

**TOWN OF DAVIE  
TOWN COUNCIL REGULAR MEETING  
MARCH 19, 2014**

**I. PLEDGE OF ALLEGIANCE**

The meeting was called to order at 6:27 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 Acting Town Clerk Roig recording the meeting.

Mayor Paul requested a moment of silence in honor of Ruben Askew, former Governor of Florida, who had passed away recently.

**III. SELECTION OF VICE MAYOR**

Councilmember Starkey nominated Councilmember Hattan, seconded by Councilmember Luis. In a voice vote, all voted in favor. (Motion carried 5-0)

**IV. PRESENTATIONS**

1. Strategic Planning Committee Recognition

Assistant Town Administrator Macciano Lewis thanked the Committee for their work. Tamecka McKay, Chair of the Strategic Planning Committee, recognized members of the Committee.

2. Orange Blossom Festival Volunteer Recognition

Senior Operations Manager Matt Mlodzinski thanked all the volunteers who had helped with the event.

Mayor Paul announced staff had withdrawn item 4.

Mayor Paul said staff had requested items 18 and 19 be tabled to April 16.

Councilmember Starkey made a motion, seconded by Councilmember Caletka to table items 18 and 19 April 16. In a voice vote, all voted in favor. (Motion carried 5-0)

Mayor Paul requested the addition of two items to Old Business: the C-11 Bridge and the Open Space Committee's recommendation for the Sandi Switzer memorial.

Vice-Mayor Hattan made a motion, seconded by Councilmember Starkey to add the two items Mayor Paul had requested to New Business. In a voice vote, all voted in favor. (Motion carried 5-0)

Mayor Paul pulled items 1, 2, 3 and 9 from the Consent Agenda.

Vice-Mayor Hattan made a motion, seconded by Councilmember Caletka to approve the Consent Agenda, less items 1, 2, 3 and 9. In a voice vote, all voted in favor. (Motion carried 5-0)

**V. APPROVAL OF CONSENT AGENDA**

*Proclamations*

1. Earth Hour 2014 (March 29, 2014, 8:30 p.m. – 9:30 p.m.)
2. Relay For Life Day (April 5, 2014)
3. March For Meals Month (March)

***Resolutions***

***Engineering***

4. **GRANT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, SUPPORTING AND AUTHORIZING THE APPLICATION FOR UP TO \$1,000,000 FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION FY14 TRANSPORTATION ALTERNATIVE PROGRAM FOR NOVA DRIVE, AND IF AWARDED, AUTHORIZING ITS ACCEPTANCE AND EXECUTION.

Withdrawn.

***Fire Dept.***

5. **MATCHING GRANT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE APPLICATION FOR A GRANT FROM U.S. DEPARTMENT OF HOMELAND SECURITY FIRE PREVENTION AND SAFETY GRANT PROGRAM (FP&S) TO PURCHASE FIRE EXTINGUISHER TRAINING EQUIPMENT FOR THE IMPLEMENTATION OF A FIRE EXTINGUISHER TRAINING PROGRAM FOR TOWN RESIDENTS AND AUTHORIZING ACCEPTANCE AND EXECUTION OF A GRANT AGREEMENT, IF AWARDED (WITH \$600 IN REQUIRED MATCHING FUNDS).

***Police Dept.***

6. **EXPENDITURE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE EXPENDITURE OF \$58,561.80 TO PURCHASE ELECTRONIC CONTROL DEVICES (TASERS) FROM DGG TASER INC., A SOLE SOURCE MANUFACTURER FOR TASER INTERNATIONAL BRAND PRODUCTS FOR THE POLICE DEPARTMENT.

***Purchasing***

7. **BID SELECTION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE BIDS FOR HORTICULTURAL SUPPLIES.

***Town Attorney***

8. **WARRANTY DEED** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING A WARRANTY DEED FROM SILVER OAKS LANDOWNER, LLC., AND PROVIDING FOR AN EFFECTIVE DATE.
9. **AGREEMENT AMENDMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, TO EXECUTE A THIRD AMENDMENT TO THE PURCHASE AND SALE AGREEMENT BETWEEN THE TOWN OF DAVIE AND DAVIE BUSINESS CENTER, LLC., AND PROVIDING FOR AN EFFECTIVE DATE.

