

**TOWN COUNCIL
REGULAR MEETING
AUGUST 19, 2014**

I. PLEDGE OF ALLEGIANCE

The meeting was called to order at 6:32 p.m. and was followed by the Pledge of Allegiance.

II. ROLL CALL

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

Mayor Paul requested a moment of silence in honor of Gary Poliakoff and Marilyn Swank.

Mayor Paul announced there was a request to table item 4 to September 3.

Councilmember Starkey made a motion, seconded by Vice-Mayor Hattan to table item 4 to September 3. In a voice vote, all voted in favor. (Motion carried 5-0)

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

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

III. PRESENTATIONS

None.

IV. APPROVAL OF CONSENT AGENDA

Proclamation

1. Proclamation - National Payroll Week (September 1-5, 2014)

Resolutions

Administration

2. **SUPPORT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, SUPPORTING THE 2015 JCC MACCABI GAMES & ARTFEST WHICH SHALL BE HOSTED BY THE DAVID POSNACK JCC AND WILL TAKE PLACE AUGUST 9-14, 2015 AT VARIOUS LOCATIONS THROUGHOUT BROWARD COUNTY; AUTHORIZING THE TOWN CLERK TO TRANSMIT THIS RESOLUTION AND PROVIDING AN EFFECTIVE DATE.

Human Resources

3. **HOLIDAY SCHEDULE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE HOLIDAY SCHEDULE AND OTHER OBSERVED DAYS FOR THE TOWN OF DAVIE NON-REPRESENTED EMPLOYEES DURING FISCAL YEAR 2014-2015; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Attorney

4. **EMPLOYMENT AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA AUTHORIZING THE TOWN ADMINISTRATOR TO EXECUTE A PART TIME CONTRACTUAL EMPLOYMENT AGREEMENT BETWEEN THE TOWN OF DAVIE AND A SCHOOL RESOURCE OFFICER, AND PROVIDING FOR AN EFFECTIVE DATE.

Tabled to September 3 per a motion by Councilmember Starkey, seconded by Vice-Mayor Hattan. See page 1.

Utilities

5. **CHANGE ORDER** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE CHANGE ORDER #5 TO THE DESIGN-BUILD CONTRACT BETWEEN THE TOWN OF DAVIE AND AECOM, INC. FOR THE TIME EXTENSION DUE TO ADDITIONAL DELAYS ASSOCIATED WITH THE DEGASIFICATION SYSTEM AND LOW PRESSURE REVERSE OSMOSIS (LPRO) SYSTEM FOR THE WATER TREATMENT FACILITY.
6. **CHANGE ORDER** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE CONSULTANT CHANGE ORDER #3 FOR CALVIN, GIORDANO & ASSOCIATES, INC. FOR THE OWNERS ENGINEER REPRESENTATIVE FOR THE NEW WATER TREATMENT AND WATER RECLAMATION FACILITY.
7. **CONTRACT RENEWAL** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE FIFTH AND FINAL RENEWAL OF THE CONTRACT AWARDED TO METRON-FARNIER LLC FOR THE EQUIPMENT TO CONVERT WATER METERS TO AN AUTOMATED METER READING (AMR) SYSTEM (R2009-168).

Quasi-Judicial Consent Items

8. **DELEGATION REQUEST** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING DELEGATION APPLICATION "DG 13-004 SIERRA RANCH" TO AMEND THE NON-VEHICULAR ACCESS LINE (NVAL) OPENING ON THE PLAT KNOWN AS "SIERRA ESTATES", AND PROVIDING AN EFFECTIVE DATE. (DG13-004 Sierra Estates, 1900 Hiatus Road, currently zoned A-1) (**tabled from July 30, 2014**)
See related items #9 & 16
9. **SITE PLAN** - (SP13-005, Sierra Ranch, 1900 Hiatus Road, currently zoned A-1) (**tabled from July 30, 2014**) **See related items #8 & 16**
10. **SITE PLAN** - SP14-80, Porsche Dealership (southeast corner of I-75 and Griffin Road, zoned B-3). **See related item #11 & 18**
11. **DEVELOPER'S AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR AND THE TOWN ADMINISTRATOR TO ENTER INTO A DEVELOPER'S AGREEMENT BETWEEN THE TOWN OF DAVIE, PAG DAVIE P1, LLC, WARREN HENRY AUTOMOBILE, INC., WARREN HENRY REAL ESTATE, LLC, AND CHELSEA AT IVANHOE HOMEOWNERS ASSOCIATION, INC; TO AMEND THE PREVIOUSLY APPROVED DEVELOPMENT AND RESTRICTIVE COVENANT AGREEMENT APPROVED BY THE PARTIES AND/OR THEIR PREDECESSORS ON DECEMBER 17, 2004, IN RECOGNITION OF A NEW PORSCHE DEALERSHIP; TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING THEIR SIGNATURES TO SAID AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.(DA14-81 Porsche, located south of Griffin Road and east of I-75, zoned B-3). **See related item #10 & 18**

