

**TOWN COUNCIL  
REGULAR MEETING  
MARCH 15, 2000**

**1. PLEDGE OF ALLEGIANCE**

The meeting was called to order at 7:31 p.m. by Mayor Venis and was followed by the Pledge of Allegiance.

**2. ROLL CALL**

Present were Mayor Venis, Vice-Mayor Bush and Councilmembers Cox, Paul and Weiner. Also present were Town Administrator Middaugh, Town Attorney Webber, and Town Clerk Reinfeld recording the meeting.

**3. INVOCATION - Rabbi Bernhard Presler**

Rabbi Presler gave the invocation.

**4. CERTIFICATION OF RESULTS - March 14, 2000 Election**

Town Clerk Reinfeld read the results of the March 14th election into the record (attached hereto and made a part hereof these records).

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

**OUTGOING COUNCILMEMBER COMMENTS**

Vice-Mayor Bush presented his closing remarks and thanked those who assisted him in his efforts to be a part of Council. He appreciated all the voters who put their confidence in him for the past nine years and thanked the volunteers who assisted in his campaign efforts. Vice-Mayor Bush also thanked his family who had dealt with long hours of Council meetings. He congratulated Ms. Clark and wished her well.

Mayor Venis presented Vice-Mayor Bush with a plaque honoring his outstanding service as a Councilmember from March 20, 1991 to March 15, 2000.

**5. OATH OF OFFICE - Judge Howard Zeidwig**

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

**6. SELECTION OF VICE-MAYOR**

Mayor Venis advised that Councilmembers Weiner and Paul had not served as Vice-Mayor and suggested that a vote be taken on each. In a roll call vote on Councilmember Weiner's nomination, the vote was as follows: Mayor Venis - yes; Councilmember Clark - yes; Councilmember Cox - no; Councilmember Paul - yes; Councilmember Weiner - yes. (Motion carried 4-1)

A recess was taken from 7:42 p.m. until 7:58 p.m.

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**7. PRESENTATIONS**

**7.1 Census 2000**

Shirley Taylor-Prakelt, Housing and Community Development Coordinator, thanked Public Relations Coordinator Susan Dean, Economic Development Coordinator Margaret Wu, and Programs Manager Will Allen for their efforts in developing an educational outreach program for the Census 2000. She advised that it was the Town's goal to have the most complete Census count of any municipality. Ms. Taylor-Prakelt noted that the Town had been fortunate to have the Budget Advisory Committee also served as the Complete Count Committee and Chair David Brown was instrumental in obtaining a budget so that there would be several promotional activities. She advised of the activities that had occurred and reiterated that all of monies received from the federal government would be based on the Census count.

Ms. Taylor-Prakelt presented Chair Brown with a proclamation on the Census 2000 which she read into the record. Chair Brown accepted the proclamation on behalf of the Committee and noted that the Committee had taken this responsibility seriously. He referenced the efforts made by Nova Southeastern University to target the students attending the University. Chair Brown indicated that tonight was the beginning of the initiative to complete the forms and indicated that if a form was not received, those residents should telephone the Town. He advised that some forms indicated a Hollywood or Fort Lauderdale address; however, those forms within the Town's boundaries would be counted towards Davie's Census count. Chair Brown complimented Mr. Middaugh on his efforts to make the Census effective.

Jack Curtis, representing the US Census Bureau, congratulated the Town on its efforts to obtain a complete count. He referenced the discrepancy with the address and explained that the forms were addressed for the convenience of the Post Office. The Census forms contained a bar code and housing number that would direct the Census Bureau to the correct municipality. He encouraged residents to call the Town or a Census office if they did not receive a form by the end of March.

**7.2 Canine Companions for Independence**

An unidentified woman thanked Council for allowing Canine Companions to use the Bergeron rodeo arena for the annual Paws for Applause event on February 20th. She noted that over \$25,000 was raised and the Sun Sentinel printed five articles showing the rodeo arena. The woman presented the Town with a plaque showing their appreciation and a Certificate of Appreciation was presented to Councilmember Paul and Special Projects Coordinator Bonnie Stafiej for the efforts.

**7.3 Upcoming Special Events - Bonnie Stafiej and Sharon Pierce-Kent**

Ms. Stafiej advised that upcoming events included: Fort Lauderdale AKC finals (March 18th - 19th); concert in the park (March 19th); 5 Star Rodeo (March 25th); open fun horse show (March 25th); and the Annual Waterway Cleanup (March 25th).

