1 [parallel parking spaces]. 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. PUBLIC HEARINGS

Mayor Venis opened the public hearing.

Ordinance - Second and Final Reading

8.1 **CODE AMENDMENT** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF DAVIE, ARTICLE X ENTITLED, "PLANNING AND DEVELOPMENT," CREATING DIVISION 5. ENTITLED, "PLANNING AND ZONING IN PROGRESS"; CREATING THEREUNDER SECTION 12-315 ENTITLED, "GENERALLY," SECTION 12-315.1 ENTITLED, "EFFECTIVE DATE AND DURATION"; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (tabled from November 19, 1997)

Town Clerk Reinfeld read the ordinance by title. Mr. Webber asked that this ordinance be tabled to the next meeting as modifications would be made.

Councilmember Kiar made a motion, seconded by Councilmember Cox, to table to the first meeting in January [January 7, 1998]. 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)

Resolutions

8.2 FINDING OF SLUM OR BLIGHTED AREAS - A RESOLUTION OF THE TOWN R-97-433 OF DAVIE, FLORIDA; FINDING CERTAIN AREAS OF THE TOWN TO BE SLUM OR BLIGHTED AND FINDING THE NEED FOR THE TOWN OF DAVIE COMMUNITY REDEVELOPMENT AGENCY TO HAVE JURISDICTION TO EXERCISE THE POWERS OF CHAPTER 163, PART III WITHIN SAID AREA; PROVIDING FOR AN EFFECTIVE DATE (approximately 20 acres generally located north of State Road 84 Spur (Access Road), west of Burris Road, east of the Florida Turnpike and south of State Road 84)

Town Clerk Reinfeld read the resolution by title.

Redevelopment Administrator Glenn Irwin and Community Redevelopment Agency Counsel Susan Delegal, were present. Mr. Irwin and Ms. Delegal explained the resolution with discussion following.

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

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)

8.3 EXPANDED REDEVELOPMENT AREA - A RESOLUTION OF THE TOWN OF R-97-434 DAVIE, FLORIDA; AMENDING THE EXISTING COMMUNITY REDEVELOPMENT PLAN; MAKING CERTAIN FINDINGS REQUIRED BY FLORIDA STATUTES SECTION 163.360 (1996), AS AMENDED; APPROVING THE ADOPTION OF A COMMUNITY REDEVELOPMENT PLAN WITHIN THE EXPANDED REDEVELOPMENT AREA; RATIFYING AND REAFFIRMING CERTAIN PRIOR ACTIONS OF THE TOWN COUNCIL; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Clerk Reinfeld read the resolution by title.

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)

8.4 REVISED FEE SCHEDULE - A RESOLUTION OF THE TOWN OF DAVIE, R-97-435 FLORIDA, REVISING THE FEE SCHEDULE FOR PINE ISLAND FAMILY FITNESS CENTER FOR THE COMMUNITY SERVICES DEPARTMENT

Town Clerk Reinfeld read the resolution by title.

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

Councilmember Kiar indicated that he thought \$5 per visit was too steep for someone who wanted to utilize the facility on occasion. Councilmember Cox disagreed as the Town was trying to encourage membership so individuals could utilize the facility on a continual basis. Mayor Venis indicated that if the price was too low, the facility may be too crowded for members to be able to utilize the facility. Councilmember Bush agreed and asked if the per visit amount was for special events. Ms. Pierce-Kent indicated that staff could return with a resolution for special event fees either to be lower or waived. She added that the Parks and Recreation Board had discussed this matter and the Board felt \$5 was appropriate. Councilmember Kiar indicated that he would like to see a lower amount for 16 to 18 year olds. Vice-Mayor Santini stated that an individual would get a break by joining for six months if they utilized the facility. She added that she would like to see if the Town could work out something for the youth who could not afford to pay the \$25. Ms. Pierce-Kent suggested that these individuals donate their time in exchange for a scholarship or lower fee. Vice-Mayor Santini and Councilmember Cox were in agreement with this suggestion.

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 - no. (Motion carried 4-1)

Public Hearing Item

8.5 VACATION/ABANDONMENT - VA 10-1-97, Rabenau, 7900 Stirling Road (RM-5) (to vacate a 55 foot right-of-way known as NW 80 Avenue generally located 350 feet south of Stirling Road) *Planning and Zoning Division approved; Planning and Zoning Board approved*

Dennis Mele, representing the petitioner, was present. Mayor Venis questioned if anyone would be speaking in opposition to the request with no one replying. Ms. Mellgren summarized the planning report.