V. DISCUSSION OF CONSENT AGENDA ITEMS

1. Proclamation - National Payroll Week (September 1-5, 2014)

Councilmember Starkey read the proclamation and Mayor Paul presented the proclamation to Budget and Finance Director Bill Ackerman.

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

9. SITE PLAN - (SP13-005, Sierra Ranch, 1900 Hiatus Road, currently zoned A-1)

Mr. Rayson read the request by title.

Deputy Planning and Zoning Manager David Abramson provided a staff report.

Dennis Mele, representing the applicant, said this would allow 88 units and they were proposing 79 units. They had responded to neighbors' concerns and made changes to the plan regarding site access and the location of the wetland mitigation area.

Councilmember Starkey was pleased with the revisions: locating the wetland area on-site and relocating the entrance/exit.

Councilmember Caletka remarked that natural wetlands were best and he appreciated the developer keeping as much of the natural wetlands as possible.

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

VI. PUBLIC HEARING

16. REZONING - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING REZONING APPLICATION (ZB) 13-022 SIERRA RANCH, CHANGING THE ZONING DESIGNATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM: AGRICULTURAL (A-1) DISTRICT TO: ESTATE DWELLING (R-1) DISTRICT AND LOW DENSITY DWELLING (R-2) DISTRICT; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB 13-022, Sierra Estates, 1900 Hiatus Road, currently zoned A-1) (tabled from July 30, 2014) See related items #8 & 9

Mr. Rayson read the ordinance by title and swore in witnesses.

Deputy Planning and Zoning Manager David Abramson provided a staff report.

Mr. Rayson opened the public hearing portion of the meeting. As no one spoke, Mr. Rayson closed the public hearing portion of the meeting.

Councilmembers disclosed communications they had regarding this item. Mayor Paul stated that philosophically even though it was less than one unit per acre, if you included the wetland to the acreage the buildable area was still R-2 which was the old estate zoning which was repealed years ago. Therefore, she could not support it.

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

14. LAND USE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING "LAND USE APPLICATION (LA) 13-327 HORSESHOE LAKE (TROTTERS CHASE)", AMENDING THE TOWN OF DAVIE COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE PLAN MAP DESIGNATION OF CERTAIN LANDS FROM "COMMERCIAL" AND "RESIDENTIAL 3 DU/ACRE" TO "RECREATION AND OPEN SPACE" AND "RESIDENTIAL 10 DU/ACRE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (LA 13-327 Horseshoe Lake, 5800 Griffin Road and 4621 Southwest 58th Avenue, zoned Griffin Corridor District East Gateway Zone. (tabled from July 30, 2014)(Requires super-majority vote)

Mr. Rayson read the ordinance by title.

Deputy Planning and Zoning Manager David Abramson provided a staff report.

Councilmember Starkey asked the applicant to discuss issues raised at the Planning and Zoning meeting.

Dennis Mele, representing the applicant, referred to a letter dated June 6 which outlined the conditions to which they agreed, including reconfiguring the lake, limiting primary access via Griffin Road and secondary access via either 61 Avenue or 58 Avenue, depending on where emergency services wished secondary access; reconstructing 58 Avenue adjacent to the development boundary and creating a right-turn lane from northbound 58 Avenue onto Griffin Road.

Mr. Mele stated they had agreed to install a wall or fence to comply with adjacent neighbors' and the Town's preference. He anticipated knowing emergency services' preference for secondary access prior to the second reading.

Mayor Paul asked about installing a speed table on 61 Avenue and Mr. Mele agreed to provide it.

Mayor Paul felt this was still too much density. Mr. Mele reminded Mayor Paul that their original, approved site plan allowed 204 dwelling units and 128,000 square feet of retail space in buildings as tall as three stories; the new proposal was for 188 townhomes with a maximum of two stories. He felt if this plan were not approved, they would have no choice but to use the original plan. Mr. Mele proposed removing two buildings, reducing the total to 180 units.

