

**TOWN OF DAVIE
REGULAR MEETING
MAY 15, 2002**

1. PLEDGE OF ALLEGIANCE

The meeting was called to order at 7:01 p.m. and was followed by the Pledge of Allegiance.

2. ROLL CALL

Present were Mayor Venis, Vice-Mayor Clark, Councilmembers Paul, Starkey, and Truex. Also present were Town Administrator Willi, Town Attorney Kiar, attorney Connick and Town Clerk Muniz recording the meeting.

3. PRESENTATIONS (7:02 p.m. - 11:50 p.m.)

3.1. Waterway Cleanup Recognition

Mayor Venis recognized those individuals who participated in the 5th Annual Waterway Cleanup. He presented awards to Wayne Arnold, the Davie Women's Club, the Davie Police Explorers, Public Works/Capital Projects Director Bruce Bernard, the West Broward Women's Club and Sandra Switzer.

3.2. Oak Hill Traffic Study Update - Calvin Giordano

Scott Bruner, representative from Calvin Giordano, explained the two phases involved in the traffic study - Evaluation of Conditions, and Strategies, Development and Implementation. He spoke of the primary data that was collected, including the 15th percentile speed, the average speed, the 85th percentile, the average daily traffic, and the hourly directional traffic. Mr. Bruner explained that only 13 percent of drivers drove above the 85th percentile speed, which was what most drivers felt was the appropriate speed for the roadway. He stated that SW 148 Avenue was accidentally counted, but showed it was the most dangerous roadway that was monitored. Mr. Bruner advised that the key findings showed that internal roadways suffered from cut-through intrusion and school related traffic. He stated that speeding was from cut-through traffic, not local residents.

Mr. Bruner outlined steps that should be followed to implement changes. The first was to isolate internal roadways from traffic intrusions by creating diverters that would restrict traffic. He indicated that no matter what was done with cut-through traffic, there would still be speeding on the peripheral roadways and it should be addressed separately. Mr. Bruner showed various options for controlling speed on the peripheral roads.

Jean Carroll, 14501 SW 20 Street, was opposed to closing roads as she felt that once the new high school was opened, it would alleviate a great deal of traffic that was caused by Western High School. She also felt there was a serious speeding problem on SW 145 Avenue and she recommended that the speed be reduced from 35 miles per hour to 30 miles per hour.

Louise Roberts indicated that she was opposed to closing roads in the Oak Hill area. She felt that none of the roads in the area should be private.

Peter Rodriguez, 14941 SW 31 Court, addressed questions to Mr. Bruner regarding SW 148 Avenue and indicated that this road could not be characterized as a local road because it

**TOWN COUNCIL MINUTES
MAY 15, 2002**

was too narrow. He felt there were several inconsistencies in the traffic report and stated that the counter on SW 148 Avenue was placed at the dead end. Mr. Rodriguez referred to page 34

**TOWN COUNCIL MINUTES
MAY 15, 2002**

of the traffic report and asked Mr. Bruner for specific recommendations for Council to alleviate the problems. Mr. Bruner indicated that specific recommendations were not made because they did not want the media to misrepresent them. He stated that it would be better to make the recommendations and allow for discussion so that concerns could be appropriately addressed. Mr. Bruner advised that it would not be difficult to make the recommendations, but this had not been requested. He added that it would cost between \$5,000 and \$15,000 to make specific recommendations.

Arthur Joseph, 13700 SW 18 Court, stated he had no confidence in the experts on traffic, who historically have stated that there would not be problems with traffic on new roadways and near new developments, but the results were to the contrary. He felt that there needed to be more access to I-75 and suggested that Western High School should set parameters for student traffic. Mr. Joseph also felt that some of the streets needed to be widened.

Ms. Carroll reiterated that Council should wait until the new school opened before they made changes. Councilmember Paul explained that students had the choice to stay at Western High School or move to the new school and traffic alleviation would not be immediately apparent. She was dismayed with the highest speed noted in the traffic study and felt the traffic study did not give any new information. Councilmember Paul indicated that Council had a great deal of data and suggested a workshop be scheduled to discuss the prioritization of treatment that would be implemented and design concepts.

Councilmember Truex indicated that there needed to be a town-wide solution and felt it was important to get overwhelming community support before any changes were made. He advised that he also wanted input from the Fire and Police Departments.

Vice-Mayor Clark indicated that she would like to see these recommendations at the proposed workshop. Councilmember Starkey agreed with Councilmember Paul and Vice-Mayor Clark. She felt that the growth of the Town warranted a partnership with the high school principals to restrict the number of student drivers in the Oak Hill area. Councilmember Starkey agreed that the community should be involved in the decision making process.

Mayor Venis felt the report was well prepared and agreed that it was important to include the Police and Fire Departments in the discussion. He felt that Mr. Bruner would have to speak to how the roads would look in the future at the proposed workshop, especially for the sake of the residents.

Mayor Venis advised that item 8.1 needed to be tabled to July 17, 2002.

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

Mayor Venis advised that item 8.3 needed to be tabled to June 5, 2002.

Councilmember Paul made a motion, seconded by Vice-Mayor Clark, to table item 8.3 until June 5, 2002. In a voice vote, all voted in favor. (Motion carried 5-0)

Mayor Venis advised that item 8.12 needed to be tabled to June 19, 2002.

Councilmember Truex made a motion, seconded by Vice-Mayor Clark, to table item 8.12 until June 19, 2002. In a voice vote, all voted in favor. (Motion carried 5-0)

**TOWN COUNCIL MINUTES
MAY 15, 2002**

Mayor Venis advised that item 9.10 and 11.2 needed to be added to the agenda.

