

**TOWN OF DAVIE
REGULAR MEETING
JANUARY 15, 2014**

I. PLEDGE OF ALLEGIANCE

The meeting was called to order at 6:33 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. (Councilmember Luis attended the meeting by phone.) Also present were Town Administrator Lemack, Town Attorney Rayson and Assistant Town Clerk Roig recording the meeting.

Councilmember Hattan made a motion, seconded by Vice-Mayor Caletka to allow Councilmember Luis to attend the meeting by phone. In a voice vote, with Councilmember Luis absent, all voted in favor. (Motion carried 4-0)

III. OPEN PUBLIC MEETING

Arthur Joseph reported there was a dead tree in the SW 14 Street and 136 Avenue traffic circle; there was no "For Sale" sign on the property on SW 136 Avenue that had been purchased for a Fire Station; there had been a rash of burglaries in Oak Hill; 17 malnourished horses had been discovered on property near his home, indicating a possible need for additional Code Enforcement officers; SW 13 Avenue needed a complete overhaul between 14 Street and SW 36 Avenue; NSU wished to bring Hospital Corporation of America, which had been fined \$1.7 billion for committing \$300 million in Medicare fraud, into Davie.

Marcia Goss, Everglades Lakes Community presented Sgt. Ed Cuneo two donation checks for the Davie Police Memorial fund.

IV. PRESENTATIONS

1. December 2013 SPIRIT Winner

Anita Reid and Cheryl Ellett showed a slideshow of the presentation event and recognized recipients.

Councilmember Luis joined the meeting by phone.

2. I-595 Project Update - FDOT

Paul Lampley, FDOT I-595 project manager, gave a presentation on the project.

Councilmember Hattan made a motion, seconded by Vice-Mayor Caletka, to add a presentation regarding Martin Luther King Day events to the agenda. In a voice vote, all voted in favor. (Motion carried 5-0)

3. Martin Luther King Day Celebrations

Senior Operations Manager Matt Mlodzinski gave a presentation on events planned for the weekend in honor of Martin Luther King Day.

Mayor Paul stated there was a request to table item 8.

Vice-Mayor Caletka made a motion, seconded by Councilmember Hattan to table item 8 to February 5. In a voice vote, all voted in favor. (Motion carried 5-0)

Mayor Paul stated there was a request to table item 12 to February 5.

Councilmember Starkey made a motion, seconded by Councilmember Hattan to table item 12 to February 5. In a voice vote, all voted in favor. (Motion carried 5-0)

Mayor Paul pulled items 1, 3, 20 and 23 from the Consent Agenda. Vice-Mayor Caletka pulled items 14 and 21. Councilmember Starkey pulled item 13.

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Vice-Mayor Caletka made a motion, seconded by Councilmember Hattan to approve the Consent Agenda, less items 1, 3, 13, 14, 20, 21 and 23. In a voice vote, all voted in favor. (Motion carried 5-0)

V. APPROVAL OF CONSENT AGENDA

Proclamation

1. Human Trafficking Awareness Month (January 2014)

Minutes

2. December 18, 2013 Town Council Minutes (Regular)

Resolutions

Administration

3. **RECOGNITION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, RECOGNIZING THE EFFORTS OF "FISHING WITH AMERICA'S FINEST" FOR THEIR WORK WITH VETERANS COPING WITH POST TRAUMATIC STRESS SYNDROME (PTSD) AND TRAUMATIC BRAIN INJURY (TBI) BY PROVIDING A DAY OF FISH THERAPY IN THE FLORIDA EVERGLADES AND SOUTH FLORIDA WATERWAYS AND PROVIDING FOR AN EFFECTIVE DATE.

4. **MATCHING GRANT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION TO THE DEPARTMENT OF ELDER AFFAIRS 2013-2014 COMMUNITY FOR A LIFETIME INITIATIVE, AND IF AWARDED, ITS ACCEPTANCE AND EXECUTION OF THE GRANT DOCUMENTS. **(Town's portion \$3,000)**

Housing and Community Development

5. **LEASE AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A LEASE AGREEMENT BETWEEN THE TOWN OF DAVIE AND EMERGENCY ASSISTANCE SERVICE EFFORT (EASE) FOUNDATION FOR THE LEASE OF TWO (2) OFFICE SPACES WITHIN THE FACILITY KNOWN AS THE NEIGHBORHOOD SERVICE CENTER LOCATED IN DAVIE, FLORIDA AT 4700 SW 64 AVENUE FOR A TERM OF ONE (1) YEAR FROM THE DATE OF THE LEASE AT A YEARLY RENTAL OF ONE DOLLAR (\$1.00) PER YEAR AND PROVIDING FOR AN EFFECTIVE DATE.