Councilmember Luis said he supported the newer plan because the density was lower.

Councilmember Caletka suspected that an adjacent property owner was encroaching on this property and he was concerned about erecting a wall or creating an access in that area. Mr. Mele stated they had agreed to build a wall or fence only where the neighbors wanted it.

Councilmember Starkey approved the current plan and feared if they turned this down the developer would resort to the previously approved plan.

Vice-Mayor Hattan had attended most of the public participation meetings and said the developer had addressed most of the concerns residents expressed.

Mr. Rayson opened the public hearing portion of the meeting.

Joseph Cosner stated he and others had worked for a year to lay out the corridor and this did not seem to conform to the plan they had devised. He felt development should "step down" between densities. Mr. Cosner described parking problems and road access issues with existing townhome development.

Eric Swalley said the density was a problem for his horses on the adjacent property. He objected to increasing the density three times over what it was when he purchased his adjacent property. Mr. Swalley admitted he liked this project but wished the density would be a bit lower.

As no one else spoke, Mr. Rayson closed the public hearing portion of the meeting.

Mr. Mele informed Mr. Cosner that there was a step-down in density; the southern portion near the lake was open space and nothing would be built there. He stated they had moved the lift station because Mr. Swalley had been concerned it would disturb his horses. They had also added the equestrian trail around the lake to accommodate neighbors with horses.

Councilmember Caletka asked if a large apartment building would be allowed under the previously approved land use. Mr. Mele said the previously approved use allowed for 204 dwelling units and 128,000 square feet of retail. Any change in the site plan would need to meet the code without a variance. There was no condition to build dwelling or retail units in a particular order.

Councilmember Starkey pointed out that the Griffin corridor had different criteria in different sections. She felt they were seeing that locating commercial uses up front was not working out; people were not patronizing those businesses. She suggested a new corridor study.

Councilmembers disclosed communications they had regarding this item.

Councilmember Caletka appreciated the density reduction. He said more residents had expressed satisfaction with this plan than objected to it. Councilmember Caletka had opposed the previous proposal; he felt the use was too intense. He was in favor of this plan because of the lower intensity and open space. Councilmember Caletka asked if Mr. Mele would contribute toward the cost of the Town's data and analysis report to comply with the County's land use policy and Mr. Mele agreed.

Councilmember Luis liked this project better than the original, and he agreed they should look at the corridor again.

Mayor Paul reiterated her request for a density reduction. She stated that the issue was perplexing because there were so many projects going on. She further stated that she felt this project still had too much density. She would like to see a density reduction prior to the second reading.

Mr. Mele stipulated to all conditions stated in the June 6 letter.

Councilmember Caletka made a motion, seconded by Vice-Mayor Hattan to approve with the following conditions: all items in the June 6 letter; the speed table; the contribution toward the data and analysis report for Broward County and the improvements to 58 Avenue. In a roll call vote, the vote was as follows: Mayor Paul - no; Vice-Mayor Caletka - yes; Councilmember Luis - yes; Councilmember Hattan - yes; Councilmember Starkey - yes. (Motion passed 4-1)

15. LAND USE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING "LAND USE APPLICATION (LA) 14-009 SADDLE BRIDGE", AMENDING THE TOWN OF DAVIE COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE PLAN MAP DESIGNATION OF CERTAIN LANDS FROM "COMMERCIAL" TO "RESIDENTIAL 10 DU/ACRE"; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (LA14-009, Saddle Bridge, located on the south side of Griffin Road between 76th Avenue and 78th Avenue, zoned Griffin Corridor - University Drive Node) (tabled from July 30, 2014)(Requires super-majority vote)

Mr. Rayson read the ordinance by title and swore in witnesses.

Planning and Zoning Manager David Quigley provided the staff report.

Scott Backman, representing the applicant, recalled that in 1997, the site was approved for 78 townhomes and 40,000 square feet of office space. They were requesting to replace the office space with 28 townhomes, which were compatible with previous development in the community. They were also agreeing to incorporate the trail connection along 76 Avenue and Griffin Road. Mr. Backman stated they also desired additional access off of 76 Avenue but were willing to forgo this in recognition of the wishes of existing townhomes. He pointed out that the townhome uses generated significantly less traffic than the office use would have.

