

**TOWN COUNCIL  
REGULAR MEETING  
SEPTEMBER 17, 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 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 Stewart “Pops” Mallard, who passed away on July 14. She said Mr. Mallard had owned the downtown Dairy Queen and was active in the Davie Merchants’ Association and Little Rascals Academy Child Care Centers.

**III. PRESENTATIONS**

1. Present Casey Lee with a plaque for her years of service on the Site Plan Committee.

Vice-Mayor Hattan presented Ms. Lee with the appreciation plaque.

Mayor Paul pulled item 1 from the Consent Agenda.

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

**IV. APPROVAL OF CONSENT AGENDA**

Minutes

1. August 19, 2014 Meeting Minutes (Regular)

Resolutions

Engineering

2. **AGREEMENT EXTENSION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE TOWN ADMINISTRATOR TO EXECUTE AN EXTENSION TO THE EMPLOYMENT AGREEMENT BETWEEN THE TOWN OF DAVIE AND ENGINEER II, LE NGUYEN; AND PROVIDING FOR AN EFFECTIVE DATE.

Housing and Community Development.

3. **INTERLOCAL AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE AN INTERLOCAL AGREEMENT (ILA) BETWEEN THE TOWN OF DAVIE AND BROWARD COUNTY FOR THE EXPENDITURE OF 2014/15 HOME INVESTMENT PARTNERSHIP PROGRAM (HOME) FUNDS IN THE AMOUNT OF \$117,672.00 TO PROVIDE FOR CLOSING COSTS AND DOWN PAYMENT ASSISTANCE FOR FIRST-TIME HOMEBUYERS WITH INCOMES AT OR BELOW THE 80% AMI LEVEL AND PROVIDING FOR AN EFFECTIVE DATE.

4. **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN BROWARD COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA AND THE TOWN FOR COMMUNITY BUS TRANSPORTATION DATED OCTOBER 1, 2014; PROVIDING FOR AN EFFECTIVE DATE.

Parks, Recreation, and Cultural Arts

5. **SECOND EMPLOYMENT AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE TOWN ADMINISTRATOR TO EXECUTE A SECOND EMPLOYMENT AGREEMENT BETWEEN THE TOWN OF DAVIE AND SPORTS SPECIALIST, SAM GULLA, AND PROVIDING FOR AN EFFECTIVE DATE.

Planning & Zoning

6. **EMPLOYMENT AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE TOWN ADMINISTRATOR TO EXECUTE AN EMPLOYMENT AGREEMENT FOR CONTRACT PLANNER I POSITION BETWEEN THE TOWN OF DAVIE AND SYLVIA MYINT; AND PROVIDING FOR AN EFFECTIVE DATE.

Police Dept.

7. **GRANT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE DAVIE POLICE DEPARTMENT TO PARTICIPATE IN THE JAG PROGRAM WITH THE BROWARD SHERIFF'S OFFICE AS THE LEAD AGENCY TO RECEIVE A \$25,661.00 GRANT FROM THE U.S. DEPARTMENT OF JUSTICE FOR LAW ENFORCEMENT PROGRAMS, AND AUTHORIZING ACCEPTANCE AND EXECUTION OF THE GRANT, IF AWARDED.

Town Attorney

8. **SUPPORT** - A RESOLUTION OF THE TOWN OF DAVIE IN SUPPORT OF THE LOCAL BILL CORRECTING THE BOUNDARIES BETWEEN THE CITY OF WESTON AND THE TOWN OF DAVIE AND SEEKING PASSAGE BY THE FLORIDA LEGISLATURE.

Town Clerk

9. **AGREEMENT EXTENSION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A FIVE (5) YEAR AGREEMENT EXTENSION WITH INTERNATIONAL DATA DEPOSITORY FOR OFF-SITE RECORDS STORAGE SERVICES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Utilities

10. **CHANGE ORDER** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE CHANGE ORDER #1 TO THE CONTRACT BETWEEN THE TOWN OF DAVIE AND CLOSE CONSTRUCTION, LLC FOR THE PURPOSE OF PROVIDING FOR ADDITIONS OF WORK FOR THE FILTER REHABILITATION PROJECT AT THE SYSTEM III WATER TREATMENT PLANT (WTP) (3500 NW 76 AVENUE).

Quasi-Judicial Consent Items

11. **DEVELOPER'S AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA AUTHORIZING THE MAYOR AND THE TOWN ADMINISTRATOR TO

ENTER INTO A REGIONAL ROAD CONCURRENCY AGREEMENT WITH BROWARD COUNTY AND R&R DAVIE, LLC FOR THE PLAT KNOWN AS "POINTE WEST CENTER NORTH"; TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING THEIR SIGNATURES TO SAID AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE. (DA14-260, Pointe West Center North, 3490 Weston Road).

12. **Site Plan, SP 14-95**, Twin Peaks Restaurant (2000 South University Drive, zoned B-3)

13. **Site Plan, SP 14-115 , Flagler Construction**

## V. DISCUSSION OF CONSENT AGENDA ITEMS

### Minutes

#### 1. August 19, 2014 Meeting Minutes (Regular)

Mayor Paul requested tabling the item to make some adjustments.

Councilmember Caletka asked Mr. Rayson to provide his research into Mr. Mele's statement regarding being able to "do one without the other" on the Horseshoe Lake project and Mr. Rayson agreed.