***Utilities Dept.***

10. **CHANGE ORDER** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE CHANGE ORDER #4 TO THE DESIGN-BUILD CONTRACT WITH AECOM, INC. FOR THE TIME EXTENSION DUE TO DELAYS ASSOCIATED WITH THE DEGASIFICATION SYSTEM AND LOW PRESSURE REVERSE OSMOSIS (LPRO) SYSTEM FOR THE WATER TREATMENT FACILITY.
11. **CHANGE ORDER** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE CONSULTANT CHANGE ORDER #2 FOR

CALVIN, GIORDANO & ASSOCIATES, INC. FOR THE OWNERS ENGINEER REPRESENTATIVE FOR THE NEW WATER TREATMENT AND WATER RECLAMATION FACILITY. (NO COST TO THE TOWN)

12. **BID SELECTION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE AWARD OF THE BID FOR SEWER SLUDGE HAULING (BID #14-27) TO H&H LIQUID SLUDGE DISPOSAL, INC.
13. **BID SELECTION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, WAIVING FORMAL BIDDING AND ACCEPTING THE BID FROM SOUTHLAND CONTROLS, INC. AS A SOLE SOURCE SUPPLIER OF A REPLACEMENT LIME SLAKER (SERIES A-758 WALLACE & TIERNAN PASTE LIME SLAKER) FOR THE SYSTEM III WATER TREATMENT PLANT (WTP) (3500 NW 76 AVENUE)
14. **BID SELECTION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE BID FOR CALIBRATION AND REPAIR OF FLOW METERS AND RELATED DEVICES AWARDED BY THE CITY OF POMPANO BEACH (BID #T-38-12).
15. **BID SELECTION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE BID FOR FIRE HYDRANT SERVICE AND REPAIR AWARDED BY BROWARD COUNTY, FLORIDA (CONTRACT NO. L0958804B1).

Quasi-Judicial Consent Agenda

16. **SPM 13-119 Parkside Estates at Davie**, located on the north side of Orange Drive, just west of Pine Island Road (AG).

**VI. DISCUSSION OF CONSENT AGENDA ITEMS**

1. Earth Hour 2014 (March 29, 2014, 8:30 p.m. – 9:30 p.m.)  
Mayor Paul read the proclamation.  
Councilmember Starkey made a motion, seconded by Vice-Mayor Hattan to approve. In a voice vote, all voted in favor. (Motion carried 5-0)  
Eric Swalley, Adrienne Kaltman and Cynthia Schaefer from the Agriculture and Environmental Advisory Committee accepted the proclamation.
2. Relay For Life Day (April 5, 2014)  
Councilmember Starkey read the proclamation.  
Vice-Mayor Hattan made a motion, seconded by Councilmember Starkey to approve. In a voice vote, all voted in favor. (Motion carried 5-0)
3. March For Meals Month (March)  
Vice-Mayor Hattan read the proclamation.  
Councilmember Luis made a motion, seconded by Vice-Mayor Hattan to approve. In a voice vote, all voted in favor. (Motion carried 5-0)  
Mark Adler, Samira Thau and Roy Roberts accepted the proclamation.
9. **AGREEMENT AMENDMENT - DAVIE BUSINESS CENTER, LLC**  
Councilmember Caletka made a motion, seconded by Vice-Mayor Hattan to approve as amended. In a voice vote, all voted in favor. (Motion carried 5-0)

## VII. PUBLIC HEARING

### *Ordinance - Second and Final Reading*

17. **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. **{Approved on first reading on March 5, 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 said he supported this, but wondered who would enforce it. Council indicated that Police and Code Enforcement would enforce it. Mr. Joseph felt this would put an undue burden on Code Enforcement. Mr. Rayson explained that the penalties were in Chapter 162.

Doris Monier supported this as well and thanked Council for their efforts.

Douglas Young, Tamarac Resident and President of the South Florida Audubon Society, supported this and agreed it could be a burden on Code Enforcement in Davie and in other municipalities.

Police Legal Counsel Danny Stallone confirmed that fines could be up to \$1,000 for a first violation and up to \$5,000 for repeat violations.

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

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

### *Ordinances - First Readings (Second and Final Readings to be held on April 2, 2014)*

18. **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 from March 5, 2014)**

Tabled to April 16 per a motion by Councilmember Starkey, seconded by Councilmember Caletka see page 1.

19. **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 from March 5, 2014)**

Tabled to April 16 per a motion by Councilmember Starkey, seconded by Councilmember Caletka see page 1.

## VIII. APPOINTMENTS

20. Committee/Board Vacancies and Appointments

No discussion.

## IX. COMMITTEE RECOMMENDATIONS

No discussion.

## **X. OLD BUSINESS**

### **Sandi Switzer Memorial**

Mayor Paul stated the Open Space and Recreation Board had made several suggestions and approved naming a portion of the trail Ms. Switzer had helped develop from 142 to 136 from west to east and south along 136 to Long Key. A plaque would be placed on the trail marker at the corner of 26 and 136.

Councilmember Starkey made a motion, seconded by Vice-Mayor Hattan to approve installation of the plaque. In a voice vote, all voted in favor. (Motion carried 5-0)

### **C-11 Bridge**

Mayor Paul recalled there were supposed to be three culverts on the Griffin Road side that FDOT had promised to install as part of the improvements but had not. The Town had funding for only one culvert. There was confusion regarding the Open Space and Recreation Board recommendation and Intergovernmental Affairs Coordinator Mitch Taylor agreed to check the Board's minutes and report back to Council.