Sharon Pierce-Kent, Parks and Recreation Director, announced that upcoming events included: tackle football and cheerleading program; spring break camps at the Eastside Community Hall and Orange Park Community Hall (April 17th-21st); and the adults and seniors ice cream social (April 1st).

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Mayor Venis announced that items 11.4, 13.4, 13.7 and 13.9 needed to be tabled to April 5, 2000.

Councilmember Paul made a motion, seconded by Councilmember Cox, to table. In a voice vote, all voted in favor. (Motion carried 5-0)

Mayor Venis announced that item 13.5 needed to be tabled to April 18, 2000.

Councilmember Paul made a motion, seconded by Vice-Mayor Weiner, to table. In a voice vote, all voted in favor. (Motion carried 5-0)

Mayor Venis advised that item 13.8 had been withdrawn by the petitioner.

**8. MAYOR/COUNCILMEMBERS COMMENTS**

**MAYOR VENIS**

**THANKS.** Mayor Venis thanked his family for their support and the volunteers who participated in the election. He further thanked the firefighters and the voters for their confidence in his leadership abilities.

**PROMISES.** Mayor Venis reiterated his campaign promises of addressing drainage, Sunrise litigation/surcharge, quality of life/environment, and senior transportation.

**AGENDA ITEMS.** Mayor Venis requested that the senior transit issue be placed on an agenda within 30 days and the capital projects plan within 90 days. He further requested that Mr. Middaugh review the departments for efficiency, make the appropriate changes necessary including breaking up and spreading authority throughout departments and hiring additional personnel. Mayor Venis indicated that he would like a report to be presented to Council within 90 days.

**VICE MAYOR WEINER**

Vice-Mayor Weiner made no comments.

**COUNCILMEMBER COX**

**WELCOME.** Councilmember Cox welcomed Councilmember Clark to Council.

**HURRICANE TRASH PICK-UP.** Councilmember Cox announced that the hurricane trash pick-up would be held June 3rd and 4th. She advised that dumpsters would be located at the Bergeron rodeo arena, and the Ivanhoe and Flamingo Road Fire Stations. Councilmember Cox indicated that there would be no fee to dump materials.

**DEMOLITION OF BUILDINGS.** Councilmember Cox stated that the contract to demolish the buildings in front of the Old Davie School was on tonight's Consent Agenda and advised that a demolition party would be scheduled. She thanked Assistant Town Administrator Robert Rawls and Mr. Webber for their efforts in transferring the title.

**COWBOY GOLF TOURNAMENT.** Councilmember Cox advised that the Tournament would be held on April 14th which would benefit the Old Davie School and the EASE Foundation. She indicated that there would be a three club limitation and handicap points would be awarded for various requirements.

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**COUNCILMEMBER CLARK**

**THANK YOU.** Councilmember Clark thanked Mayor Venis, the voters who elected her to office, her committee, the Town's firefighters, the Fraternal Order of Police, Mayor Venis, and Mr. Middaugh. She indicated that she had chosen to to run for Council because she would like to help those who had not been helped or those who had been neglected. Councilmember Clark wished former Vice-Mayor Bush luck and requested Council's patience for questions she may ask.

**COUNCILMEMBER PAUL**

**CONGRATULATIONS.** Councilmember Paul congratulated Mayor Venis on his reelection and Councilmember Clark on her election.

**WOMEN'S HISTORY MONTH.** Councilmember Paul announced that March was Women's History Month and this was the first time there was a majority of women on Council.

**CENSUS.** Councilmember Paul thanked Messrs. Curtis and Brown for discussing the address issue on the Census forms and noted the pride of some residents who were upset that the forms did not show their Davie address. She indicated that Nova High School was recognized for its accomplishments on a national level and indicated that it used a Fort Lauderdale address. Councilmember Paul advised that the Census was being taught in the schools as part of the social studies curriculum.

**FOUR-WAY STOP.** Councilmember Paul requested that a four-way stop sign be placed on 136th Avenue and 26th Street. She noted that she had received a letter in which Broward County advised that there was not enough traffic to warrant a four-way stop sign. Councilmember Paul expressed her disbelief of the figures used for the traffic study.