Parks and Recreation

6. **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH PROFESSIONAL CONCESSIONS, INC. TO PROVIDE CONCESSIONAIRE SERVICES AT THE BERGERON RODEO GROUNDS.

Police

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 \$24,399.00 GRANT FROM THE U.S. DEPARTMENT OF JUSTICE FOR LAW ENFORCEMENT PROGRAMS, AND AUTHORIZING ACCEPTANCE AND EXECUTION OF THE GRANT, IF AWARDED.

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Public Works

8. **NAMING POLICY** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR AND TOWN COUNCIL TO ESTABLISH A POLICY AND GUIDELINES FOR NAMING OR RENAMING TOWN OF DAVIE PARKS, OPEN SPACES, PUBLIC FACILITIES, STREETS, AND PARK FURNITURE, AND THE PLACEMENT OF TREES AND MEMORIAL MARKERS ON TOWN PROPERTY OR RIGHTS-OF-WAY.

Tabled to February 5 per a motion by Vice-Mayor Caletka, seconded by Councilmember Hattan.

Town Attorney

9. **WARRANTY DEED** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING WARRANTY DEED FOR REESE ROAD RIGHT OF WAY FROM FORMAN INDUSTRIAL LAND LLC. WHICH IS PART OF THE COLLEGE CROSSING PLAT, AND PROVIDING FOR AN EFFECTIVE DATE.

Utilities

10. **BID SELECTION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE BID FOR LABORATORY SERVICES AWARDED BY THE CITY OF HOLLYWOOD, FLORIDA (BID NO. F-4302-12-JE) AND THE CITY OF NAPLES, FLORIDA (RFP NO. 011-12).

11. **JOINT FUNDING AGREEMENT** - A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO SIGN A JOINT FUNDING AGREEMENT BETWEEN PALM BEACH COUNTY, BROWARD COUNTY, CITY OF SUNRISE, CITY OF FORT LAUDERDALE, CITY OF HALLANDALE BEACH, TOWN OF DAVIE, CITY OF BOCA RATON, CITY OF WEST PALM BEACH, LAKE WORTH DRAINAGE DISTRICT, AND THE CITY OF BOYNTON BEACH (THE "PARTIES") TO FUND THE COSTS OF AN INDEPENDENT COST EVALUATION OF A THIRD PARTY ASSESSMENT OF C-51 RESERVOIR COSTS.

Quasi-Judicial Consent Agenda

12. **QUIT CLAIM DEED** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO ACCEPT A QUIT CLAIM DEED TRANSFERRING A PORTION OF ISLA MERITA DRIVE TO THE TOWN OF DAVIE; AUTHORIZING THE TOWN ADMINISTRATOR TO ACCEPT A HOLD HARMLESS AGREEMENT FOR THE DRAINAGE SYSTEM SERVING ISLA MERITA II; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Tabled to February 5, 2014 per a motion by Councilmember Starkey, seconded by Councilmember Hattan.

13. **DELEGATION REQUEST** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING DELEGATION APPLICATION "DG 13-220 MANHEIM FLORIDA AUTO AUCTION" TO CHANGE THE RESTRICTIVE NOTE ON THE PLAT KNOWN AS "LAUDERDALE - MIAMI AUTO AUCTION", AND PROVIDING AN EFFECTIVE DATE. DG 13-220 Manheim Florida Auto Auction, 5353 State Road 7 (B-3)

14. **DELEGATION REQUEST** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A DELEGATION REQUEST TO CHANGE THE RESTRICTIVE NOTE ON THE

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PLAT KNOWN AS "RODEO VILLAGE PLAT", AND PROVIDING AN EFFECTIVE DATE (DG 13-305 Belle Tara). (See related items #21 & 29)

15. **DELEGATION REQUEST** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A DELEGATION REQUEST TO CHANGE THE RESTRICTIVE NOTE ON THE PLAT KNOWN AS "BERMAN STIRLING PLAT", AND PROVIDING AN EFFECTIVE DATE. DG 12-161, Stirling Shops, (B-2) (See related item # 16)