Councilmember Starkey made a motion, seconded by Councilmember Truex, to add items 9.10 and 11.2. In a voice vote, all voted in favor. (Motion carried 5-0)

3.3. Nob Hill Road Traffic Study - URS

Raj Shamujin, representing URS Traffic Consultants, distributed Exhibit "A" and spoke of the Improvement Groups outlined in it. He stated that the traffic in the Nob Hill Road area was due to the schools. Mr. Shamujin referred to the vacant land in the area and stated that one of the obstacles in the traffic study was to determine how to get access to the vacant land, because much of it was landlocked.

Mr. Shamujin reviewed the recommendations, which included stacking traffic and explained how stacking traffic, in conjunction with the use of the vacant land, would alleviate traffic in the area. He explained the limited access areas as designated by the Florida Department of Transportation (FDOT) and stated that FDOT was agreeable to allow a one-lane road with access to State Road 84 as long as proper plans were submitted. Mr. Shamujin stated that adjustments needed to be made to public and school rights-of-way. He referred to the vacant land on the west side of Nob Hill Road that was landlocked by Bright Road, State Road 84, and a frontage road and explained that this was a dilemma because it was private property. Mr. Shamujin stated that this was the ideal area for additional access and described how it would work. He advised of the options that FDOT proposed in this area and indicated that a decision needed to be made. Mr. Shamujin added that there were technical aspects that he could assist with, but ultimately the Town had to decide what would be most effective and least intrusive.

Councilmember Truex asked if a private owner owned the land, where would the proposed eastbound lane be built between Fox Trail Elementary School and the Davie Police Department. Mr. Shamujin replied that this was not privately owned and indicated that part was owned by the School Board, the Police Department, and public property. He described the various alternatives available.

Councilmember Starkey indicated that the consensus of Council was to provide access through State Road 84 and to leave Bright Road alone. Mr. Shamujin felt that to alleviate traffic in the long term, there needed to be some "form of connection from State Road 84 to Nob Hill Road."

Councilmember Starkey spoke of the proposal to acquire property owned by the School Board to accommodate stacking and felt it would be difficult to acquire. She indicated that commercial traffic had been reduced and school bus traffic had been reconfigured to help alleviate the problems in the area. Councilmember Starkey stated that long-term solutions needed to be considered and recommended that the long-term option of creating an emergency exit to eastbound State Road 84 for the Police/Fire complex be finalized.

Councilmember Truex indicated that like street repaving, the Council should look for town-wide problem areas and then prioritize which areas should be accomplished first.

3.4. Upcoming Special Events - Bonnie Stafiej and Dennis Andresky

TOWN COUNCIL MINUTES
MAY 15, 2002

Bonnie Stafiej, Special Projects Director, advised of the upcoming special events: rededication of the Harry John Griffin Bridge (May 18); dedication of the Mason Wachtstetter Bridge (May 18); concert in the park (May 19); 5-Star Rodeo (May 26); Memorial Day weekend Boys Scout Jamboree Celebration (May 26); and the Actor's Community Theater's The Sensuous Senator (May 31, June 1, and June 7-8).

Parks and Recreation Director Dennis Andresky advised of the upcoming events: basketball and tackle football registration (in progress); Davie United Travel Soccer Team tryouts (June 8); cooking with Marguerite (May 21); Club 01 for Seniors (Mondays); Eastside playschool children's graduation party (May 23); and photography club (Tuesdays).

Mayor Venis advised that item 8.4 would be taken out of order.

8.4 Town Clerk Muniz read the ordinance by title. Mayor Venis advised that this was the second and final reading.

Dennis Mele, representing the petitioner, displayed an aerial photograph which depicted the proposed townhome site. He described the nature of the request and pointed out the various zonings surrounding the property in question. Mr. Mele indicated that this project was at a lower density than the surrounding properties. He referred to Section 12-307 of the Code, which set the criteria for rezoning, and gave justification as to how this project met the criteria and where it was relevant to this project. Mr. Mele indicated that this parcel would be an "infill piece" which would not adversely affect the neighborhood because the surrounding area was already developed. He asked that the staff report provided with Council's backup materials be considered an exhibit as it contained written justification of the criteria for rezoning.

Mr. Mele displayed a site plan of the proposed project and pointed out the various amenities including traffic calming devices. He also referred to the mature trees in the canal right-of-way and stated that Central Broward Water Control did not allow the petitioner to remove non-native trees. Councilmember Truex asked how close the canal easement was to the property. Mr. Mele responded that the closest tree was five feet to the pavement.

Mr. Mele advised that the site plan on display was the plan that would be submitted to the Planning and Zoning Division. Councilmember Truex clarified that variances were needed for the site plan as presented. Mr. Mele indicated that variances would be needed for the rear and front yards so that garages could be included as part of the development. Also, an additional variance would be needed to reduce the traffic circle so that trees could be saved.

Mr. Mele referred to a different site plan, which showed the location of the trees. He explained what trees would be removed and assured that none of the native trees would be removed from the property, but perhaps relocated on the property if necessary.

Mr. Mele stated that the community to the west had indicated there was a problem with entering Orange Drive because of the poor visibility due to the guardrail. He indicated that Calvin Giordano had prepared a traffic study and found no problem with this egress.

Mr. Mele stated that the general consensus of the neighboring community was to leave the property undeveloped and have the Town purchase it through the Broward County bond issue. He assured that he would work with the neighboring communities and indicated that this proposal was consistent with the Comprehensive Plan and the Town's criteria.

TOWN COUNCIL MINUTES
MAY 15, 2002

Councilmember Paul stated that she had attended the Central Broward Water Control District meeting where there was discussion that indicated the petitioner might not be able to save all the ficus trees on the property. Mr. Mele referred to the site plan and indicated that it was not the intent of the applicant to remove these trees. He stated that whoever developed the property might have to consider this because of the 80-foot right-of-way that was required.

Mayor Venis swore in the witnesses and opened the public hearing. Mr. Mele was also sworn in and affirmed his previous statements.

