

**TOWN OF DAVIE  
REGULAR MEETING  
JANUARY 21, 2015**

**I. PLEDGE OF ALLEGIANCE**

The meeting was called to order at 6:31 p.m. and was followed by the Pledge of Allegiance.

**II. ROLL CALL**

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

Councilmember Caletka made a motion, seconded by Councilmember Starkey to excuse Mayor Paul's absence. In a voice vote, with Mayor Paul absent, all voted in favor. (Motion carried 4-0)

**III. PRESENTATIONS**

1. GFOA Certificate of Achievement for Excellence in Financial Reporting for FY 2013 Comprehensive Annual Financial Report (CAFR) – Macciano Lewis, Assistant Town Administrator, William Ackerman, Budget and Finance Director, Carol Menke, Deputy Budget and Finance Director and Pat Locke, Accounting Manager  
Mr. Lewis described the award that the Town had received.  
Mr. Ackerman thanked Council for their guidance and for selecting the auditors.

2. December 2014 SPIRIT Winner - Anita Reid

Ms. Reid thanked the Council for supporting the employee recognition program. She gave a slideshow from the employee holiday luncheon where the winner and nominees had been recognized. Ms. Reid introduced the nominees who were present and winner Kevin Favada, Parks, Recreation and Cultural Arts Department Crew Leader.

Councilmember Caletka stated the applicant had requested tabling item 11 to February 4.

Councilmember Caletka made a motion, seconded by Councilmember Starkey to table item 11 to February 4. In a voice vote, with Mayor Paul absent, all voted in favor. (Motion carried 4-0)

Councilmember Caletka made a motion, seconded by Councilmember Starkey to table items 17 and 18 to February 4. In a voice vote, with Mayor Paul absent, all voted in favor. (Motion carried 4-0)

Councilmember Starkey wished Council to reconsider the Holly Acres Pet Resort items from their previous meeting. The applicant had sent a letter concerning the final motion on the item. Vice-Mayor Hattan said the letter highlighted issues that may need further discussion with the applicant and clarification by staff. These issues were too complex to address this evening.

Councilmember Starkey made a motion, seconded by Councilmember Caletka to reconsider items 20 and 16 from Council's January 7, 2015 meeting. In a roll call vote, the vote was as follows: Mayor Paul - absent; Vice-Mayor Hattan - yes; Councilmember Caletka - yes; Councilmember Luis - yes; Councilmember Starkey - yes. (Motion carried 4-0)

Councilmember Starkey made a motion, seconded by Councilmember Luis, to table items 20 and 16 from Council's January 7, 2015 agenda and item 12 from the current agenda to February 4. In a roll call vote, the vote was as follows: Mayor Paul - absent; Vice-Mayor Hattan - yes; Councilmember Caletka - yes; Councilmember Luis - yes; Councilmember Starkey - yes. (Motion carried 4-0)

Planning and Zoning Manager David Quigley reported the applicant for item 15 had requested tabling to February 4. Councilmember Caletka wished to table the item to February 18.

Councilmember Caletka made a motion, seconded by Councilmember Starkey to table item 15 to February 18. In a voice vote, with Mayor Paul absent, all voted in favor. (Motion carried 4-0)

Councilmember Caletka made a motion, seconded by Councilmember Starkey to approve the Consent Agenda. In a voice vote, with Mayor Paul absent, all voted in favor. (Motion carried 4-0)

#### **IV. APPROVAL OF CONSENT AGENDA**

##### ***Resolutions***

##### **Fire**

1. **BID SELECTION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE BID AWARDED TO MAUDLIN INTERNATIONAL TRUCKS, INC. UNDER FLORIDA SHERIFFS ASSOCIATION BID CONTRACT NO.14-12-0904 TO REMOUNT/REFURBISH ONE (1) OLDER INTERNATIONAL RESCUE TO A NEW 2016 INTERNATIONAL DURASTAR RESCUE CAB & CHASSIS AND RELATED EQUIPMENT/ACCESSORIES IN THE AMOUNT NOT TO EXCEED \$185,000 AND PROVIDING FOR AN EFFECTIVE DATE. (Funding for this purchase will be from Capital Projects Fund, Mach & Equip EMS Ambulance Account #310.36.640.522-56470 - \$185,000.00).

##### **Human Resources**

2. **CONTRACT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE TOWN TO RETAIN THE LEGAL SERVICES OF LYDECKER – DIAZ, LLC; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.
3. **CONTRACT** A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE TOWN TO RETAIN THE LEGAL SERVICES OF PAUL T. RYDER, JR. P.A. FOR LABOR AND EMPLOYMENT MATTERS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

##### **Parks, Recreation & Cultural Arts**

4. **EXPENDITURE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE PURCHASE OF A NEW TRACTOR FROM FLORIDA COAST EQUIPMENT, INC., FOR THE PURPOSE OF PREPARATIONS TO THE ARENA GROUNDS AND PROVIDING FOR AN EFFECTIVE DATE.