Mr. Backman informed Mayor Paul that the land use plan amendment would allow them to build 37 units but they were limiting it to 28.

Mr. Backman displayed renderings comparing the previous proposal and the current one.

Mr. Rayson opened the public hearing portion of the meeting.

Michael Heller, president of the Saddle Bridge Homeowners Association, said they had not voted on this yet, but the majority of members preferred an all residential development. He added that they would annex residential units into their HOA.

Joseph Cosner said the property was in a commercial area. He recalled that the original plan called for additional, overflow parking behind the commercial development for residents. He remarked that residential parking was already a problem in the area and the new plan allowed for no overflow parking. Mr. Cosner felt a noise buffer was needed.

Bob Breeden president of the Willow Grove Homeowners Association, pointed out access issues at their development, and stated if this project was allowed access onto 76 Avenue, it would greatly increase traffic and access problems.

Raphael Santiago stated access to 76 Avenue should be restricted because the additional development would challenge the road's good safety record and its rural character. He said the Planning and Zoning Board had voted 4-0 to reject this project. Mr. Santiago thought a better crossing was needed for the trail system across Griffin Road.

As no one else spoke, Mr. Rayson closed the public hearing portion of the meeting.

Mr. Backman reiterated they would agree to restrict access to 76 Avenue.

Councilmembers disclosed communications they had regarding this item.

Councilmember Caletka wanted to ensure that access onto 76 Avenue was restricted to emergency use. He approved of the project because of the significant decrease in trips to the development without the office use.

Councilmember Luis said he would support the project, and agreed he did not favor the additional commercial component from the previous plan.

Mayor Paul agreed that the current commercial development requirements would be detrimental to any development here because it did not support the residential development. She agreed there should be no access onto 76 Avenue, that the crossing at the light should be improved and that the trail access should be incorporated in the plan.

Councilmember Luis made a motion, seconded by Councilmember Starkey to approve, including the conditions Mayor Paul mentioned. 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 passed 5-0)

Ordinances - (First Readings - Second and Final Readings to be held on September 3, 2014)

12. CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA AMENDING SECTION 7-47(e) AND ADDING SECTION 7-47(f) TO CHAPTER 7 OF THE TOWN OF DAVIE ENTITLED FIRE PREVENTION AND PROTECTION, TO PROVIDE FOR BILLING OF ANNUAL FIRE SAFETY INSPECTIONS UPON COMPLETION OF THE FIRE SAFETY INSPECTION AND ADJUSTING ANNUALLY THE FIRE SAFETY INSPECTION FEE SCHEDULE BASED ON THE CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS (CPI-U) FOR MIAMI-FORT LAUDERDALE, FL; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Rayson read the ordinance by title.

Mayor Paul announced a public hearing on the ordinance on September 3.

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 Vice-Mayor Hattan to approve. In a roll call vote, the vote was as follows: Mayor Paul - yes; Vice-Mayor Caletka - yes; Councilmember Luis - out of the room; Councilmember Hattan - yes; Councilmember Starkey - yes. (Motion passed 4-0)

13. NON-EXCLUSIVE FRANCHISE AGREEMENT - AN ORDINANCE BY THE TOWN OF DAVIE GRANTING TO PEOPLES GAS SYSTEM, A DIVISION OF TAMPA ELECTRIC COMPANY, ITS SUCCESSORS AND ASSIGNS, A NON-EXCLUSIVE NATURAL GAS FRANCHISE AGREEMENT TO USE THE PUBLIC RIGHTS OF WAY OF THE TOWN OF DAVIE, FLORIDA, AND PRESCRIBING THE TERMS AND CONDITIONS UNDER WHICH SAID FRANCHISE MAY BE EXERCISED; MAKING FINDINGS; PROVIDING FOR APPLICABILITY; AND AN EFFECTIVE DATE.

Mr. Rayson read the ordinance by title. Mayor Paul announced a public hearing on the ordinance on September 3.

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

Vice-Mayor Hattan made a motion, seconded by Councilmember Caletka to approve. In a roll call vote, the vote was as follows: Mayor Paul - yes; Vice-Mayor Caletka - yes; Councilmember Luis - out of the room; Councilmember Hattan - yes; Councilmember Starkey - out of the room. (Motion passed 3-0)

Ordinances - First Reading/Quasi-Judicial Item (Second public hearing to be held September 3, 2014)

Quasi-Judicial Public Hearing Items

17. **VARIANCE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING VARIANCE APPLICATION "V 14-135 DAVIS", AND PROVIDING FOR AN EFFECTIVE DATE. (V14-135 Davis, 2661 S.W. 87th Terrace, zoned R-3)

Mr. Rayson read the resolution by title.