Phillip Thomas, 4268 SW 70 Terrace, felt the current traffic conditions were heavy and he opposed this project because he felt it would further increase traffic. He indicated that there was a school bus zone in between the proposed property and the adjacent property and this could pose a safety hazard for children. Mr. Thomas felt that rezoning this land would further destroy the green spaces that the Town was known for and asked Council to consider the property in question as a passive property.

John Breedlove, 4268 SW 70 Terrace, agreed with Mr. Thomas. He felt that although the new residents would be good for the tax base, it would negatively impact the Town's water supply and increase noise in the area.

Denise Hippel, 4230 SW 72 Terrace, spoke in opposition to this proposal. She spoke of how beautiful Orange Drive was, especially because of the trees. She felt that homes could be built around the trees and they should not be cut down. Ms. Hippel urged Council to listen to the community and oppose this project.

Shelley Solomon, 4351 SW 70 Terrace, was opposed to this project and felt it was extremely important to save as many green spaces as possible in the Town and urged Council to make this property a park for the residents of the community.

Mary Johnson, 4241 SW 71 Way, provided two handouts which were maps of the area that depicted the traffic volume in the area in question. She felt there was already an overabundance of traffic in the area and this new development would only serve to increase it. Ms. Johnson urged Council to vote against this rezoning because it would also decrease the Town's rural atmosphere.

Mary Kahn, 4220 SW 70 Terrace, provided an article from the Sun Sentinel dated May 10, 2002, which indicated that none of the properties the Town had submitted were approved. She asked that Council consider this parcel under the next funding cycle of the County's Land Preservation Board, rather than rezoning it as a residential property. Ms. Kahn stated that residential property adjacent to parks was more valuable and would provide an increase in the tax base as well. She urged Council to vote against this rezoning.

Rosalie Tucker, 4228 SW 70 Terrace, entered an article downloaded from the Internet as an exhibit, which spoke about the support for open space. She felt that traffic would increase. Ms. Tucker was opposed to the rezoning and wanted to see the parcel preserved by the Town.

Katherine Dural, 2210 SW 70 Terrace, thanked Councilmember Truex for his efforts in meeting with concerned residents regarding this rezoning. She was firmly opposed to this development, as it was occupied by various species of wildlife and vegetation. Ms. Dural felt that this development would have a negative impact on the rural character of the Town. She was also concerned with the additional traffic and asked Council to deny this request. Ms. Dural recommended that Council authorize the purchase of this site and make it a passive park.

**TOWN COUNCIL MINUTES
MAY 15, 2002**

Mr. Connick asked Ms. Dural if she felt her property value would be negatively affected by this development. Ms. Dural responded that she did not address this in her presentation to Council.

Craig Jenness, 4202 SW 70 Terrace, was concerned that the current zoning might allow a homeless shelter and felt that the density for the rezoning request was too high. He suggested that Council considered rezoning at a more restrictive zoning usage such as RM-5. Councilmember Truex asked Mr. Jenness if he owned the property where he lived. Mr. Jenness replied affirmatively. He indicated that, although he was not an expert in real estate values, he did not believe this development would have a negative impact on property values.

David Spellman, Executive Director of Covenant House Florida, stated that the Town had the opportunity to purchase the parcel two years ago, prior to the Land Preservation Grant coming to fruition. He stated that if Council considered changing the zoning designation to RM-5, his organization would have to withdraw the request.

Mayor Venis closed the public hearing.

Mr. Mele responded to the residents' comments regarding purchasing the parcel for a passive park and indicated that case law stipulated that a local government could not delay or deny a rezoning so that they could then purchase the parcel. He referred to Code Section 12-307(A)(1)(e) and indicated that it could not be determined if there would be more traffic in the area. Mr. Mele stated that the traffic created by the development did meet with the Land Use Plan and entered the Broward County Development Review Report for the plat in question as an exhibit. He cited the report, which indicated that this development met the traffic concurrency requirements. Mr. Mele referred to Code Section 12-24(I)(4) and stated that RM-5 was inappropriate. He stated that no evidence was brought forth by residents as to how this rezoning did not meet the Code.

Councilmember Starkey disclosed that she had received e-mails from residents, which were entered as exhibits. She advised that she had also spoken with residents and the petitioner. The remaining Councilmembers disclosed that they had received e-mails and had spoken with residents regarding this issue.

Vice-Mayor Clark felt that Mr. Mele made good points and felt that Council could not ignore the request and make this parcel a park.

Mayor Venis asked Mr. Kiar to share the results of his report regarding whether or not Council had discretion with density issues. Mr. Kiar indicated that Council could approve a rezoning that was less than the density indicated in the Land Use Plan as long as the rezoning was consistent with the Land Use Plan and as long as there was substantial and competent evidence to support it.

Councilmember Truex asked Mr. Kutney what the rules were for mitigation or removal of trees if all trees on a parcel were good trees. Mr. Kutney indicated that pursuant to the clearing and grubbing ordinance, a permit would be needed, along with a tree survey, a wildlife survey, and a soil and erosion plan. He explained that the site plan process addressed these issues. Mr. Mele listed the trees that needed to be moved and was not sure whether they were native, protected trees.

Councilmember Truex indicated that he could not support this project, as he could not envision this project on the parcel in question.

**TOWN COUNCIL MINUTES
MAY 15, 2002**

Councilmember Starkey advised that in order for the Town to purchase the parcel, there would have to be a willing seller. She stated that this was not currently the case and she felt that "infill projects" were not going to be as attractive as this one. She felt this was an appropriate project for the community and supported the request.

Councilmember Truex felt the shape of the property was not conducive for this development. He also felt the property values in the surrounding neighborhoods would decrease.