**CROSSING AT INDIAN RIDGE AND NOB HILL ROAD.** Councilmember Paul requested some relief with regard to the crossing at Indian Ridge and Nob Hill Road. She referenced a letter in which it noted the installation of a chain-link fence along the southern perimeter of the school property which had provided an safer area for the students to congregate at the school crossing at Nob Hill Road.

**CITRUS CANKER.** Councilmember Paul thanked Senator Howard Forman and County Commissioner Lori Parrish on their efforts with regard to the citrus canker issue. She noted that one of the ways in which canker was being spread was through lawn maintenance people working on several different lawns. Councilmember Paul advised of the quarantine area and added that lawn maintenance people were required to use a clorox solution to clean their equipment prior to moving to another site. She indicated that the Town had been surveyed and there were a couple of isolated areas in which the canker was located. Those areas would have their trees destroyed within a 1,900 square foot area of the affected tree. Councilmember Paul noted that the federal government had included canker as a peril which "opened it up" for commercial growers to obtain federal funds.

**SUPERMAJORITY ORDINANCE.** Councilmember Paul expressed her desire to have this ordinance placed on the agenda. Mr. Middaugh explained that the outstanding issue was where to place the language in the Code and indicated that this item would be on the next agenda.

**LAND USE PLAN BENEFITS STUDY.** Councilmember Paul questioned when she would receive a report with regard to this study. She acknowledged a memorandum from Budget and Finance Director Christopher Wallace which indicated some of the problems he was

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encountering in this preparation. Councilmember Paul advised that she had met with the interns from Nova Southeastern University who would be working on this study and it was her understanding that the study should be completed in six to eight weeks.

**AGRICULTURAL WORKSHOP.** Councilmember Paul announced that a workshop meeting regarding agricultural issues was scheduled for March 22nd at 7 p.m. in the Police Department's Community Room.

**STAFFING AND CODE COMPLIANCE.** Councilmember Paul expressed her belief that the number of staff in the Code Compliance Division was not adequate to address the needs of the community. She noted the need for additional park, police, fire and code compliance personnel. Councilmember Paul stated that she had received three phone calls over the weekend and the individuals were not able to contact someone during the weekend regarding Code issues. She suggested that the Code Compliance Division consider a staggered shift so that someone would work on the weekends.

**COMPLETION OF DRAINAGE PROJECT.** Councilmember Paul expressed her delight that the first phase of the drainage project in Oakhill would be completed in approximately three months.

Mayor Venis felt that the Code compliance issue should be addressed by Mr. Middaugh's evaluation of all departments.

**9. TOWN ADMINISTRATOR'S COMMENTS**

**POLICE CONTRACT.** Mr. Middaugh explained that the police contract was scheduled for ratification on March 24th and would be on the following Council agenda.

**PARK DEVELOPMENT PLAN.** Mr. Middaugh acknowledged the frustration with regard to the implementation of the Plan. He explained that a report was developed for each project and the plan would be distributed to Council and advisory board members. Mr. Middaugh noted that preparatory bid and design work had been completed for the most part. He advised that a staff person had been hired to prepare the documents and work on the project. Mr. Middaugh felt this would allow for more park expenditures and a lot of activity should begin over the next several months.

**TRANSPORTATION.** With regard to transportation, Mr. Middaugh displayed a graphic which showed the density of population pockets and provided an overview. He pledged to meet with the Senior Citizen Advisory Board to discuss what it foresaw as the kinds of service that would be needed. Mr. Middaugh requested direction as to whether Council wanted a transit system accelerated in advance of the budget. It was the consensus to move forward and obtain estimates which Council would evaluate. Mr. Middaugh explained that additional gas tax monies would provide monies the beginning of January.

Police Chief John George introduced the Project Home Safe Child Safety Program which offered to provide over 5,000 safety locks for firearms to secure the weapon in the home. He advised that these locks would be distributed at the Safety Summit at the Tower Shoppes on March 25th.

Mayor Venis advised of a letter in which approval was granted for a left turn signal at Flamingo Road and 36th Court. The arrow was anticipated to become active within the next four to six weeks.

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**10. TOWN ATTORNEY'S COMMENTS**

**LITIGATION.** Mr. Webber provided an update on litigation in which the Town was involved: Orendello, 142 Avenue, 175/185 monies, Coastal Carting, LDG, MVP, Cummings, Sunrise, Transamerica and street vendors.

Councilmember Clark requested that the Town delay the litigation on 142nd Avenue until the next meeting as she did not have the information she needed.

