

**TOWN OF DAVIE
TOWN COUNCIL REGULAR MEETING
MARCH 5, 2014**

I. PLEDGE OF ALLEGIANCE

The meeting was called to order at 6:30 p.m. and was followed by the Pledge of Allegiance.

II. ROLL CALL

Present at the meeting were Mayor Paul, Vice-Mayor Caletka and Councilmembers Hattan, Luis and Starkey. Also present were Town Administrator Lemack, Town Attorney Rayson and Assistant Town Clerk Roig recording the meeting.

Mayor Paul requested a moment of silence in honor of Richard Herman, who had passed away recently.

III. OPEN PUBLIC MEETING

Arthur Joseph wanted Nova Southeastern University to be reminded that it was located in Davie, not Fort Lauderdale. He remarked that most of the development of apartment buildings in Davie had been in the approach path to Fort Lauderdale Hollywood International Airport. Mr. Joseph asked the Council to take a strong stand against home shooting ranges.

Frank Connor reported his mailbox had been destroyed by a hit and run driver. He had been informed by someone in the Town that he did not need a permit but when reconstruction was almost complete, he was informed he did need a permit. When he was out of Town, his mailbox had been removed by the Town and no one would communicate with him regarding why or how. Mayor Paul agreed to look into this.

Marco Rockland, Pembroke Pines resident, stated the Davie/Cooper City Relay for Life would take place on April 5 at Cooper City High School.

Mayor Paul asked Council to table items 8, 11 and 12.

Councilmember Luis made a motion, seconded by Councilmember Hattan to table item 8 to April 16. In a voice vote, all voted in favor. (Motion carried 5-0)

Councilmember Starkey made a motion, seconded by Councilmember Hattan to table items 11 and 12 to March 19. In a voice vote, all voted in favor. (Motion carried 5-0)

Mayor Paul pulled items 1 and 2 from the Consent Agenda.

Vice-Mayor Caletka made a motion, seconded by Councilmember Hattan to approve the Consent Agenda, less items 1 and 2. In a voice vote, all voted in favor. (Motion carried 5-0)

IV. PRESENTATIONS

V. APPROVAL OF CONSENT AGENDA

Proclamation

1. Women's History Month March 2014
2. National Surveyors Week - March 16-22, 2014

Minutes

3. February 5, 2014 Meeting Minutes (Regular)

Resolutions

Public Works

4. **GRANT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING A GRANT APPLICATION TO THE FLORIDA URBAN AND COMMUNITY FORESTRY GRANT FOR \$20,000 FOR THE PURCHASE OF EQUIPMENT FOR THE MAINTENANCE OF THE TOWN'S LANDSCAPING AND TREE CANOPY AND AUTHORIZING ACCEPTANCE AND EXECUTION OF A GRANT AGREEMENT, IF AWARDED (WITH MATCH FUNDS OF \$20,000).

5. **CHANGE ORDER** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO APPROVE CHANGE ORDER #2 SHORLINE FOUNDATION, INC. ADDING FORTY-ONE (41) CALENDAR DAYS AND \$15,838.55 TO THE CONTRACT FOR "ORANGE DRIVE BRIDGE REPLACEMENT OVER THE N-17 CANAL" BID # B-13-19.

Town Attorney

6. **QUIT CLAIM DEED** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING A QUIT CLAIM DEED FROM DAVIE COMMUNITY REDEVELOPMENT AGENCY TO THE TOWN OF DAVIE WHICH DEDICATES THE ALLEY WAY LOCATED BETWEEN SW 41ST STREET AND 41ST PLACE TO THE TOWN.

VI. DISCUSSION OF CONSENT AGENDA ITEMS

1. Women's History Month March 2014

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

Mayor Paul read the proclamation and Kimberly Greene accepted it.

2. National Surveyors Week - March 16-22, 2014

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

Councilmember Luis read the proclamation and Scott McLaughlin accepted it.

VII. PUBLIC HEARING

Ordinances - Second and Final Readings

7. **REZONING** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING REZONING APPLICATION "ZB 12-251 FIRE STATION 86 & FIELD OPERATIONS CENTER", CHANGING THE ZONING DESIGNATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM RECREATION/OPEN SPACE (RS) DISTRICT TO COMMUNITY FACILITY (CF) DISTRICT; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. ZB 12-251 Fire Station 86 & Field Operation Center 14651 Southwest 14th Street (RS). **{Approved on first reading on February 19, 2014. In a roll call vote, the vote was as follows: Mayor Paul: yes, Vice-Mayor Caletka: yes, Councilmember Hattan, yes; Councilmember Luis: yes, Councilmember Starkey: yes}** (Motion carried 5-0).