##### **Public Works**

5. **CONTRACT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE APPROPRIATE TOWN OFFICIALS TO EXECUTE A CONTRACT FOR THE “UPGRADE TO THE VARIABLE AIR VALVES AT THE POLICE DEPARTMENT” AND PROVIDING FOR AN EFFECTIVE DATE.

6. **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AGREEING TO ENTER INTO AN AGREEMENT WITH BROWARD COUNTY TO PROVIDE LANDSCAPE BEAUTIFICATION ON THE PINE ISLAND ROAD MEDIAN AND RIGHT-OF-WAY BETWEEN NOVA DRIVE AND STATE ROAD 84 AND PROVIDING FOR AN EFFECTIVE DATE.

Purchasing

7. **BID SELECTION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, SELECTING THE TOP RANKED FIRMS FOR EACH OF THE ENGINEERING DISCIPLINES AND LANDSCAPE ARCHITECTS AND AUTHORIZING THE TOWN ADMINISTRATOR OR HIS DESIGNEE TO NEGOTIATE AGREEMENTS FOR SUCH SERVICES.

Utilities

8. **BID SELECTION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE BID SUBMITTED BY ALL FLORIDA CONTRACTING SERVICES, LLC FOR PHASE II AND PHASE III OF THE SUPERVISORY CONTROL AND DATA ACQUISITION (SCADA) INTEGRATION PROJECT (B-15-01).

Quasi-Judicial Consent Items

9. **DELEGATION REQUEST** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A DELEGATION REQUEST TO AMEND THE RESTRICTIVE NOTE ON THE PLAT KNOWN AS THE "WOLF FAMILY PLAT," AND PROVIDING AN EFFECTIVE DATE. (DG14-311, Lakeside Town Shops, located at the northeast corner of South University Drive and Stirling Road)
10. **DELEGATION REQUEST** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A DELEGATION REQUEST TO AMEND THE RESTRICTIVE NOTE ON THE PLAT KNOWN AS "DAVIE TOWNE CENTRE," AND PROVIDING AN EFFECTIVE DATE (DG14-314 Costco, 1890 S. University Dr., Zoned B-3).

**APPLICANT IS REQUESTING THIS ITEM TO BE TABLED TO FEBRUARY 4, 2015**

11. **Site Plan 14-241**, Cumberland Farms, (12450 West State Road 84, B-2, County). (**tabled from January 7, 2015**) (See related items #17 & 18)  
**Tabled to February 4, 2015.**

**V. DISCUSSION OF CONSENT AGENDA ITEMS**

None.

**VI. PUBLIC HEARING**

Ordinance - Second and Final Reading

12. **REZONING** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING APPLICATION ZB 14-160 HOLLY ACRES PET RESORT, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM: "AGRICULTURAL (A-2 COUNTY) DISTRICT" TO "AGRICULTURAL (A-1) DISTRICT"; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB 14-160 Holly Acres Pet Resort, 10701 Stirling Road){**Approved on first reading on January 7, 2015. 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 - absent. (Motion Carried 4-0). (Requires super-majority vote pursuant to Sec. 12-432, Town Code)  
Tabled to February 4, 2015.**

Ordinances - First Readings (Second and Final Readings to be held on February 4, 2015)

**13. CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING CHAPTER 2, ARTICLE VIII ENTITLED "PURCHASING" BY AMENDING SECTION 2 OF THE TOWN CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

Mr. Rayson read the ordinance by title. Vice-Mayor Hattan stated a public hearing on the item would be held on February 4, 2015.

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

**14. CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING CHAPTER 12, LAND DEVELOPMENT CODE, BY CREATING SECTION 12-33(KK), TEXTILE RECYCLING, TEXTILE RECYCLING COLLECTION BINS; PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE. (tabled from January 7, 2015)**

Mr. Rayson read the ordinance by title and reported a public hearing on the ordinance would be held on February 4, 2015.

Councilmember Starkey clarified that this pertained only to free-standing collection bins, not donations to organizations' collection sites.

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

Ordinance - First Readings (Second and Final Readings to be held on at a later date)

**15. LAND USE PLAN AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING LAND USE PLAN AMENDMENT (LA) APPLICATION "LA 14-219 MARBELLA GRANDE", AMENDING THE TOWN OF DAVIE COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE PLAN MAP DESIGNATION OF CERTAIN LANDS FROM RESIDENTIAL 1 DU/ACRE AND RESIDENTIAL 5 DU/ACRE TO SPECIAL CLASSIFICATION RESIDENTIAL 9 DU/ACRE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (generally located on the west side of Davie Road, south of Southwest 49th Court, currently zoned A-1)(Requires super-majority vote).(tabled from January 7, 2015)**

**Tabled to February 18.**

**16. COMPREHENSIVE PLAN AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE TOWN'S WATER SUPPLY FACILITIES WORK PLAN AND APPLICABLE ELEMENTS WITHIN THE TOWN'S COMPREHENSIVE PLAN RELATING TO WATER SUPPLY PLANNING; PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.**

Mr. Rayson read the ordinance by title.