**11. CONSENT AGENDA**

*Minutes*

11.1 February 2, 2000 - Regular Meeting

11.2 March 1, 2000 - Special Executive Session

*Proclamation*

11.3 Census 2000 Day (April 1, 2000)

*Resolutions*

11.4 **AGREEMENT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, RATIFYING THE COLLECTION BARGAINING AGREEMENT BETWEEN THE TOWN OF DAVIE AND THE FRATERNAL ORDER OF POLICE. (tabled from March 1, 2000) Staff requesting a tabling to April 5, 2000**

R-2000-42 11.5 **CONTRACT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH THE HASKELL COMPANY FOR CONSTRUCTION OF UNDERGROUND UTILITIES AT PINE ISLAND PARK. (\$641,291.68)**

R-2000-43 11.6 **EXPENDITURE - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE EXPENDITURE OF FUNDS FROM THE LAW ENFORCEMENT TRUST FUND FOR DONATION TO THE BROWARD COUNTY CRIME STOPPERS. (\$3,500)**

R-2000-44 11.7 **EXPENDITURE - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE EXPENDITURE FROM THE LAW ENFORCEMENT TRUST FUND FOR THE PURCHASE OF EQUIPMENT FOR POLICE DEPARTMENT SEARCH AND RECOVERY. (not to exceed \$10,000)**

R-2000-45 11.8 **EXPENDITURE - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE EXPENDITURE OF FUNDS FROM THE LAW ENFORCEMENT TRUST FUND FOR POLICE DEPARTMENT TRAINING. (not to exceed \$50,000)**

R-2000-46 11.9 **EXPENDITURE - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE EXPENDITURE OF GRANT FUNDS AND LAW ENFORCEMENT TRUST FUNDS FOR SPEED ENFORCEMENT EQUIPMENT. (Applied Concepts, Inc.; \$25,220 grant funds and \$2,975 law enforcement trust fund)**

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- 11.10 **PURCHASE - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,**  
R-2000-47 **AUTHORIZING THE PURCHASE OF CRIME SCENE PROCESSING  
EQUIPMENT WITH FUNDS FROM THE LAW ENFORCEMENT TRUST  
FUND. (not to exceed \$7,500)**
- 11.11 **PURCHASE - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,**  
R-2000-48 **AUTHORIZING THE PURCHASE OF INTOXILYZER 5000 BREATH  
ALCOHOL TESTING INSTRUMENT AND SUPPLIES WITH FUNDS FROM  
THE LAW ENFORCEMENT TRUST FUND. (Tech Source; \$7,000)**
- 11.12 **BID - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING**  
R-2000-49 **THE BID FOR ARENA GROUND PREPARATION SERVICES. (Chaples  
Tractor and Agricultural Service, Inc.; \$20,000/year)**
- 11.13 **BID - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING**  
R-2000-50 **THE BID FOR ORANGE PARK CONCRETE RECREATIONAL PATHS. (BLS  
Engineering Contractor; \$55,000)**
- 11.14 **BID - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING**  
R-2000-51 **THE BID FOR RADIO MAINTENANCE SERVICES. (Control  
Communications, Inc.; \$19,125/year)**
- 11.15 **LOCAL OPTION MOTOR FUEL TAX - A RESOLUTION OF THE TOWN OF**  
R-2000-52 **DAVIE, FLORIDA, SUPPORTING AN INITIATIVE OF THE BROWARD  
COUNTY BOARD OF COUNTY COMMISSIONERS TO APPROPRIATE ONE  
CENT (1¢) OF THE LOCAL OPTION MOTOR FUEL TAX TO FUND PUBLIC  
TRANSPORTATION.**
- 11.16 **EXTENDING THE BID - A RESOLUTION OF THE TOWN OF DAVIE,**  
R-2000-53 **FLORIDA, EXTENDING THE BID FOR MISCELLANEOUS PLANNING  
SERVICES; PROVIDING FOR AN EFFECTIVE DATE. (\$6,500)**
- 11.17 **TRAFFIC SIGNAL REQUEST - A RESOLUTION OF THE TOWN OF DAVIE,**  
R-2000-54 **FLORIDA, REQUESTING BROWARD COUNTY INSTALL THE  
APPROPRIATE TRAFFIC SIGNAL PROTECTION AT THE INTERSECTION  
OF S.W. 19TH STREET AND NOB HILL ROAD.**
- 11.18 **TRAFFIC SIGNAL REQUEST - A RESOLUTION OF THE TOWN OF DAVIE,**  
R-2000-55 **FLORIDA, REQUESTING BROWARD COUNTY INSTALL THE  
APPROPRIATE TRAFFIC SIGNAL PROTECTION AT THE INTERSECTION  
OF THE ST. BERNADETTE CHURCH DRIVEWAY ACCESS IN THE 7500  
BLOCK OF STIRLING ROAD.**