Councilmember Paul made a motion to rezone the property to five (5) dwelling units per acre as opposed to what the petitioner was requesting. Mayor Venis indicated that this would require the permission of the petitioner, which Council did not have. The motion died due to the lack of a second.

Vice-Mayor Clark made a motion, seconded by Councilmember Starkey, to approve. In a roll call vote, the vote was as follows: Mayor Venis - no; Vice-Mayor Clark - yes; Councilmember Paul - no; Councilmember Starkey - yes; Councilmember Truex - no. (Motion denied 2-3)

Mayor Venis announced that item 7.22 would be heard as it was tabled from April 17, 2002.

7.22 Bill Laystrom, representing the petitioner, summarized the concept of the project. He indicated that after meeting with residents, there had been digression rather than progress.

Gary Rudolph, also representing the petitioner, explained that some concessions had been made and others could be offered to get this site plan approved. He offered not to allow adult bookstores, movie theatres, flea markets, or other such enterprises. Mr. Rudolph asked Council to approve the petition as submitted.

Councilmember Truex asked if the petitioner had the right to build a bar or lounge on this site. Mr. Laystrom indicated that a bar or lounge was allowed under the Code.

Mayor Venis opened the public hearing.

Norm Blanco, representing the Associations of Nova Drive, opposed the possibility of having a business in this plaza that would have a liquor license. He referred to past Council action where like petitions were denied. Mr. Blanco stated that the traffic situation on Nova Drive was already problematic and felt that allowing a bar would be detrimental to the safety of patrons and residents alike.

Donna Munson, also representing the Associations of Nova Drive, spoke of the parking challenges that a restaurant would bring. She addressed the idea of alcohol consumption since it would be the crux of any restaurant business, and was concerned for the traffic safety of the community. Ms. Munson was opposed to this petition. Councilmember Truex asked what the traffic conditions were on Nova Drive. Ms. Munson indicated that there was a great deal of turn around traffic on Nova Drive, which encroached on private properties. She explained that there was no westbound egress from the plaza in question.

Mr. Rudolph stated that the residents objected to the proposed use of the property. He stated that the parcel was platted and zoned for all the proposed uses. Mr. Rudolph felt that this was a non-issue for Council and asked them to approve this petition.

**TOWN COUNCIL MINUTES
MAY 15, 2002**

Councilmember Truex asked if the petitioner had a particular restaurant in mind. Bill Cuthbertson, the petitioner, indicated that he did not have a signed lease at this time, so he could not say one way or the other.

Councilmember Paul expressed her concern that once drivers exited the property, they would have to make a U-turn if they wanted to go to University Drive. She referred to the ongoing traffic concerns on Nova Drive and realized that the problem was already there. Mr. Rudolph referred to projects that were approved along Nova Drive that added a large impact on Nova Drive traffic. Mayor Venis stated that the area in question was notoriously dangerous where traffic was concerned. Mr. Rudolph reiterated that the residents were opposing the use of the property. He reminded that staff had recommended approval and the petition met all requirements.

Councilmember Paul referred to a chart that had been handed out earlier as part of item 8.4 which indicated that traffic on Nova Drive was over capacity. Ms. Munson spoke of the construction underway on Nova Drive and indicated that the widening of the road was not going to include any noise buffering.

Councilmember Truex expressed his concern about alcohol being served at this location. He suggested that a cut-off time for serving alcohol be considered and asked if the petitioner would consider restricting the sale of alcohol. Mr. Laystrom stated that the petitioner might request additional hours for alcohol service if a restaurant opened at the plaza.

Councilmember Truex asked if Council would have the discretion to deny such a permit with Mr. Willi clarifying that Council was considering a site plan. Mr. Willi stated that if the applicant chose to have a bar or restaurant at the location, it would require a conditional use application. Councilmember Truex disagreed because a restaurant was a permitted use; however, a bar was a conditional use. Mr. Laystrom believed that Council could impose any condition they chose and he would have to appeal to a higher authority.

Councilmember Paul made a motion to approve based on the fact that there would be no liquor served in the restaurant and the petitioner would have to come back for a conditional use permit. Discussion followed regarding restaurant hours versus bar hours.

Councilmember Truex asked what protection the Town would have based on Councilmember Paul's motion. Mr. Connick expressed that if there was no agreement between the applicant and Council, the applicant could either build the site with conditions set forth by Council or they could go to court and fight for an appeal. He stated they could not proceed under the site plan unless a judge gave them temporary relief.

Councilmember Starkey felt the consensus of Council was that liquor should not be allowed. She felt that the petitioner would not win a lawsuit with a judge knowing that Council denied the petition because they were concerned about the safety of residents.

Councilmember Truex seconded the motion. In a voice vote, with Vice-Mayor Clark dissenting, all voted in favor. (Motion carried 4-1)

Mr. Laystrom asked if a special permit or a conditional permit would be needed. Mayor Venis clarified that the petitioner would have to request a special permit in order to sell alcohol from this site.

TOWN COUNCIL MINUTES
MAY 15, 2002

8.2 Town Clerk Muniz read the ordinance by title.

Mayor Venis opened the public hearing portion of the meeting. As no one spoke, the public hearing was closed.

**TOWN COUNCIL MINUTES
MAY 15, 2002**

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

8.5 Town Clerk Muniz read the ordinance by title.

Mayor Venis opened the public hearing portion of the meeting. As no one spoke, the public hearing was closed.

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

8.6 Town Clerk Muniz read the ordinance by title.

Mayor Venis opened the public hearing portion of the meeting. As no one spoke, the public hearing was closed.

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

8.7 Town Clerk Muniz read the ordinance by title.

Mayor Venis opened the public hearing portion of the meeting. As no one spoke, the public hearing was closed.