16. **DELEGATION REQUEST** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE DELEGATION REQUEST TO AMEND THE NON-VEHICULAR ACCESS LINE (NVAL) OPENING ON THE PLAT KNOWN AS "BERMAN STIRLING PLAT" AND PROVIDING FOR AN EFFECTIVE DATE, DG 12-160, Stirling Shops (B-2). (See related item #15)

17. **DELEGATION REQUEST** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A DELEGATION REQUEST TO CHANGE THE RESTRICTIVE NOTE ON THE PLAT KNOWN AS "DAVIE TOWNE CENTRE PLAT", AND PROVIDING AN EFFECTIVE DATE. (DG 13-194, Tower Shops, (B-2)

18. **SPM 13-173 Griffin Center**, 5480 Griffin Road (Griffin Corridor District EGZ)

19. **SP 13-197, Value Place Hotel**, 5700 Reese Road (RAC-RTE). **Tabled From 12/18/2013**

20. **SP 13-165 Mc Donald's Nova Drive**, 6405 Nova Drive (RAC-RTW/TOS).

21. **SP 13-155 Belle Tara**, 5250 S University Drive (RM-10 and A-1). (See related items #14 & 29)

22. **SP 12-162 Stirling Shops**, NE Corner of Stirling Road and SW 58th Avenue (B-2). (See related items #16)

23. **SP 13-177 2101 University LLC**, 2101 University Drive (proposed zoning is B- 2). (See related items #30)

VI. DISCUSSION OF CONSENT AGENDA ITEMS

1. Human Trafficking Awareness Month (January 2014)

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

Councilmember Starkey read the proclamation.

3. **RECOGNITION** - "FISHING WITH AMERICA'S FINEST"

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

Mayor Paul read the resolution and presented it to Captain Neal Stark.

Mayor Paul recognized student present who were participating in Public Affairs Academy.

13. **DELEGATION REQUEST** - "DG 13-220 MANHEIM FLORIDA AUTO AUCTION"

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Councilmember Starkey was concerned about passing rights on to a future owner of the property. She requested a site plan package for the additional square footage. Planning and Zoning Manager David Quigley explained that this was limited to wholesale auto auction uses. Rod Engle, representing the applicant, said there was a County deed restriction on the property, and their future request would be for another 5,000 square feet. He added that the size of the property had been decreased due to a taking on State Road 7. Councilmember Starkey pointed out that the request letter erroneously claimed it was an increase in acreage. Mayor Paul recommended tabling the item for correction.

Councilmember Starkey made a motion, seconded by Vice-Mayor Caletka to table the item to February 5, 2014. In a voice vote, all voted in favor. (Motion carried 5-0)

The following three items were discussed together.

14. **DELEGATION REQUEST** - "RODEO VILLAGE PLAT"

21. **SP 13-155 Belle Tara**, 5250 S University Drive (RM-10 and A-1). (See related items #14 & 29)

29. **VARIANCE** - "V 13-249 BELLE TARA"

Vice-Mayor Caletka said he had pulled the item to discuss the reduction of the landscape buffer.

Mr. Rayson read all three items by title and reported all parties had waived the quasi-judicial process.

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

Jay Hubner, representing the applicant, said there would be 30 feet of green area from the property line to the building, matching adjacent buildings.

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

Vice-Mayor Caletka made a motion, seconded by Councilmember Hattan to approve item 14. In a voice vote, with Councilmember Luis absent, all voted in favor. (Motion carried 4-0)

Councilmember Hattan made a motion, seconded by Vice-Mayor Caletka to approve item 21. In a roll call vote, the vote was as follows: Mayor Paul - yes; Vice-Mayor Caletka - yes; Councilmember Luis - absent; Councilmember Hattan - yes; Councilmember Starkey - yes. (Motion carried 4-0)

Vice-Mayor Caletka made a motion to deny item 29. Motion died for lack of a second.

Councilmember Hattan made a motion, seconded by Councilmember Starkey to approve item 29. In a roll call vote, the vote was as follows: Mayor Paul - yes; Vice-Mayor Caletka - no; Councilmember Luis - absent; Councilmember Hattan - yes; Councilmember Starkey - yes. (Motion carried 3-1)

20. **SP 13-165 Mc Donald's Nova Drive**, 6405 Nova Drive (RAC-RTW/TOS).

Mayor Paul wanted to meet with the parties to discuss parking and traffic flow. Vice-Mayor Caletka requested that this be a public meeting so he could attend as well.