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**11.19 R-2000-56 ALLOCATING FUNDS - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ALLOCATING FUNDS FROM THE CONTINGENCY ACCOUNT TO COMPLETE THE RESTORATION OF THE OLD DAVIE SCHOOL SITE. (\$45,000)**

**11.20 R-2000-57 BID - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE BID FOR DEMOLITION OF NON-HISTORIC AND UNSOUND BUILDINGS AT THE OLD DAVIE SCHOOL SITE. (International Salvage, Inc.; \$19,850)**

*Site Plans*

**11.21 SP 12-6-99, Health Professions Division Assembly Building No. 2, 3301 College Avenue (CF) Planning and Zoning Division recommended approval subject to the planning report; Site Plan Committee recommended approved subject to the planning report item one**

**11.22 SP 12-9-99, Flamingo Commons, 12451 Orange Drive (B-3) Planning and Zoning Division recommended approval subject to the planning report; Site Plan Committee recommended approval subject to the planning report with the following amendments and additions: item 7, provide "non-canopy" accent trees within the landscape parking medians so as not to obstruct the artificial lighting; item 8, the developer has 90 days to provide a wetland landscape plan; item 11, the developer shall be granted 24 month from the time of the issuance of the first certificate of occupancy in parcel E only, in order for the Town to evaluate whether a perimeter masonry wall would be needed for parcel E; and that the developer acquire a surety bond or whatever instrument is determined appropriate by the Town attorney, to assure the construction of the masonry wall should the Town decide it was necessary; specify the color of the roof material before the plans are presented to Town Council; and calculate the percentage of open space and indicate same in the site plan summary**

Mayor Venis requested that item 11.15 be removed from the Consent Agenda. Councilmember Paul requested that items 11.9, 11.13, 11.16, 11.19, 11.20, and 11.22 be removed.

Vice-Mayor Weiner advised that there were two items being considered for traffic lights - one near the St. Bernadette Church area and the other on Nob Hill Road near the Bergeron Park area. Mayor Venis stated that the petitions would be presented to the County within the next week.

Vice-Mayor Weiner made a motion, seconded by Councilmember Paul, to approve the Consent Agenda without items 11.9, 11.13, 11.15, 11.16, 11.19, 11.20 and 11.22. In a voice vote, all voted in favor. (Motion carried 5-0)

11.9 Councilmember Paul expressed her approval in this item being presented at tonight's meeting and advised that she had a list prepared of places where the equipment could be placed. Chief George advised that this purchase would allow drivers to know what their actual speeds were and added that the purchase was provided through grant monies.

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Councilmember Paul made a motion, seconded by Vice-Mayor Weiner, to approve. In a voice vote, all voted in favor. (Motion carried 5-0)

11.13 Councilmember Paul felt improvements were needed in the Orange Park community and explained that the sidewalks serving the Community Center would be redone.

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

11.15 Mayor Venis questioned the population figures and suggested using the figure of 78,000. Mr. Middaugh explained that the population figures were based on the University of Florida's figures of approximately 65,000 individuals. He thanked Phyllis Berry, Broward County's Mass Transit Division, on her efforts.

Ms. Berry indicated that she would make the adjustment and noted that the University of Florida's figures were used in order to provide consistency. She indicated that she would report Mayor Venis' suggestion to a committee which would meet on March 27th. Ms. Berry explained the role of the committee and that the proposed plan was scheduled to be presented to the Broward County Commission on April 18th. She advised that the intent of the committee was to obtain support from as many residents as possible and should the County Commission decide to act, it must take action by July 1st in order to levy the tax on January 1st. Ms. Berry provided an overview of the Town's options with regard to the population numbers and felt the public hearing prior to the interlocal agreement being enacted would be an appropriate time to address the population concern.