Councilmember Starkey stated that the ordinance presented did not include the changes she had brought back from the Chamber of Commerce, the Economic Development Council, and the Budget Advisory Committee. She stated that the term "extraordinary costs" should be changed to "special costs." Councilmember Starkey suggested adopting the second memorandum that Mr. Kiar had submitted on May 9, 2002, which incorporated some of Councilmember Truex's recommendations regarding guidelines, rates, and costs.

Councilmember Truex inquired which items were being considered, Mr. Kiar's version or the original version that had been tabled since February. Councilmember Starkey indicated that both were being considered but the language needed to be improved.

Councilmember Truex stated that he had reviewed Mr. Kiar's version and he indicated that he had three issues with the version submitted by Mr. Kiar. Councilmember Truex felt that the language on page two could be misinterpreted. He felt that this would not apply to small businesses and it should be clarified that excess services beyond the ordinary would have an additional cost. Councilmember Truex referred to page five and clarified that his intention was to have a new resolution when rates changed rather than adopting a new ordinance. He referred to page seven and stated that the ordinance should only take affect when it was approved and when the schedule and guidelines were approved. Councilmember Truex asked that the language be changed to reflect these issues.

**TOWN COUNCIL MINUTES
MAY 15, 2002**

Development Services Director Mark Kutney agreed with Councilmember Truex that appropriate fees should be in place prior to adoption of the ordinance. He stated that staff was working on clarifying the ordinance because the language was confusing and more definition was needed. Mr. Kutney submitted a flowchart to Council which outlined how Davie measured up against other cities. He stated that the Planning and Zoning Board and the Economic Development Council had approved the original version and he was not sure what prompted Mr. Kiar's version.

Councilmember Starkey felt that if the ordinance was approved with minor modifications, it would allow for a request for proposal and a request for qualifications to be mailed. She felt this would eliminate "bottlenecking" that might be caused by further tabling.

Mr. Kutney indicated that staff wanted direction from Council so that they could write the ordinance. He felt using the City of Miramar's ordinance was inappropriate because the Town had different needs. After discussion, Mayor Venis suggested that this item be tabled until June 19, 2002 and staff should work closely with Councilmember Starkey to accomplish all three objectives of a typical cost recovery ordinance.

Councilmember Starkey made a motion, seconded by Vice-Mayor Clark, to table until June 19, 2002. In a voice vote, all voted in favor. (Motion carried 5-0)

8.8 Town Clerk Muniz read the ordinance by title. Mayor Venis swore in the witnesses. Planning and Zoning Manager Fernando Leiva summarized the staff report.

Mickey Orich, representing the petitioner, stated that the request was consistent with the land use designation and the adjacent properties.

Mayor Venis opened the public hearing portion of the meeting. As no one spoke, public hearing was closed.

Councilmember Starkey was displeased that this was another warehouse project and felt that a B-2 or B-3 zoning would be more appropriate. Ms. Orich responded that it would be offices and warehouses.

Councilmember Starkey made a motion, seconded by Councilmember Truex, to deny. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Clark - no; Councilmember Paul - yes; Councilmember Starkey - yes; Councilmember Truex - yes. (Motion carried 4-1)

8.9 Mayor Venis swore in the witnesses. Mr. Leiva summarized the planning report. Dennis Mele, representing the petitioner, indicated that the surrounding neighbors were in support of this request and explained why the variance was needed.

Mayor Venis opened the public hearing portion of the meeting. As no one spoke, public hearing was closed.

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

8.10 Mayor Venis swore in the witnesses. Mr. Kutney summarized the staff report

TOWN COUNCIL MINUTES
MAY 15, 2002

Collette Satchel, representing the petitioner, explained the nature of the variance.

Mayor Venis opened the public hearing portion of the meeting. As no one spoke, public hearing was closed.

**TOWN COUNCIL MINUTES
MAY 15, 2002**

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

8.11 Mayor Venis swore in the witnesses. Mr. Kutney explained the nature of the request.

Mayor Venis opened the public hearing portion of the meeting. As no one spoke, public hearing was closed.

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

4. MAYOR/COUNCILMEMBER'S COMMENTS
No comments were provided.

5. TOWN ADMINISTRATOR'S COMMENTS
No comments were provided.

6. TOWN ATTORNEY'S COMMENTS
No comments were provided.

7. CONSENT AGENDA (11:50 p.m. - 11:55 p.m.)

Minutes

7.1. March 19, 2002 - Regular Meeting

7.2. April 3, 2002 - Regular Meeting

Proclamations

7.3. Harry John Griffin Bridge Day (May 18, 2002)

7.4. Mason Wachtstetter Bridge Dedication Day (May 18, 2002)

7.5. Emergency Medical Services Week (May 19 - 25, 2002)

Parade Permit

7.6. South Florida Council, B.S.A., Scoutmasters Camporee Committee (May 27, 2002)

Home Occupational License

7.7. Matthew Powers, 5450 SW 70 Avenue

Resolutions

7.8. **BID - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING R-2002-104 THE BID FOR BOXING RINGS AND ANCILLARY EQUIPMENT AT POTTER PARK GYMNASIUM. (Ringside, Inc. - \$12,291.96)**