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

The following three items were discussed together:

23. **SP 13-177 2101 University LLC**, 2101 University Drive (proposed zoning is B- 2). (See related items #30)

28. **REZONING** - 13-208 2101 UNIVERSITY LLC

30. **VARIANCE** - 13-178 2101 UNIVERSITY DRIVE LLC

Mr. Rayson read all three items by title and reported all parties had waived the quasi-judicial process.

Mr. Abramson provided the staff report.

Dennis Mele, representing the applicant, said there had been no objections from any of the

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neighbors. He presented renderings of the building and landscaping. Mr. Mele informed Mayor Paul that the landscaping had been increased in response to comments at the Site Plan Committee meeting.

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

Councilmember Starkey made a motion, seconded by Councilmember Hattan to approve item 23. In a voice vote, all voted in favor. (Motion carried 5-0)

Councilmember Hattan made a motion, seconded by Councilmember Starkey to approve item 28. 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)

Councilmember Hattan made a motion, seconded by Councilmember Starkey to approve item 30. In a roll call vote, the vote was as follows: Mayor Paul - yes; Vice-Mayor Caletka - no; Councilmember Luis - yes; Councilmember Hattan - yes; Councilmember Starkey - yes. (Motion carried 4-1)

VII. PUBLIC HEARING

Resolution

24. **CIP AMENDMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE FIRST AMENDMENT TO THE 10-YEAR CAPITAL IMPROVEMENTS PROGRAM FOR THE TOWN OF DAVIE FOR FISCAL YEARS 2014-2023; AND PROVIDING FOR AN EFFECTIVE DATE.

Councilmember Starkey made a motion, seconded by Councilmember Hattan 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)

Mayor Paul noted that public input had not been invited for the item.

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

Mr. Rayson read the resolution 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.

Vice-Mayor Caletka made a motion, seconded by Councilmember Hattan 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 - (Second and Final Readings)

25. **BUDGET AMENDMENT** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING AN AMENDMENT TO THE ESTIMATED REVENUES AND APPROPRIATIONS FOR FISCAL YEAR 2014; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. {**Approved at first reading on December 18, 2013. In a roll call vote, the vote was as follows: Mayor Paul yes; Councilmember Luis -yes; Councilmember Hattan -absent; Councilmember Starkey -yes; Vice-Mayor Caletka -yes**} (**Motion carried 4-0**).

Mr. Lemack reminded Council that staff had made minor changes, which were included in Council's backup.

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.

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Councilmember Starkey made a motion, seconded by Councilmember Hattan to approve as amended. 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)

26. **LAND USE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING APPLICATION LA 12-262 THE ASTOR AT DAVIE, AMENDING THE TOWN OF DAVIE COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE PLAN MAP DESIGNATION OF CERTAIN LANDS FROM "COMMERCIAL" AND "RESIDENTIAL 5 DWELLING UNITS PER ACRE" TO "RESIDENTIAL 16 DWELLING UNITS PER ACRE"; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (Application: LA12-262 The Astor (Shalimar); Address: 5001 South University Drive) {Approved at first reading on May 1, 2013. In a roll call vote, the vote was as follows: Mayor Paul yes; Councilmember Luis -yes; Councilmember Hattan -absent; Councilmember Starkey -yes; Vice-Mayor Caletka -yes} (Motion carried 5-0).**

Mr. Rayson read the ordinance by title.

Mr. Abramson provided the staff report. Mr. Abramson noted there had been three recommendations and requested that the first recommendation regarding bus shelters and stops be removed, as this would be recorded on the plat. He also asked that conditions 2 and 3 be amended to be more specific regarding required landscaping and bicycle racks.

Marcie Nolan, representing the applicant, stated they had no objection to staff's recommendations.

Mr. Rayson reminded Council that this required a supermajority vote to pass and only Councilmembers physically present may vote.