Mr. Middaugh explained that the Town would benefit from a route on Pine Island Road which would run from Pembroke Pines to the Broward Mall area and another route on Flamingo Road. He suggested that Council encourage that the Flamingo Road route continue on Flamingo Road and not deviate. Mr. Middaugh advised that additional bus times would be available.

Councilmember Paul indicated that additional dollars would be available for the shuttle service and would be awarded to cities based on established criteria.

Councilmember Cox made a motion, seconded by Vice-Mayor Weiner, to approve. In a voice vote, all voted in favor. (Motion carried 5-0)

11.16 Councilmember Paul expressed concern with regard to spending monies for miscellaneous planning and questioned why the backup material did not denote a dollar amount spent for each item. Development Services Director Mark Kutney responded that the resolution adopting the contract authorized the services as miscellaneous planning services. He noted that Craig Smith and Associates had handled the transportation element, the housing element, the Griffin Road corridor and several other projects. He acknowledged that the cost could be less; however, staff was not looking at additional services without future authorization from Council.

Mr. Middaugh explained that the project was intended to address the intergovernmental coordination element. The original contract approval and the accounting code assigned was entitled miscellaneous and was the reason in which it was carried forward. He did not object to denoting a specific project.

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Councilmember Paul made a motion, seconded by Councilmember Cox, to approve and to change the miscellaneous terminology to state that it was for the intergovernmental coordination element. In a voice vote, all voted in favor. (Motion carried 5-0)

11.19 Councilmember Paul questioned why this item was not budgeted and why it was being taken from the contingency fund. Mr. Rawls explained that this item could not be budgeted since no amount or timeframe could have been established at the time of the last budget cycle.

Mr. Wallace advised that there was enough money in the contingency fund. He indicated that a supplemental budget may be needed due to the hiring of additional fire personnel.

Vice-Mayor Weiner questioned why a budgetary amount could not have been assigned even if the monies were not used in this budget cycle. Mr. Rawls explained that in retrospect, it was addressed as a planning prospective and in approaching this budget cycle, there were limited resources available. He indicated that funds were not diverted from another project due to the uncertainty of the project.

Councilmember Cox noted that the Broward County School Board had taken an extraordinary amount of time on the title transfer and she felt it was important to move forward with the project. Councilmember Paul concurred, however, she felt the budget for the next year should include a figure for anticipated projects.

Mayor Venis suggested that a list be developed of all possible projects that might affect the next fiscal budget.

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

11.20 Councilmember Paul questioned whether the company would be required to post a bond. Mr. Rawls responded affirmatively and noted that additional insurance was also being required.

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

11.22 Councilmember Paul felt that the lakes could be used as habitats and asked that Howard Zimmerman provide a brief explanation of his intent for the lakes.

Mr. Zimmerman, representing the petitioner, displayed a site plan rendering and noted that one lake was proposed to be reconfigured to create tree islands and a wetlands marsh area. He advised that the Planning and Zoning Board had reviewed a draft proposal of the intent of the concept. Mr. Zimmerman provided a brief overview of the concept and the site plan.

Councilmember Paul commented that she hoped that this would be a model for other areas being developed in the Town.

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

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**12. PUBLIC COMMENTS**

*Ordinance - First Reading (Public Hearing to be held April 5 2000)*

12.1 **CODE AMENDMENT** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING CODE AMENDMENT APPLICATION ZB(TXT)02-01, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF DAVIE, SECTION 12-315.1, ENTITLED "EFFECTIVE DATES AND DURATION," TO DELETE THE TIME LIMITS OF A PLANNING AND ZONING IN PROGRESS; AMENDING SECTION 12-373, ENTITLED "EXPIRATION OF SITE PLAN," TO EXTEND SITE PLAN EXPIRATION DATES; AMENDING SECTION 12-308, ENTITLED "REVIEW FOR SPECIAL PERMITS," TO ESTABLISH NOTIFICATION PROCEDURES; 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 comments were closed.

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

**13. PUBLIC HEARINGS**

Mayor Venis opened the public hearing portion of the meeting.

*Ordinances - Second and Final Reading*

2000-10 13.1 **WARRANTY DEED** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING A WARRANTY DEED FROM BROLAND, INC., A FLORIDA CORPORATION, CONVEYING CERTAIN PROPERTY FOR USE AS A PUBLIC RIGHT-OF-WAY; 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.