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

Quasi Judicial Items

8.6 REZONING - ZB 10-1-97, CDI Engineering & Planning/Pelican Coast Holdings, Inc., 351 SW 148 Avenue (from T to M-1) *Planning and Zoning Division approved subject to voluntary deed restrictions; Planning and Zoning Board approved subject to voluntary deed restrictions*

Mr. Webber explained the rules concerning the admission of evidence. Town Clerk Reinfeld swore in the witnesses. Ms. Mellgren summarized the planning report.

Dan Fee, representing the petitioner, indicated that the petitioner was in agreement with the staff's report.

Mr. Webber asked if anyone wished to provide testimony on the rezoning. No one spoke.

Mr. Webber stated that the hearing was concluded.

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 Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

8.7 VARIANCE - V 10-2-97, Bencivenga, 2640 SW 106 Terrace (R-1) (to increase the size of a guest house from 400 square feet to 1,052 square feet) *Planning and Zoning Division denied; Planning and Zoning Board denied*

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. An unidentified man, representing the petitioner, discussed the request and indicated that it was not his intent to use the facility to house people. He indicated that he and his wife were in favor of providing a signed affidavit or covenant. The man stated that he had a signed letter from people throughout the neighborhood who approved of the request.

Mr. Webber asked if anyone wished to provide testimony in favor of the variance.

Kirk Engstrom, 11011 SW 27 Street, advised that no one in the neighborhood was in opposition to the request and he spoke in favor of the request.

Ms. Mellgren stated that with Mr. Bencivenga's statement that he would be willing to provide something for the record so there was public notice that the property could not be marketed as a house with a rental unit attached, staff would withdraw its objection.

Michael Davenport, 14041 SW 22 Place, stated that his concerns had been addressed and discussed the request. He recommended that the drainage problem be addressed before Council took action.

Vice-Mayor Santini recommended that there only be one electrical meter for the entire property. The unidentified man indicated that the blue prints showed only one meter for the property. Ms. Mellgren stated that the Code could be amended to include Vice-Mayor Santini's recommendation.

Councilmember Bush asked if there could be an agreement that the Town could inspect the property every five years. Ms. Mellgren responded that this could be done but it would be difficult to monitor.

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

Mr. Webber stated that the hearing was concluded.

Councilmember Kiar made a motion, seconded by Councilmember Cox, to approve with the restriction of one

meter and a restrictive covenant that would run with the land that the house would not be used for separate maintenance of someone else/rental unit. 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)

8.8 VARIANCE - V 10-3-97, Trabue, 7500 SW 40 Street (A-1) (to increase the size of a guest house from 400 square feet to 700 square feet) *Planning and Zoning Division denied; Planning and Zoning Board approved subject to voluntarily deed restricting the use of the structure as a rental*

Town Clerk Reinfeld swore in the witnesses. Ms. Mellgren summarized the request and offered the planning report into evidence.

An unidentified man, representing the petitioner, discussed the request. Ms. Mellgren asked if the petitioner would be willing to have something recorded in the land records to indicate that this structure could not be used as a rental unit. The man replied in the affirmative. Mr. Webber indicated that should Council approve the request, the motion be

conditioned upon the petitioner providing a document in satisfactory form. Ms. Mellgren indicated that if the petitioner was in agreement with this suggestion, staff would withdraw its objection. Mr. Webber asked if anyone wished to provide testimony on the variance.

Michael Davenport spoke in favor of the variance.

Mr. Webber stated that the hearing was concluded.

Councilmember Cox made a motion, seconded by Councilmember Kiar, to approve with the condition that the deed restriction be placed on the property as to no rental situations. In a roll call, the vote was as follows: Mayor Venis - out of room; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 4-0)

8.9 VARIANCE - V 10-4-97, Keith/Rabenau, 7900 Stirling Road (RM-5) (to reduce the required rear setback from 24 feet to 15 feet; to reduce the required peripheral boundary setback from 35 feet to 0 feet) *Planning and Zoning Division approved; Planning and Zoning Board approved*

Town Clerk Reinfeld swore in the witnesses. Ms. Mellgren summarized the request.

Dennis Mele, representing the petitioner, discussed the request.

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

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 Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

Items requested to be tabled

Ordinance - Second and Final Reading

8.10 STAFF REQUESTING A TABLING TO JANUARY 21, 1998

REZONING - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM R-2 TO B-1; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB 5-3-97, Fee/Sublime, Inc., 5900 SW 70 Avenue) (tabled from November 19, 1997)

This item was tabled earlier in the meeting.