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 Mayor Paul to approve. In a roll call vote, the vote was as follows: Mayor Paul - yes; Vice-Mayor Caletka - yes; Councilmember Luis - [not voting]; Councilmember Hattan - yes; Councilmember Starkey - yes. (Motion carried 4-0)

27. **CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING CHAPTER 12, LAND DEVELOPMENT CODE, ARTICLE III, USE REGULATIONS, SECTION 12-32, PERMITTED USES, DIVISION 3, DETAILED USE REGULATIONS; SECTION 12-34, STANDARDS FOR SPECIFIC USES; ARTICLE XIII, DIVISION 9, GRIFFIN ROAD CORRIDOR DISTRICT, SECTION 12-436.4, PERMITTED USES; ARTICLE XIII, DIVISION 11, REGIONAL ACTIVITY CENTER DISTRICTS, SECTION 12-438.7, PERMITTED USES; SECTION 12-438.16 NONCONFORMITIES; SECTION 12-503 DEFINITIONS; CHAPTER 13, LICENSES AND BUSINESS REGULATIONS; ARTICLE III, FOOD AND RETAIL ESTABLISHMENTS, DIVISION 1, DOG FRIENDLY ESTABLISHMENTS; DIVISION 2, RETAIL SALES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE. {Approved at first reading on December 18, 2013. In a roll call vote, the vote was as follows: Mayor Paul yes; Councilmember Luis -yes; Councilmember Hattan -absent; Councilmember Starkey -yes; Vice-Mayor Caletka - yes} (Motion carried 4-0).**

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.

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Councilmember Hattan 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)

Quasi-Judicial Public Hearing

Ordinance -First Reading (Second and final reading to be held on February 5, 2014)

28. REZONING - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING REZONING APPLICATION ZB 13-208 2101 UNIVERSITY LLC, CHANGING THE ZONING DESIGNATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM: B-2 (OLD CODE) TO: COMMUNITY BUSINESS (B-2) DISTRICT; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB 13-208; owner: 2101 University Drive LLC; address: 2101 University Drive).

This item was discussed earlier in the meeting.

Quasi-Judicial Items

29. VARIANCE - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING VARIANCE APPLICATION "V 13-249 BELLE TARA", AND PROVIDING AN EFFECTIVE DATE V 13-249 Belle Tara, 5250 S University Drive, (RM- 10 and A-1). (See related items #14 & 21)

This item was discussed earlier in the meeting.

30. VARIANCE - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING VARIANCE APPLICATION "V 13-178 2101 UNIVERSITY DRIVE LLC", AND PROVIDING AN EFFECTIVE DATE. Variance (V) 13-178 2101 University Drive, Location: 2101 University Drive; proposed zoning: (B-2). (See related item #23)

This item was discussed earlier in the meeting.

31. VARIANCE - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING VARIANCE APPLICATION "V 13-204 GORADESKY", AND PROVIDING AN EFFECTIVE DATE. V 13-204 Goradesky; 3402 Dovecote Meadow Lane, (AG).

Mr. Rayson read the request by title.

Mr. Abramson 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 request.

Councilmember Starkey made a motion, seconded by Councilmember Hattan 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)

32. VARIANCE - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING VARIANCE APPLICATION "V 13-148 WENDY'S", AND PROVIDING AN EFFECTIVE DATE (V 13-148 Wendy's, 3055 South University Drive (B-2).

Mr. Rayson read the request by title.

Mr. Abramson provided the staff report. He informed Councilmember Starkey that the restaurant would comply with ADA requirements regarding handicapped parking spaces.

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Craig Macdonald, representing Wendy's, stated they wanted to comply with ADA requirements to connect with the public sidewalk. They had conducted a parking study and determined they had sufficient parking.

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 request.

Councilmember Hattan 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

33. Board/Committee Appointments

Councilmember Starkey made a motion, seconded by Councilmember Hattan to re-appoint Joe Valenzuela to the Fire Pension Board. In a voice vote, all voted in favor. (Motion carried 5-0)

Councilmember Starkey made a motion, seconded by Councilmember Hattan to re-appoint Lawrence J. Davis to the Police Pension Board. In a voice vote, all voted in favor. (Motion carried 5-0)

Vice-Mayor Caletka made a motion, seconded by Mayor Paul to re-appoint Jack P. Mackie to the Police Pension Board. In a voice vote, all voted in favor. (Motion carried 5-0)

Vice-Mayor Caletka appointed Ananya Chandra to the Youth Education Advisory Board.

IX. COMMITTEE RECOMMENDATIONS

None.

X. OLD BUSINESS

34. Status report on Broward County's Transit Shelter program.
Mr. Lemack stated Council had been provided with information.

XI. NEW BUSINESS

None.

XII. SCHEDULE OF NEXT MEETING

35. Stormwater Assessment Workshop

Council agreed to hold the workshop on February 19 at 5 p.m.