**TOWN COUNCIL MINUTES
MAY 15, 2002**

- 7.9. **BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING
R-2002-105 THE BID FOR PROCESSING AND MAILING TOWN OF DAVIE FORMS FROM ELECTRONIC MEDIA. (Severn Trent-Avatar Utility Services - \$48,300/year)
- 7.10. **BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING
R-2002-106 THE BID AWARDED BY THE STATE OF FLORIDA, AGREEMENT NO. 650-001-01-1 FOR SUPPLYING PLAYGROUND EQUIPMENT FOR THE "POTTER PARK COMMUNITY CENTER AND GYMNASIUM" BUILDING. (The Gerber Group - \$23,199.60)
- 7.11. **BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING
R-2002-107 THE BID AWARDED BY THE STATE OF FLORIDA, AGREEMENT NO. 650-001-01-1 FOR SUPPLYING PLAYGROUND EQUIPMENT FOR "BETTY BOOTH ROBERTS PARK". (The Gerber Group - \$29,061.40)
- 7.12. **EXPENDITURE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,
R-2002-108 SUPPLEMENTING R-95-50, TO ENHANCE AND EXPAND THE COMMUNITY RELATIONS UNIT THROUGH OUR COPS AND KIDS ANTI-DRUG SPORTS CARD PROGRAM, BY AUTHORIZING THE EXPENDITURE, NOT TO EXCEED \$5,000, FROM THE LAW ENFORCEMENT TRUST FUND. (not to exceed \$5,000)
- 7.13. **EXPENDITURE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,
R-2002-109 AUTHORIZING THE EXPENDITURE OF FUNDS FROM THE LAW ENFORCEMENT TRUST FUND TO PROVIDE FOR FUNDING FOR POLICE DEPARTMENT CRIME PREVENTIVE ACTIVITIES SUCH AS GRAFFITI BUSTERS, CRIME WATCH AND CRIME PREVENTION PROGRAMS. (not to exceed \$10,000)
- 7.14. **GRANT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,
R-2002-110 AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND/OR APPROPRIATE STAFF TO SUBMIT AN APPLICATION, AND IF AWARDED PERMISSION TO ACCEPT GRANT FUNDING UNDER THE COPS IN SCHOOL GRANT FOR \$250,000 ALLOCATING A COST OF APPROXIMATELY \$98,360 OVER A THREE YEAR PERIOD FOR THE REMAINDER OF THE OFFICERS' SALARIES. (unbudgeted - to be funded in the 2002-2003 fiscal year budget)
- 7.15. **GRANT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,
R-2002-111 AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND/OR APPROPRIATE STAFF TO SUBMIT AN APPLICATION, AND IF AWARDED PERMISSION TO ACCEPT GRANT FUNDING UNDER THE BYRNE MEMORIAL GRANT FUND FOR \$39,375 ALLOCATING THE REQUIRED

**TOWN COUNCIL MINUTES
MAY 15, 2002**

MATCH FROM THE LAW ENFORCEMENT TRUST FUND. (\$9,843.75 matching funds)

- 7.16. **GRANT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,
R-2002-112 AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND/OR APPROPRIATE STAFF TO SUBMIT AN APPLICATION FOR GRANT FUNDING UNDER THE STATE AND COMMUNITY HIGHWAY SAFETY PROGRAM ADMINISTERED BY THE FLORIDA DEPARTMENT OF TRANSPORTATION. (\$46,200 from the Florida Department of Transportation)
- 7.17. **ARCHITECTURAL SERVICES** - A RESOLUTION OF THE TOWN OF DAVIE,
R-2002-113 FLORIDA, SELECTING THE FIRM OF SCHARF & ASSOCIATES INCORPORATED TO PROVIDE ARCHITECTURAL SERVICES FOR THE BOYS AND GIRLS CLUB BUILDING AT DRIFTWOOD ESTATES PARK AND AUTHORIZING THE TOWN ADMINISTRATOR OR HIS DESIGNEE TO NEGOTIATE AN AGREEMENT FOR SUCH SERVICES.
- 7.18. **CHANGE ORDER** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,
R-2002-114 AUTHORIZING THE MAYOR TO EXECUTE CHANGE ORDERS #3 AND #5 WITH CENTERLINE COMMERCIAL, INC. FOR VARIOUS ITEMS IDENTIFIED ON THE CHANGE ORDERS FOR THE "POTTER PARK COMMUNITY CENTER AND GYMNASIUM" BUILDING. (\$32,095.15)
- 7.19. **AMENDED AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE,
R-2002-115 FLORIDA, APPROVING AND EXECUTING THE NINETEENTH AMENDMENT TO 1988 INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY AND THE TOWN OF DAVIE, PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS OF THE LOCAL OPTION GAS TAX IMPOSED BY THE BROWARD COUNTY LOCAL OPTION GAS TAX ORDINANCE.
- 7.20. **AMENDED AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE,
R-2002-116 FLORIDA, APPROVING AND EXECUTING THE 2002 AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY AND THE TOWN OF DAVIE, PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE 1993 BROWARD COUNTY "ADDITIONAL" LOCAL OPTION GAS TAX ON MOTOR FUEL ORDINANCE.
- 7.21. **AMENDED AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE,
R-2002-117 FLORIDA APPROVING AND EXECUTING THE 2002 AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY AND THE TOWN OF DAVIE, PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY FIFTH CENT ADDITIONAL

**TOWN COUNCIL MINUTES
MAY 15, 2002**

**LOCAL OPTION GAS TAX ON MOTOR FUEL FOR THE PURPOSE OF
TRANSPORTATION EXPENDITURES.**

Site Plan

- 7.22. SP 12-2-01, Nova Plaza, south side of Nova Drive, 300 feet east of University Drive (B-2) (tabled from April 17, 2002) *Planning and Zoning Division recommended approval subject to the planning report; Site Plan Committee recommended approval*

Temporary Use Permit

- 7.23. TU 4-1-02, Miller Solomon General Contractors, Inc./Nova Southeastern University, 3301 College Avenue

Councilmember Truex asked that item 7.2 be removed from the Consent Agenda.