Quasi Judicial Items

8.11 STAFF REQUESTING A TABLING TO JANUARY 7, 1998

REZONING - ZB 9-1-97, BGL Ltd./Helbar Investment Corp., 13290 State Road 84 (from B-2 to B-3) *Planning and Zoning Division approved subject to the planning report; Planning and Zoning Board approved subject to the conceptual plan and the voluntary deed restrictions*

This item was tabled earlier in the meeting.

8.12 PLANNING AND ZONING BOARD TABLED TO DECEMBER 16, 1997; COUNCIL CAN TABLE TO JANUARY 7, 1998

REZONING - ZB 10-2-97, Mastriana/Sloan - Turnpike Business Center, 4955 Orange Drive (from A-1 to M-3)
This item was tabled earlier in the meeting.

8.13 PLANNING AND ZONING BOARD TABLED TO DECEMBER 16, 1997; COUNCIL CAN TABLE TO JANUARY 7, 1998

REZONING - ZB 10-3-97, Stor-All, Inc./Morse Operations, Inc., 3700 University Drive (from B-3 to B-3, amending the Master Plan)
This item was tabled earlier in the meeting.

8.14 PLANNING AND ZONING BOARD TABLED TO DECEMBER 16, 1997; COUNCIL CAN TABLE TO JANUARY 7, 1998

VARIANCE - V 10-1-97, BGL Ltd./Helbar Investment Corp., 13290 State Road 84 (B-2)
This item was tabled earlier in the meeting.

9. ORDINANCES - FIRST READING (Public Hearing to be held January 7, 1998)

9.1 **VACATION** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, VACATING A PORTION OF ROAD RIGHT-OF-WAY LOCATED WITHIN THE STIRLING MEADOWS PLAT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (VA 10-1-97, Rabenau, 7900 Stirling Road)

Mayor Venis advised that a public hearing on item 9.1 would be held on January 7, 1998. Town Clerk Reinfeld read the ordinance-first reading by title only.

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)

9.2 **REZONING** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM T TO M-1; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB 10-1-97, CDI Engineering & Planning/Pelican Coast Holdings, Inc., 351 SW 148 Avenue)

Town Clerk Reinfeld read the ordinance-first reading by title only. Mayor Venis advised that a public hearing on item 9.2 would be held on January 7, 1998.

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)

10. APPOINTMENTS

10.1 Parks and Recreation Advisory Board (terms expires August 1998; 1 exclusive appointment: Mayor Venis) (members shall have a concern with or an interest in the park facilities and recreational needs of the Town's residents)

Mayor Venis appointed Maria Shelton.

10.2 Budget Advisory Committee (terms expire December 1998; one exclusive appointment: Mayor Venis and Councilmember Kiar) (members shall have experience in financial related occupation or similar skills)
Councilmember Kiar deferred his appointment. Mayor Venis appointed Michael Davenport.

10.3 Davie Water Advisory Board (terms expire December 1998; one exclusive appointment: Councilmember Cox; two exclusive appointments: Councilmember Kiar) (a minimum of one member shall be a licensed engineer)

Councilmembers Cox and Kiar deferred their appointments.

11. DISCUSSION AND POSSIBLE ACTION

11.1 Creation of a Permanent Display [Roll of Honor] Honoring Citizens Who Made Extraordinary Contributions

11.2 Creation of an Annually Rotated Board for the Purpose of Proposing and Selecting Town Candidates for the Permanent Display [Roll of Honor]

Dean Alexander explained his request with Mayor Venis recommending that Mr. Alexander research the cost of this issue.

11.3 A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE R-97-436 MAYOR AND TOWN ADMINISTRATOR TO ENTER INTO A REVISED AGREEMENT BETWEEN THE TOWN OF DAVIE, BROWARD COUNTY, PASADENA AT IMAGINATION FARMS, INC., AND GOLDEN POND DEVELOPMENT CORPORATION, PROVIDING FOR REMEDIAL MEASURES TO SATISFY CONCURRENCY REQUIREMENTS RELATED TO THE IMAGINATION FARMS EAST PLAT AND THE ICE PLAT; TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING THEIR SIGNATURES TO SAID AGREEMENT.

Town Clerk Reinfeld read the resolution by title. Mr. Rawls explained the resolution.

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)

12. ADJOURNMENT

There being no objections or further business, the meeting was adjourned at 10:53 p.m.