Mr. Rayson read the ordinance by title.

Mayor Paul opened the public hearing portion of the meeting.

Arthur Joseph stated it was about time.

As no else one spoke, Mayor Paul closed the public hearing portion of the meeting.

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

8. **CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING CHAPTER 4, CODE OF ORDINANCES ENTITLED "ANIMALS," BY CREATING SECTION 4-69 ENTITLED "RETAIL SALE OF DOGS AND CATS," SECTION 4-70 ENTITLED "MINIMUM STANDARDS FOR HOUSING AND CARE OF ANIMALS;" PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. {Approved on first reading on February 19, 2014. In a roll call vote, the vote was as follows: Mayor Paul: yes, Vice-Mayor Caletka: yes, Councilmember Hattan, yes; Councilmember Luis: yes, Councilmember Starkey: yes} (Motion carried 5-0).**

Tabled to April 16 per a motion by Councilmember Luis, seconded by Councilmember Hattan.
See page 1.

9. **CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING CHAPTER 13, LICENSES AND BUSINESS REGULATIONS BY CREATING SECTION 13-57 OF DAVIE CODE OF ORDINANCES TO PROHIBIT THE SALE TO MINORS OF ELECTRONIC CIGARETTES OR E-CIGARETTES AND SIMILAR VAPORIZERS WHICH UTILIZE AN ELECTRONIC IGNITION SYSTEM, PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY, PROVIDING FOR INCLUSION ON THE TOWN CODE AND PROVIDING FOR AN EFFECTIVE DATE. {Approved on first reading on February 19, 2014. In a roll call vote, the vote was as follows: Mayor Paul: yes, Vice-Mayor Caletka: yes, Councilmember Hattan, yes; Councilmember Luis: yes, Councilmember Starkey: yes} (Motion carried 5-0).**

Mr. Rayson read the ordinance by title.

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

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

10. **LAND USE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE LAND USE PLAN AMENDMENT APPLICATION "LA 12-250 FIRE STATION 86 & FIELD OPERATIONS CENTER", AMENDING THE TOWN OF DAVIE COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE PLAN MAP DESIGNATION OF CERTAIN LANDS FROM "RECREATION/OPEN SPACE" TO "COMMUNITY FACILITY"; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. LA 12-250 Fire Station 86 & Field Operation Center, 14651 Southwest 14th Street (RS). {Approved on first reading on February 19, 2014. In a roll call vote, the vote was as follows: Mayor Paul: yes, Vice-Mayor Caletka: yes, Councilmember Hattan, yes; Councilmember Luis: yes, Councilmember Starkey: yes} (Motion carried 5-0).**

Mr. Rayson read the ordinance by title.

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

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

Ordinances - First Readings (Second and Final Readings to be held on March 19, 2014)

11. **CODE AMENDMENT** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING CHAPTER 12, LAND DEVELOPMENT CODE, ARTICLE XV, WIRELESS COMMUNICATIONS FACILITIES; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

Tabled to March 19 per a motion by Councilmember Starkey, seconded by Councilmember Hattan.
See page 1.

12. **CODE AMENDMENT** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING CHAPTER 21, STREETS, SIDEWALKS AND OTHER PUBLIC PLACES, BY ADOPTING ARTICLE VI., COMMUNICATIONS FACILITIES IN RIGHT-OF-WAYS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

Tabled to March 19 per a motion by Councilmember Starkey, seconded by Councilmember Hattan.
See page 1.

13. **CODE AMENDMENT** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING CHAPTER 4, CODE OF ORDINANCES ENTITLED , “ANIMALS,” BY CREATING SECTION 4-7 ENTITLED “BIRD SANCTUARY AND ROOKERY PROTECTION ACT”; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Mr. Rayson read the ordinance by title.

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

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

VIII. APPOINTMENTS

15. Committee/Board Vacancies and Appointments

None.

IX. COMMITTEE RECOMMENDATIONS

None.

X. OLD BUSINESS

None.