Councilmember Paul a motion, seconded by Councilmember Truex, to approve the Consent Agenda without item 7.2. In a voice vote, all voted in favor. (Motion carried 5-0)

7.2 Councilmember Truex asked that this item be tabled until June 5, 2002.

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

8. PUBLIC HEARINGS

Ordinances - Second and Final Reading

- 8.1. **TRANSMITTAL APPLICATION - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING FOR TRANSMITTAL APPLICATION LA 02-1B AMENDING THE TEXT OF THE TOWN OF DAVIE COMPREHENSIVE PLAN BY AMENDING THE INTERGOVERNMENTAL COORDINATION ELEMENT (ICE) AS REQUIRED BY FLORIDA STATE STATUTE CHAPTER 163.3177; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.** (tabled from March 19, 2002)

This item was tabled earlier in the meeting.

- 8.2. **RATE SCHEDULE - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE TOWN'S OCCUPATIONAL LICENSE RATE SCHEDULE IN ACCORDANCE WITH CHAPTER 205.0535(4) OF THE FLORIDA STATE STATUTES BY INCREASING THE RATE OF EACH CLASSIFICATION BY FIVE PERCENT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE**

This item was approved earlier in the meeting.

**TOWN COUNCIL MINUTES
MAY 15, 2002**

- 8.3. **REZONING** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING PETITION ZB 11-3-01, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM T-1, TRAILER PARK (BROWARD COUNTY) TO CC, COMMERCE CENTER DISTRICT, UTILIZING THE BROWARD COUNTY 5 PERCENT RESIDENTIAL TO COMMERCIAL FLEXIBILITY RULE; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (tabled from April 17, 2002) (DFD Capital Dev. Corp., 10700 West State Road 84) *Planning and Zoning Division recommended approval subject to the planning report; Planning and Zoning Board recommended approval subject to the applicant voluntarily "deed restricting out" telecommunications towers in addition to the other deed restrictions*

This item was tabled earlier in the meeting.

- 8.4. **REZONING** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING PETITION ZB 11-2-01, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM CF, COMMUNITY FACILITIES DISTRICT AND A-1, AGRICULTURAL DISTRICT TO RM-10, MEDIUM DENSITY DWELLING DISTRICT; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (Calvin, Giordano & Associates, Inc./Covenant House, 6991 Orange Drive) (tabled from May 1, 2002) *Planning and Zoning Division recommended approval; Planning and Zoning Board recommended approval*

This item was denied earlier in the meeting.

- 8.5. **EASEMENT** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE APPROPRIATE TOWN OFFICIALS TO EXECUTE A UTILITY EASEMENT TO FLORIDA POWER AND LIGHT FOR THE "POTTER PARK COMMUNITY CENTER AND GYMNASIUM"; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE. (4300 SW 57 Terrace)

This item was approved earlier in the meeting.

- 8.6. **VACATION/ABANDONMENT** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, RELEASING AND VACATING AND ABANDONING DRAINAGE EASEMENT FOR COLLEGE AVENUE AND REPEALING ORDINANCE NO. 86-50 ACCEPTING THE DEDICATION OF CERTAIN LANDS TO THE PUBLIC USE FROM HAMILTON C. FORMAN, TRUSTEE, AND MILES AUSTIN FORMAN, TRUSTEE; AND PROVIDING AND EFFECTIVE DATE.

This item was approved earlier in the meeting.

**TOWN COUNCIL MINUTES
MAY 15, 2002**

Ordinance - First Reading (Second and Final Reading to be held June 5, 2002)

- 8.7. **SPECIAL COSTS REIMBURSEMENT** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA PROVIDING FOR COST RECOVERY TO REIMBURSE THE TOWN OF DAVIE FOR SPECIAL COSTS INCURRED BY THE TOWN IN THE PROCESSING OF APPLICATIONS FOR DEVELOPMENT PERMITS, CONTAINING PROVISIONS FOR COST RECOVERY ACCOUNTS; PROVIDING FOR IMPLEMENTATION OF THE COST RECOVERY PROGRAM; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN THE TOWN CODE; PROVIDING FOR AN EFFECTIVE DATE. (tabled from April 17, 2002).

This item was tabled earlier in the meeting.

Ordinance - First Reading/Quasi Judicial Hearing (Second and Final Reading to be held June 5, 2002)

- 8.8. **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 (COUNTY), TO CC, COMMERCE CENTER 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 1-1-02, Higgins-Deni, 2351 State Road 84) *Planning and Zoning Division recommended approval; Planning and Zoning Board recommended approval*

This item was denied earlier in the meeting.

Quasi Judicial Items

- 8.9. **VARIANCE** - V 1-3-02, Glantz, 2431 SW 131 Terrace (A-1) (to reduce the minimum side yard from 25 feet to 13.79 feet in order to allow the addition of a recreation room on the southwest corner of the residence) *Planning and Zoning Division recommended denial; Planning and Zoning Board recommended approval*

This item was approved earlier in the meeting.

- 8.10. **VARIANCE** - V 2-2-02, Pem Mar Seventh Day Adventist Church/Florida Conference Association of Seventh-day Adventist (CF) (to reduce the distance separation between houses of worship from 2,500 feet to 0 feet) *Planning and Zoning Division recommended approval; Planning and Zoning Board recommended approval*

This item was approved earlier in the meeting.

- 8.11. **SPECIAL PERMIT** - SE 3-1-02, Nova Southeastern University, 3301 College Avenue (CF) (to allow a classroom modular to be used for a period of time not to exceed 5 years while construction of a new middle school building takes place) (tabled from May 1, 2002) *Planning and Zoning Division recommended approval; Planning and Zoning Board recommended approval*

**TOWN COUNCIL MINUTES
MAY 15, 2002**

This item was approved earlier in the meeting.

Sale of Property

8.12. STAFF REQUESTING A TABLING TO JUNE 19, 2002

Southeast corner of State Road 84 and Scarborough Drive

This item was tabled earlier in the meeting.

9. APPOINTMENTS (*Pursuant to Ordinance 2002-9, all appointments are to be registered voters unless the person is a minor or a legal resident alien*) (11:55 p.m. - 11:59 p.m.)