Councilmember Luis made a motion, seconded by Vice-Mayor Hattan to table to October 1. In a voice vote, all voted in favor. (Motion carried 5-0)

## VI. PUBLIC HEARING

### Ordinance - (Second and Final Reading)

14. **CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, BROWARD COUNTY, FLORIDA, AMENDING CHAPTER 17 AS FOLLOWS: AMENDING SECTIONS 17-9 RESTRICTIONS ON THE USE OF STREETS, 17-11 DEFINITIONS, 17-12 (1) FINDINGS, PURPOSE, INTENT, 17-12 (2), "PROHIBITIONS IN RIGHTS-OF-WAY, DANGEROUS INTERSECTIONS AND ROADWAYS"; ADDING SECTION 17-13, ENFORCEMENT AND PENALTIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE. {Approved on first reading on September 3, 2014. In a roll call vote, the vote was as follows: Mayor Paul - yes; Vice-Mayor Hattan - yes; Councilmember Starkey - yes; Councilmember Caletka - yes; Councilmember Luis - no. (Motion carried 4-1).**

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 was disturbed by the ordinance because he felt it "persecutes people that are in the worst place they can be."

Councilmember Starkey felt the ordinance would make streets safer because it would keep people out of the street.

Councilmember Starkey 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 - no; Councilmember Hattan - yes; Councilmember Starkey - yes. (Motion passed 4-1)

### Quasi-Judicial Public Hearing Items

15. **SPECIAL PERMIT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING SPECIAL PERMIT APPLICATION "SE 14-148, TWIN PEAKS RESTAURANT;" AND PROVIDING FOR AN EFFECTIVE DATE. (2000 South University Drive, zoned B-3).**

Mr. Rayson read the resolution by title.

Planning and Zoning Manager David Quigley provided the staff report.

Mr. Rayson swore in witnesses and opened the public hearing portion of the meeting.

Dwayne Dickerson, attorney for the applicant, invited questions.

As no one else 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**

### **COUNCILMEMBER LUIS**

**THANKS TO PUBLIC WORKS.** Councilmember Luis thanked Public Works for their quick responses to problems with the roads.

**THANKS TO MR. LEMACK.** Councilmember Luis thanked Mr. Lemack and staff for their response to the invasive snail situation.

### **COUNCILMEMBER STARKEY**

**WASHINGTON VISIT.** Councilmember Starkey had been in Washington DC recently visiting with Florida congressional leaders. She reminded Councilmembers of the memos from Florida Democratic Party Chairman Mitch Caesar and the Town's lobbyists.

### **COUNCILMEMBER CALETKA**

**POTHOLE REPORT.** Councilmember Caletka had received a complaint of a pothole eastbound on Shenandoah Parkway before 136.

**MEETING CONFLICT.** Councilmember Caletka stated he had a conflict with the Council's first meeting in December. Mayor Paul stated this would be put on their next agenda for discussion. Councilmember Caletka also wished to discuss cancelling their second December meeting.

### **VICE-MAYOR HATTAN**

**MR. RAYSON'S LETTER.** Vice-Mayor Hattan said she had enjoyed Mr. Rayson's letter.

**THANKS TO PUBLIC WORKS.** Vice-Mayor Hattan thanked Public Works for responding so quickly to a pothole complaint.

**911 AND SHERIFF'S MEMORIAL.** Vice-Mayor Hattan said the 911 and Sheriff's memorials had been very moving.

**RUNWAY OPENING.** Vice-Mayor Hattan reminded everyone that the new runway at Fort Lauderdale/Hollywood International Airport would open the next day.

**CPR CLASS.** Vice-Mayor Hattan had taken the CPR class at the Fire Department and learned how to use the Automated External Defibrillator. She announced that over 300 of the Town's 665 employees were CPR certified.

**MAYOR PAUL**

**INVASIVE GIANT AFRICAN SNAILS.** Mayor Paul reported the snails carried a parasite that could transmit meningitis. They should not be touched without rubber gloves. They were also a menace to agriculture and gardens and had no known predators. Mayor Paul remarked that the snails could come from clean fill or unpasteurized potting soil. She advised everyone to be watching for the snails on their properties.

**PROJECT STABLE DINNER.** Mayor Paul announced the annual Project Stable dinner and auction would be held on October 25. They would honor all previous honorees, including the Town of Davie.

**POLE MOVING.** Mayor Paul had noticed that the Town had already paid FPL to move the light poles in the parking lot of the shops on Davie Road but noticed that the poles had not been moved yet. She wanted to know FPL's timeframe for moving the poles.

**THANK YOU NOTE FROM BILL LEIBOWITZ.** Mayor Paul had received a thank-you note from Bill Leibowitz.

**HALLOWEEN HAPPENINGS.** Mayor Paul reminded everyone about Halloween Happenings on October 26 at Pine Island.

**VETERANS DAY CEREMONY.** Mayor Paul announced that on November 11 they would hold a Veterans' Day service.

**XIII. TOWN ADMINISTRATOR'S COMMENTS**

**THANKS TO TOWN COUNCIL AND STAFF.** Mr. Lemack thanked staff and Council for their work on the 2015 budget.

**BANNERS FOR NOVA.** Mr. Lemack showed renderings of the twenty banners Nova planned to buy and install on College Avenue between Nova and 30 Street and asked for Council's feedback. Council approved of them.

**XIV. TOWN ATTORNEY'S COMMENTS**

**VACATION.** Mr. Rayson reported he would be on vacation beginning on September 18 but assured Council he could be reached by cell phone or email.

**XV. ADJOURNMENT**

There being no further business to discuss and no objections, the meeting was adjourned at 6:59 pm.

Approved \_\_\_\_\_

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

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