XI. NEW BUSINESS

Mayor Paul reported that a group home had opened in United Ranches. She recalled that when annexed, part of the agreement with United Ranches had been that they would maintain Broward County zoning rules. This meant that recent changes to Davie zoning code regarding community facilities did not apply to United Ranches. She wished to have Mr. Lemack meet with the United Ranches Preservation Board to address the issue and to direct him to enforce a “zoning in progress” provision of Section 315 of the Town code while they considered regulations to address the matter.

XII. SCHEDULE OF NEXT MEETING

No discussion.

XIII. MAYOR/COUNCILMEMBER'S COMMENTS

COUNCILMEMBER HATTAN

ORANGE BLOSSOM FESTIVAL AND RODEO. Councilmember Hattan remarked that the events had been magnificent and very well attended. The Concert at the Park on Friday at Old Davie School had been excellent as well.

FIREFIGHTER AWARDS. Councilmember Hattan said the ceremony had been amazing and congratulated everyone who had received an award.

VICE-MAYOR CALETKA

THANKS TO THE POLICE DEPARTMENT. Vice-Mayor Caletka thanked Chief Lynn and the Department for responding to residents requests.

COUNCILMEMBER LUIS

ORANGE BLOSSOM FESTIVAL. Councilmember Luis said he had enjoyed the events.

JOHN ANDERSON CONCERT. Councilmember Luis reminded everyone of the concert on March 8 at the Bergeron Arena.

SHENANDOAH PARK PLAYGROUND. Councilmember Luis reported work had commenced at the playground and they would work on the fire station next.

COUNCILMEMBER STARKEY

CIVIL CITATION PROGRAM. Councilmember Starkey stated the League of City had been asked to support the Civil Citation Program in reference to upcoming legislation. Since the League believed in Home Rule, the League was concerned about language that required all municipalities to participate in the program. Once they developed a list of recommendations, League members would sign a letter to the Legislature.

LEGISLATIVE SESSION. Councilmember Starkey reported the session had begun and if a Councilmember had an interest in an item on the legislative alert, the League of Cities would pay for her/him to travel to Tallahassee.

RICK CASE ADDRESS. Councilmember Starkey had seen a brochure from Rick Case that stated the business was in Fort Lauderdale. She asked that this be checked during site plan reviews and business permits.

MAYOR PAUL

COLUMBIAN ELECTIONS. Mayor Paul announced that elections for Columbian congress, president and vice president would be held at the Rick Case Honda dealership on March 9 and March 25 from 7 A.M. until 9 P.M.

ONLINE PAYMENTS. Mayor Paul stated the Town now had an online payment option for water bills on the front page of the Town's website.

MORMON TEMPLE ADDRESS. Mayor Paul reported the announcement for the Mormon Temple in Davie stated it was the Fort Lauderdale Florida temple. She had sent a strong letter to the temple expressing her dismay but she had not heard back from anyone.

RANCH ROAM. Mayor Paul announced the event would be held on March 22.

CERTIFICATES OF APPRECIATION. Mayor Paul said they received a certificate from PAL and the Davie Police Memorial Foundation thanking them for their support of the Davie Road Race.

JOHN ANDERSON CONCERT. Mayor Paul reminded everyone of the concert. The opening act would be Diamond Rose Bergeron, a local singer.

ORANGE BLOSSOM FESTIVAL. Mayor Paul said this event had been the best, and she thanked staff and volunteers for their work. She thanked the County for enabling them to dedicate the Purple Heart Trail earlier than anticipated.

XIV. TOWN ADMINISTRATOR'S COMMENTS

ROBBINS LODGE RENOVATIONS. Mr. Lemack distributed photos of the Lodge renovations.
C11-BRIDGE COLOR. Mr. Lemack distributed color selections for the bridge for Council's approval. Council agreed on Palomino Tan.

XV. TOWN ATTORNEY'S COMMENTS

HORSE RESCUE. Mr. Rayson announced that his office had obtained a temporary injunction, saving 21 Paso Fino horses that were now in the Town's protective custody. He reported they may seek to permanently take custody away from the current owner.

FIRE ASSESSMENT CASE. Mr. Rayson reported he would be in court the next day on a motion to transfer the case into the complex litigation division, which would draw the case out longer. He noted he had received no cooperation from the defendants.

XVI. ADJOURNMENT

There being no further business to discuss and no objections, the meeting was adjourned at 7:17 pm.

Approved_____

Mayor/Councilmember

Acting Town Clerk