9.1. Child Safety Board (one exclusive appointment - Councilmember Starkey; term expires April 2004) (whenever possible, members shall have interest and expertise in law enforcement, elementary school instruction, child psychology, pediatric medicine, parenthood and grandparenthood)

This appointment was deferred.

9.2. Community Relations Advisory Boards (one exclusive appointment - Councilmember Truex; terms expire April 2004)

This appointment was deferred.

9.3. School Advisory Board (two exclusive appointments - Councilmember Truex; terms expire April 2004) (insofar as possible, members are to have experience in educational matters)

This appointment was deferred.

9.4. Davie Water and Environmental Advisory Board (one exclusive appointment - Councilmember Truex; terms expire April 2004) (insofar as possible, one member shall be a licensed engineer)

This appointment was deferred.

9.5. Open Space Advisory Committee Agency (one exclusive appointment - Councilmember Starkey; term expires April 2004)

This appointment was deferred.

9.6. Parks and Recreation Advisory Board Agency (one exclusive appointment - Councilmembers Starkey and Truex; terms expire April 2004) (members should have a concern with or an interest in the park facilities and recreational needs of the citizens of the Town)

These appointments were deferred.

9.7. Site Plan Committee (one exclusive appointment per Councilmember (terms expire June 2003) (members must be residents of the Town and, whenever possible, should be an architect, landscape architect and an urban planner or designer)

TOWN COUNCIL MINUTES
MAY 15, 2002

Councilmember Truex appointed James Aucamp, Jr. Vice-Mayor Clark appointed Sam Engel. Mayor Venis appointed Jeff Evans. Councilmember Starkey appointed Mike Crowley. Councilmember Paul appointed Julie Aitken.

- 9.8. Fire Employees' Pension Board (one non-exclusive appointment of legal resident; appointing authority should select, from the best qualified persons, minority representation to accurately reflect that population of the area represented by the Board) (term expires December 2003)

This appointment was deferred.

- 9.9. Broward League of Cities Delegate and Alternate (June 2002 - May 2003)
Council nominated Councilmember Starkey as the delegate and Vice-Mayor Clark as the alternate.

- 9.10. Community Redevelopment Agency
Councilmember Truex appointed Mary Ernst.

- 11.2 A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, OPPOSING THE
R-2002-118 PROPOSAL OF THE BROWARD COUNTY CHARTER REVIEW COMMISSION
TO ESTABLISH A FIRE SERVICES AND STANDARDS COUNCIL (FSSC), AND
TO COMPILE COUNTY-WIDE FIRE AND EMERGENCY MEDICAL SERVICE
STANDARDS; AND PROVIDING FOR AN EFFECTIVE DATE.

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

10. OLD BUSINESS (11:59 p.m. - 12:33 p.m.)

- 10.1. Health Insurance Selection

Mayor Venis asked about the "disruption rate" with United Healthcare. Human Resources Director Mark Alan explained that United Healthcare provided a "network for network match" rather than a "provider for provider" match. He stated that both companies had large networks and that there would be some disruption, but the number could not be provided without a "provider for provider" match.

Assistant Town Administrator Ken Cohen explained that it was possible for there to be a 100% disruption or 100% coverage. He clarified that 86% of United Healthcare's coverage matched with Cigna's coverage.

Councilmember Starkey expressed her concern about going to a self-funded plan when there was the potential for large claims in the near future. Mr. Cohen indicated that there was not much difference and the risk was minimal. He also indicated that rates would go up for both plans if claims increased and added that the impending transplant was figured into both plans. Councilmember Starkey pointed out that there was no disruption of services in the Cigna plan.

Mayor Venis indicated that he was comfortable with the proposal that was offered by United Healthcare and it gave the Town the opportunity to save money. He spoke of the Town's experience with self-insured plans and how successful they were.

**TOWN COUNCIL MINUTES
MAY 15, 2002**

Councilmember Paul asked if the self-insured plan was a risk to the Town and indicated that she had some concerns with the disruption. Mr. Cohen indicated that it was a gamble, but it was a calculated gamble that would probably pay some dividends. He explained that if the Town chose to stay with Cigna, the contract would end in December 2002 and if they went with United Healthcare, it would end in December 2003. Mr. Cohen indicated that if Council wanted a cost savings for both the Town and employees, it was more likely to come from a self-insurance plan.

Councilmember Starkey made a motion to approve Cigna and go with the fully funded plan. The motion died for lack of a second.

R-2002-119 A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, SELECTING A PROVIDER OF GROUP MEDICAL BENEFITS AND AN EMPLOYEE ASSISTANCE PROGRAM (EAP), AND AUTHORIZING THE HUMAN RESOURCES DIRECTOR TO EXECUTE APPROPRIATE APPLICATIONS AND CONTRACTS FOR SAID BENEFIT PLANS.

Vice-Mayor Clark made a motion, seconded by Mayor Venis, to approve United Healthcare. In a voice vote, with Councilmember Starkey dissenting, all voted in favor. (Motion carried 4-1)

11. NEW BUSINESS (12:33 p.m. - 12:38 p.m.)

11.1. Rescheduling of July Council Meetings for Summer Vacation Scheduling - Councilmember Paul

Councilmember Paul indicated that the second meeting in July should be rescheduled to July 10th to allow five weeks prior to the August 7th meeting so that employees could have extra time for summer vacation and travel. Councilmember Truex felt this would be an inconvenience for the public.

Councilmember Paul made a motion, seconded by Vice-Mayor Clark, to approve rescheduling the second meeting in July to July 10, 2002. In a voice vote, with Councilmember Truex dissenting, all voted in favor. (Motion carried 4-1)

12. ADJOURNMENT

There being no further business to discuss and no objections, the meeting adjourned at 12:38 p.m.

Approved _____

Mayor/Councilmember

Town Clerk