36. Sign Code Ordinance Workshop

Council agreed to hold this workshop in conjunction with the Goal Setting workshop.

XIII. MAYOR/COUNCILMEMBER'S COMMENTS

MAYOR PAUL

SHENANDOAH FAMILY PICNIC. Mayor Paul reported the event would be on Sunday, January 19 from 11 a.m. until 4 p.m.

NEW BULK TRASH COLLECTION SCHEDULES. Mayor Paul reminded everyone to check for flyers indicating the new schedules.

BEST WISHES TO BILL LEIBOWITZ. Mayor Paul sent her best wishes to Mr. Leibowitz, who had recently lost his home to a fire.

US CONFERENCE OF MAYORS SUMMIT. Mayor Paul planned to attend this event in Washington DC, which would include meetings at the White House with cabinet officials and President Obama.

OAK HILL HORSE RESCUE. Mayor Paul thanked Todd and Donna Evans for helping relocate the

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rescued horses. She requested donations to care for the horses.

SOUTHWEST RANCHES POLICE COVERAGE. Mayor Paul reminded everyone that as of February 1, Davie would begin policing Southwest Ranches.

TAYLOR MASON HONOR. Mayor Paul announced Mr. Mason had won top honors at the National Reining Horse Association Southeast Regional Affiliate.

INDIA TRIP. Mayor Paul and Councilmember Hattan had recently returned from a trip to India, during which time they had met with the Indo-American Chamber of Commerce and the Kerala Management Association to encourage investment and business opportunities in Davie.

COUNCILMEMBER STARKEY

BROWARD LEAGUE OF CITIES LEGISLATIVE AGENDA. Councilmember Starkey distributed copies of the agenda recently adopted by the Broward League of Cities. They would meet with the Broward County School Board at 2 p.m. on January 16 to discuss items to work on together. Councilmember Starkey stated the League of Cities would pay transportation to Tallahassee for municipal representatives who would advocate for the League's positions.

RENAISSANCE GALA. Councilmember Starkey announced the event would be at the Signature Grand the following weekend with the Prestige Club.

COUNCILMEMBER HATTAN

GOOD GOVERNMENT INITIATIVE. Councilmember Hattan reported she had been accepted into and completed the class.

VICE-MAYOR CALETKA

PROHIBITING CALL-IN ATTENDANCE. Vice-Mayor Caletka suggested amending the rules to prohibit allowing a Councilmember to attend a meeting by phone because it was often problematic.

EVERGLADES LAKES MOBILE HOME PARK PRESENTATION. Vice-Mayor Caletka and staff had made the presentation recently and they would soon make the presentation to residents of Playland Village.

XIV. TOWN ADMINISTRATOR'S COMMENTS

DAVIE BUSINESS CENTER. Mr. Lemack stated the Davie Business Center had requested a 45-day extension to the due diligence period to allow time to finalize off-site retention. He would bring this to Council.

NAMING OF THE DEVINE PARCEL. Mr. Lemack reported the naming contest would begin this month. Councilmember Starkey suggested waiting until after the dog park section was named. Councilmember Hattan remarked that the dog park area should have its own designation.

FATHER GABRIEL STREET SIGN. Mr. Lemack displayed two possible sign designs and Council selected one.

PAL EVENT. Mr. Lemack reported there had been a pre-race dinner on January 4 for which Restaurant Depot had provided dinner and Flashback Diner had provided desserts. Many Town employees had volunteered for the event. The following day, 391 people had participated in the run. The event had raised \$26,000, which would be split between the Davie PAL and the Davie Police Memorial Fund. Mr. Lemack thanked Officer Tim Albury, Davie PAL Director and Police Chief Patrick Lynn.

XV. TOWN ATTORNEY'S COMMENTS

164 HEARING WITH BROWARD COUNTY. Mr. Rayson reminded everyone of the meeting on Friday at 2 p.m. at the Sunrise Civic Center. He had drafted a one-page position statement and asked

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Council to review it. Mr. Rayson requested the entire Council attend the meeting. If anyone was called upon to speak for the Town, he preferred it be Mayor Paul. Mr. Rayson explained that if this settlement negotiation failed, they would proceed to the mandatory mediation process.

XVI. ADJOURNMENT

There being no further business to discuss and no objections, the meeting was adjourned at 8:40 pm.

Approved _____

Mayor/Councilmember

Town Clerk