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

2000-11 13.2 **SPECIAL WARRANTY DEED** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING A SPECIAL WARRANTY DEED FROM IVANHOE LAND INVESTMENTS, INC., CONVEYING CERTAIN PROPERTY FOR USE AS A PUBLIC RIGHT-OF-WAY; 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.

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

*Quasi Judicial Hearings*

13.3 **REZONING** - ZB 1-2-00, Value Dining, 4184 to 4190 South University Drive (from B-3 to B-2) (tabled from March 1, 2000) *Planning and Zoning Division recommended approval subject to the voluntary declaration of restrictions; Planning and Zoning Board recommended approval subject to the voluntary deed restrictions noted in the planning report as amended by the petitioner to include hotels, motels, private clubs, and adult facilities*

Mr. Webber explained the rules concerning the presentation of evidence. Town Clerk Reinfeld swore in the witnesses. Mr. Kutney advised that his qualifications were on file in the Town Clerk's Office and summarized the planning report.

Councilmember Cox questioned whether the lined items in the backup material were prohibited uses. Mr. Kutney responded affirmatively.

Vice-Mayor Weiner questioned the notice provided to the residents. Mr. Kutney responded that notifications were sent to the standard area of 500 feet. Town Clerk Reinfeld advised that 33 notices were sent with one being undeliverable. She noted that there were no replies to the mailing.

Ron Mastriana, representing the petitioner, indicated that the intent of the project was to downzone the property to accommodate the Golden Corral. He noted that the petitioner's business was permitted under the B-3 zoning and clarified "that is not being" rezoned to B-2. Mr. Mastriana explained that the deed restrictions were being changed to remove automobile dealership and to add more restrictions as suggested by the Planning and Zoning Board. He advised that there would be two uses: 1) the Golden Corral which was being downzoned to B-2 and which was currently in the site plan process; and 2) the other portion was not being downzoned but the restriction was being removed.

Councilmember Cox questioned whether another building would be constructed and requested a description of the activities in the different buildings. Mr. Mastriana indicated that a smaller building of approximately 2,900 square feet was being built to the rear of the property. He explained that in the newest building, the activities included sending trucks to homes; however, if a resident wanted to have an area rug cleaned, it would be cleaned on site. Mr. Mastriana advised that the other two buildings would be used for offices and storage with trucks being parked to the rear of the property. He indicated that maintenance of the trucks would be done off site. Councilmember Cox stated that she did not object to the proposed uses; however, in the B-3 zoning district, she requested that the following uses be removed: boat yards, bowling and skating, machine shops, and motor fuel pumps. Mr. Mastriana suggested that the petitioner meet with staff to work out these issues before the first reading of the ordinance. Councilmember Cox stated that there were a number of uses that in the B-3 zoning that she did not like for a two acre site and she did not think there would be a conflict with what the petitioner wanted to do.

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

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Mr. Kutney presented a map that was used to generate "the list". Mr. Webber asked if this list was to be made part of the record with Mr. Kutney responding in the affirmative.

Mayor Venis questioned where Dry Concepts was currently located. Mr. Mastriana responded that the current location was 5350 State Road 84.

Mr. Webber stated that the hearing was concluded.

Councilmember Cox made a motion, seconded by Councilmember Paul to approve with the petitioner and staff negotiating the permitted uses. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Weiner - yes Councilmember Clark - yes; Councilmember Cox - yes; Councilmember Paul - yes. (Motion carried 5-0)

*Items to be tabled or withdrawn*

**13.4 STAFF REQUESTING A TABLING TO APRIL 5, 2000**

REZONING - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM A-1, AGRICULTURAL DISTRICT AND CF, COMMUNITY FACILITIES DISTRICT, TO R-5, LOW MEDIUM DENSITY DWELLING DISTRICT, AND A-1, AGRICULTURAL DISTRICT TO CF, COMMUNITY FACILITIES DISTRICT, OF THE TOWN OF DAVIE CODE; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB 7-1-99, Alpha Baptist Church, Inc., 5230 Pine Island Road) (tabled from January 19, 2000)

This item was tabled earlier in the meeting.

**13.5 STAFF REQUESTING A TABLING TO APRIL 18, 2000**

REZONING - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM A-1, AGRICULTURAL DISTRICT TO B-3, PLANNED BUSINESS CENTER DISTRICT; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB 12-1-99, Imagination Farms Commercial, 12401 Orange Drive) (tabled February 16, 2000)

This item was tabled earlier in the meeting.