## **XI. NEW BUSINESS**

None.

## **XII. SCHEDULE OF NEXT MEETING**

21. Budget Hearing #1 - September 3, 2014 at 5:01 pm (same night as a Council meeting)

22. Budget Hearing #2 - September 17, 2014 at 5:01 pm (same night as a Council meeting)

23. Special Assessments Hearing (Fire and Solid Waste) September 12 at Noon

24. Setting Time for Budget Workshops (previously approved for June 11<sup>th</sup> and July 30<sup>th</sup>) proposed time 4:30 pm

Mr. Lemack confirmed the meetings' dates and times with Council.

## **XIII. MAYOR/COUNCILMEMBER'S COMMENTS**

### **MAYOR PAUL**

**SEA TO SEA CHALLENGE.** Mayor Paul had attended the event for Tom von Kaenel, a retired Army soldier from South Carolina who was biking from his home to Key West and then to Alaska. He had stopped in Davie at the invitation of the Lance Corporal Janos Lutz Foundation to bring attention to Post Traumatic Stress Disorder.

**MARCH 22 EVENTS.** Mayor Paul reminded everyone of the C-11 Clean-up, the Eastside Town Clean-up, Teen Challenge Just Say No to Drugs and Ranch Roam.

**SOUTH FLORIDA CLOGGERS.** Mayor Paul congratulated the Cloggers on winning several medals at a competition in Nashville recently.

**CONSTRUCTION NOTIFICATION.** Mayor Paul announced FDOT had put out notification of construction on the I-75 express lanes.

**DEDICATION OF FATHER O'RILEY PATH.** Mayor Paul invited everyone to the dedication event the following day at St. David's Church.

### **VICE-MAYOR HATTAN**

**STRATEGIC PLAN.** Vice-Mayor Hattan thanked the committee for their work.

**GOAL SETTING.** Vice-Mayor Hattan thanked Mr. Lemack for a very well done event.

**EASE FOUNDATION HONOR.** Vice-Mayor Hattan announced the Town had been given a trophy thanking it for being so supportive.

**AIRBOAT SHOW.** Vice-Mayor Hattan reported this had been held the previous Saturday.

**JOHN ANDERSON CONCERT.** Vice-Mayor Hattan said the concert had been very good and was well attended.

**WOMEN'S CLUB STRAWBERRY FESTIVAL.** Vice-Mayor Hattan remarked this had been their best event ever.

**CONCERTS ON THE GREEN.** Vice-Mayor Hattan noted the event had been a bit slow but assumed it would pick up in the future.

**SOUTH FLORIDA CLOGGERS.** Vice-Mayor Hattan stated the Cloggers had been invited to be on America's Got Talent.

#### **COUNCILMEMBER LUIS**

**JOHN ANDERSON CONCERT.** Councilmember Luis said he'd had a very good time and noted that a local woman, Diamond Rose Bergeron, had opened for John Anderson.

**SHENANDOAH PARK.** Councilmember Luis reported work had begun and he appreciated the work staff was doing.

#### **COUNCILMEMBER STARKEY**

**SOBER HOME LEGISLATION.** Councilmember Starkey stated they were following the progress of legislation in Tallahassee. She asked Council to continue sending letters to legislators who supported the Town's position.

**LEGISLATIVE ACTION DAY.** Councilmember Starkey announced the event would be on April 1 and 2 in Tallahassee.

**BROWARD LEAGUE OF CITIES MEETING.** Councilmember Starkey announced the general membership meeting would be the following night and an All Aboard Florida representative would attend to discuss the project.

**595 EXPRESS LANES.** Councilmember Starkey announced the grand opening would be on March 28 at 2 P.M. and invited everyone to attend.

**AFFORDABLE HOUSING WORKGROUP.** Councilmember Starkey had attended the workgroup meeting and noted they had made improvements to the model. She felt it would pass the Planning Council at the end of the month and then be presented to the County Commission.

#### **COUNCILMEMBER CALETKA**

**THANKS TO POLICE DEPARTMENT.** Councilmember Caletka thanked the Department for how they had handled issues on the east side recently.

**THANKS TO THE FIRE DEPARTMENT.** Councilmember Caletka thanked the Department for providing service at Western High School the previous day.

#### **XIV. TOWN ADMINISTRATOR'S COMMENTS**

**RECOGNITION OF EXCELLENCE FOR WORKSITE HEALTH.** Mr. Lemack read the certificate the Town had received from the Florida Department of Health. He thanked Director of Human Resources Stacey Hipsman for her efforts.

#### **XV. TOWN ATTORNEY'S COMMENTS**

**CONGRATULATIONS TO VICE-MAYOR HATTAN.** Mr. Rayson congratulated Vice-Mayor Hattan on her appointment to Vice-Mayor.

#### **XVI. ADJOURNMENT**

There being no further business to discuss and no objections, the meeting was adjourned at 7:36 pm.

Approved \_\_\_\_\_

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

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