Planning and Zoning Manager David Quigley provided the staff report.

Mr. Rayson opened the public hearing portion of the meeting. As no one spoke, Mr. Rayson closed the public hearing portion of the meeting.

Councilmembers disclosed communications they had regarding this item.

Vice-Mayor Hattan made a motion, seconded by Councilmember 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 passed 5-0)

18. **VARIANCE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING VARIANCE APPLICATION "V 14-82 PORSCHE DEALERSHIP", AND PROVIDING AN EFFECTIVE DATE. (V14-82 Porsche, southeast of the intersection of I-75 and Griffin Road, zoned **B-3**) **See related item #10 & 11**

Mr. Rayson read the resolution by title and swore in witnesses.

Planning and Zoning Manager David Quigley provided the staff report.

Stephanie Toothaker, representing the applicant, said the community was in favor of the project and they were prepared to move forward.

Mr. Rayson opened the public hearing portion of the meeting. As no one spoke, Mr. Rayson closed the public hearing portion of the meeting.

Councilmembers disclosed communications they had regarding this item.

Vice-Mayor 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 passed 5-0)

VII. APPOINTMENTS

19. Committee/Board Vacancies and Appointments

None.

VIII. COMMITTEE RECOMMENDATIONS

None.

IX. OLD BUSINESS

None.

X. NEW BUSINESS

None.

XI. SCHEDULE OF NEXT MEETING

No discussion.

XII. MAYOR/COUNCILMEMBER'S COMMENTS

MAYOR PAUL

No comments.

COUNCILMEMBER CALETKA

WATER PLANT UPGRADES. Councilmember Caletka wanted to discuss upgrades to the old

water plant, specifically changing the purifier style.

THANKS TO POLICE DEPARTMENT. Councilmember Caletka reported the recent hostage drill at Western High had been successful.

THANKS TO TOWN ENGINEER. Councilmember Caletka reported the engineer had replaced a sign he had mentioned at the previous meeting.

LIMITING WEIGHT ON 130 AVENUE. Councilmember Caletka suggested a weight or size limit for vehicles on 130 Avenue.

ROYAL PALMS ON DAVIE ROAD. Councilmember Caletka had noticed some dead royal palms on Davie Road south of Nova and suggested using those that would be removed for the Davie Road construction project.

VICE-MAYOR HATTAN

No comments.

COUNCILMEMBER STARKEY

THANKS TO PUBLIC WORKS. Councilmember Starkey stated Public Works had addressed pothole issues in Forest Ridge.

COUNCILMEMBER LUIS

BIG AND RICH CONCERT. Councilmember Luis remarked it had been an overwhelming success with a crowd of 5,000 people.

XIII. TOWN ADMINISTRATOR’S COMMENTS

ENGINEERING GREEN AWARD. Mr. Lemack announced that AECOM and the Town had received the award from the Florida Institute of Consulting Engineers for the project that included their new reclamation facility and reuse distribution system. Mr. Lemack presented the award to Utilities Director Don Bayler.

SHRED-A-THON AND MEDICINE DROP-OFF. Mr. Lemack reported 212 vehicles had participated; 62 shredding bins had been filled with 7,500 pounds of paper; 35 computer drives had been received; 8 full-sized bags of pills had been collected.

LEGAL COSTS. Mr. Lemack reported the Town’s portion of costs for the Resource Recovery Board action was \$23,800. The pre-trial diversion program had brought in over \$8,000 so far this year. Proceeds from the recent Town auction exceeded \$102,000.

XIV. TOWN ATTORNEY’S COMMENTS

FIRE ASSESSMENT CASE. Mr. Rayson reported the judge had denied the motion to dismiss on the basis of sovereign immunity. He felt they had a fighting chance in the case. Councilmember Starkey said the Florida League of Cities had taken an interest in the case and some municipalities might join the Town in their lawsuit.

XV. ADJOURNMENT

There being no further business to discuss and no objections, the meeting was adjourned at 8:14 pm.

Approved _____

Mayor/Councilmember

Town Clerk