**13.6 PLANNING AND ZONING BOARD TABLED TO MARCH 22, 2000; COUNCIL CAN TABLE TO APRIL 5, 2000**

REZONING - ZB 12-2-99, Laystrom/95 WHSE, Inc., 7085 Nova Drive (from M-1, Old Code and R-4A to RM-16) (tabled from February 2, 2000)

This item was tabled earlier in the meeting.

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**13.7 PLANNING AND ZONING BOARD TABLED TO MARCH 22, 2000; COUNCIL CAN TABLE TO APRIL 5, 2000**

REZONING - ZB 1-1-00, Synalovski Gutierrez Architects, Inc./Morris, Jaffe at 595, Inc., EDJ Enterprises, Inc., and Edjeslan Enterprises, Inc., 10200 State Road 84 (from A-1 to B-3) (tabled from March 1, 2000)

This item was tabled earlier in the meeting.

**13.8 WITHDRAWN BY APPLICANT**

VARIANCE - V 2-1-00, Boys & Girls Clubs of Broward County/School Board of Broward County, 1220 SW 133 Avenue (CF)

This item was withdrawn earlier in the meeting.

**13.9 PLANNING AND ZONING BOARD TABLED TO MARCH 22, 2000; COUNCIL CAN TABLE TO APRIL 5, 2000**

SPECIAL PERMIT - SE 12-1-99, Davie Truck Stop, 4751 SW 30 Street (M-4) (tabled from March 1, 2000)

This item was tabled earlier in the meeting.

**14. APPOINTMENTS**

14.1 Citizen Assembly - Non-Homeowner Representatives (one exclusive appointment - District 1)

Councilmember Clark deferred her appointment.

14.2 Youth Advisory Board (three exclusive appointments - Districts 1 and 3; two exclusive appointments - District 4; one exclusive appointment - Mayor (at large) and District 2) (terms expire March 2001)

All appointments were deferred.

**15. OLD BUSINESS**

15.1 Helmet Ordinance (Councilmember Weiner)

Councilmember Paul requested this item be tabled because the information that was provided did not capture the essence of the suggestions that she had made nor did it include appropriate backup. Vice-Mayor Weiner concurred and indicated that he did not want to send this matter out for advertising until there was further discussion. After a brief discussion, it was the consensus to defer this item until the next meeting.

**16. NEW BUSINESS**

16.1 Creation of B-4 Zoning District (Councilmember Weiner)

Vice-Mayor Weiner explained his suggestion on having hotels/motels moved to a separate category of B-4. Mr. Kutney advised that a land text amendment might be warranted and felt this item should be discussed. He requested feedback from Council. Mayor Venis concurred with Vice-Mayor Weiner.

Councilmember Paul questioned if this item would be part of the Master Planning project. Mr. Kutney explained that in a discussion with Mr. Middaugh, staff would like Council to prioritize this item in view of other projects. He indicated that staff was currently

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working on the parking Code amendment, the master planning process, guidelines for planning commerce, providing input regarding efficiency of the petition process and various other projects. Mr. Kutney indicated that he would provide an estimated time frame for the projects and noted that some projects might take time to complete.

Mayor Venis questioned the time frame to complete the other projects. He felt if the projects were close to completion, than they should be completed prior to beginning a new process. Mr. Middaugh suggested that a priority list be provided and to allow staff to work this process into a schedule so that Council could provide direction as to other areas which might be considered.

Vice-Mayor Weiner commented that the B-4 zoning district was not a high priority; however, he did not want to see this project lapse. He preferred to discuss the pending projects under Old Business at the next meeting so that staff could be given direction.

Councilmember Cox stated that a resident had gone to vote and had taken her child with her, however, her child could not accompany her into the voting area. She thought that Kids Voting was trying to encourage children to participate in the process. Councilmember Paul responded it depended on who was in charge of that particular precinct. She added that children actually participated in the voting process at their schools during this past election. In November, Kids Voting would be setup at the polling places with a special location being established. Councilmember Clark concurred with Councilmember Paul on the restrictions of a child at a precinct and felt this was not a general rule. Mayor Venis indicated that he saw children at several precincts. Councilmember Paul stated that she would address this matter with Kids Voting.

**17. ADJOURNMENT**

There being no objections or further business, the meeting was adjourned at 10:16 p.m.

APPROVED \_\_\_\_\_

\_\_\_\_\_  
Mayor/Councilmember

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