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

**APPLICANT IS REQUESTING THESE ITEMS TO BE TABLED TO FEBRUARY 4, 2015**

**Quasi-Judicial Public Hearing Item**

**Ordinance - First Reading (Second and Final Reading to be held on February 4, 2015)**

17. **REZONING** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING APPLICATION ZB 14-240 CUMBERLAND FARMS, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM: "COMMUNITY BUSINESS (B-2 COUNTY) DISTRICT" TO "PLANNED BUSINESS CENTER (B-3) DISTRICT"; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB 14-240 Cumberland Farms, 12450 West State Road 84). **(tabled from January 7, 2015) (See related items #11 & 18)**  
**Tabled to February 4, 2015.**

**Quasi-Judicial Public Hearing Item**

18. **VARIANCE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING VARIANCE APPLICATIONS "V 14-245, 247, 248 CUMBERLAND FARMS", AND PROVIDING FOR AN EFFECTIVE DATE. (V 14-245, 247, 248 Cumberland Farms, 12450 West State Road 84, currently zoned B-2 County). **(tabled from January 7, 2015) (See related items #11 & 17)**  
**Tabled to February 4, 2015.**

**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**

**GET WELL MAYOR PAUL.** Councilmember Luis said Mayor Paul was missed and wished her a speedy recovery.

## **COUNCILMEMBER STARKEY**

**HUMAN TRAFFICKING POSTER CONTEST.** Councilmember Starkey said the Soroptimists had held a poster contest and some of the work was displayed at Town Hall. Councilmember Starkey suggested another sweep of the truck stop in April and posting a link to the federal Homeland Security human trafficking PSA

**DAVIE MERCHANTS.** Councilmember Starkey had attended the Davie Merchants and encouraged everyone to visit Old Davie School.

**C-11 CANAL BRIGDE.** Councilmember Starkey announced the bridge had finally been installed. She thanked the Public Works Department.

## **COUNCILMEMBER CALETKA**

**MEETING WITH NOVA RESIDENTS.** Councilmember Caletka said Laura Borgesi, Town Engineer, had done a great job of easing residents' concerns and keeping the meeting moving forward.

**CONGRATULATIONS TO MAYOR PAUL.** Councilmember Caletka congratulated Mayor Paul on being re-elected unopposed.

**EAST SIDE COMMUNITY MEETING.** Councilmember Caletka reported last night's meeting had been the smoothest, most positive meeting he had ever attended as a Councilmember.

**UTILITY PLANT.** Councilmember Caletka had visited the plant recently and noted how well-trained the employees were.

## **VICE-MAYOR HATTAN**

**HUMAN TRAFFICKING POSTER CONTEST.** Vice-Mayor Hattan reported the reception for the poster contest had been wonderful and noted that all of the entries were fantastic.

**HONOR FLIGHTS.** Vice-Mayor Hattan said the flights were for World War II veterans to visit Washington DC memorials at no cost. Participants were seen off and greeted on the ground by service people thanking them. Vice-Mayor Hattan reported the Town had received \$4,000 in employee donations for the program.

**DMI INSTALLATION DINNER.** Vice-Mayor Hattan had attended the dinner the previous evening and remarked it was interesting.

**BEUHLER PLANETARIUM.** Vice-Mayor Hattan had attended the reception the previous week and explained that a projector was no longer used. She had viewed a film on underwater training of astronauts.

**NATIONAL HUG DAY.** Vice-Mayor Hattan asked everyone to observe National Hug Day.

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

**HONOR FLIGHTS.** Mr. Lemack said Strategic Plan Chair Tameka McKay and committee member Heidi Klem had spearheaded this effort in the Town.

**CONGRATULATIONS TO STAFF.** Mr. Lemack congratulated Mr. Lewis, Mr. Ackerman and his staff for receiving the GFOA Certificate of Achievement for Excellence in Financial Reporting. He said this was a tremendous accomplishment.

**NOB HILL SCHOOL FENCE BANNERS.** Mr. Lemack said the Town's code regulated banners such as these and included limited exceptions for signs that supported a public purpose. He said this was not a simple enforcement issue but may require examination of the code, specifically how schools used the banners not only for commercial purposes but also to raise money for school supplies and programs. Mr. Lemack requested Council's approval to bring back an item to address this unique situation. Councilmember Starkey said they had tried to work with schools on this and suggested limiting the number and size of the banners. She said the Town should also look at how and where they placed their own signs.

**XIV. TOWN ATTORNEY’S COMMENTS**

**HONOR FLIGHTS.** Mr. Rayson said his father had served in World War II and he planned to make a donation.

**DAVIE ROAD PROJECT.** Mr. Rayson said this was a County project and the County required bonding of \$3.5 million. The Town required bonding as well, but staff and Mr. Rayson were comfortable that the County bond was sufficient. Ms. Borgesi said the possibility of a double bond requirement was a concern for some people interested in bidding. As Town Engineer, Ms. Borgesi said she was comfortable recommending that the Town utilize only the County bond and waive the Town’s performance bond requirement. She promised this would be included in the resolution to award the contract. Ms. Borgesi said the County was aware this was burdensome and were modifying their minimum standards in the administrative code to avoid this issue in the future.

**XV. ADJOURNMENT**

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

Approved \_\_\_\_\_

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

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