

**TOWN OF DAVIE**  
**TOWN COUNCIL REGULAR MEETING**  
**MARCH 2, 2016**

**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 Starkey and Councilmembers Caletka, Hattan and Luis. Also present were Town Administrator Lemack, Assistant Town Administrator Lewis, Town Attorney Rayson, Assistant Town Administrator Holste and Town Clerk Roig recording the meeting.

**III. OPEN PUBLIC MEETING**

David Geller, Hollywood, referred to an email from Mayor Paul to Mr. Lemack regarding the Montessori school voicing her opposition to the school locating at the requested site in Davie. Mr. Geller said it appeared the Council had “ordered the city staff to kill this project” before staff had considered the variance request. He asked Council to reconsider the request.

Gus Barreio, Miami, asked Council to reconsider the Montessori school’s variance request.

Juana Garcia, Director of the Montessori school, described their efforts to obtain the variance for the school and referred to the email Mr. Geller had mentioned and said a Town staff member had “mocked our situation” during the process. Ms. Garcia asked Council to reconsider their variance application.

John Toole, running for District 4 Council seat, said he was running for Council because of the “lack of due process” and said he would back the Montessori school 100%.

Tyrone Arucas asked Council to reconsider the Montessori school’s request. He said the school would be a less intensive use than the current daycare.

Joe Cosner discussed issues with water service in his neighborhood and the resident’s frustration with how long the Town was taking to address it. He said no one from the Town could tell him when the project would start. Mayor Paul asked Don Bayler, Utilities Director, to speak with Mr. Cosner.

Irina Nori asked Council to reconsider the Montessori school’s variance request. She discussed exiting traffic in the area from other sources. Ms. Nori said they wanted to keep their children in Davie.

Mari Canetti, Sunrise, stated her teaching credentials and said it was privilege to represent Atlantic Montessori. She said problems discussed previously did not apply to their small school setting.

Michael Ahumada discussed parking at the Montessori daycare and said even at special events, parking was not an issue. He said he supported the school.

Marcella Ahumada said a variance should not be required for the Montessori school because there were no residential uses adjacent to the property. She compared their proposed enrollment to other schools in the Town. Ms. Ahumada asked Council to reconsider.

Otto Crump recalled that the Montessori had complied with all requests the Town had made but had still been denied the variance request. He urged Council to reconsider the denial.

Maria Avery said her children attended Atlantic Montessori and asked Council to reconsider the variance request.

Jim Januszka, Plantation, said he had two children at the school and he and his wife were disappointed with Council’s decision at the previous meeting. He explained the school needed the additional space the site would afford.

Karen Stenzel-Nowicki asked what Council would do about the “serious, ongoing problems with the Seminole Tribe of Florida.” She said Mayor Paul had been “an obstructionist to get anything done.”

Aurora Vales presented formal requests for the Town not to use taxpayer funds to defend itself against a lawsuit by Atlantic Montessori. She asked Council to reconsider its previous decision.

Vice-Mayor Starkey remarked she had found comments by some of the speakers to be insulting to Council. She stated this Council had integrity and made decisions based on facts and Town code. The Montessori request had failed to meet the variance criteria and had therefore been denied. No new evidence had been presented to warrant Council's reconsidering their previous decision.

Councilmember Luis made a motion, seconded by Councilmember Hattan to reconsider Council's previous vote on the Montessori school's variance request. In a roll call vote, the vote was as follows: Mayor Paul - yes; Vice-Mayor Starkey - no; Councilmember Hattan - yes; Councilmember Caletka - no; Councilmember Luis - yes. (Motion carried 3-2).

Council agreed to re-hear the variance request on April 20.

Mayor Paul said staff had requested Item 11 be tabled to April 6.

Vice-Mayor Starkey made a motion, seconded by Councilmember Hattan to table Item 11 to April 6, 2016. In a voice vote, all voted in favor. (Motion carried 5-0)

Mayor Paul stated the applicant for Item 13 had requested tabling to April 6, 2016.

Councilmember Luis made a motion, seconded by Vice-Mayor Starkey to table Item 13 to April 6, 2016. In a voice vote, all voted in favor. (Motion carried 5-0)

Mayor Paul said staff had requested Item 14 be tabled and Councilmember Caletka suggested May 4.

Councilmember Caletka made a motion, seconded by Vice-Mayor Starkey to table Item 14 to May 4, 2016. In a voice vote, all voted in favor. (Motion carried 5-0)

#### **IV. PRESENTATIONS**

1. December 2015 SPIRIT Winner, Anita Reid, Public Relations Coordinator and Leona Henry, Public Relations Assistant

Ms. Reid and Ms. Henry provided the presentation. They showed a video taken at the awards ceremony.

2. Service Awards Recognition, Grace Garagozzo, Acting Human Resources Director

Ms. Garagozzo recognized Councilmember Hattan and Mayor Paul and provided them each with a certificate of recognition and a pin.

3. Water Partnership Neighborhood Water Challenge, Mark A. Trewartha, Water Resources Manager Environmental Protection and Growth Management Department

Samantha Baker, representing Mr. Trewartha, described the challenge and other work and incentives organization conducted. She advised everyone that they could sign up for the challenge at [www.ConservationPays.com](http://www.ConservationPays.com). Vice-Mayor Starkey asked Mr. Lemack to contact HOAs about the challenge.

4. Zika Virus, Broward County Department of Health

Dr. Paula Thaqi, Director of Florida Department of Health in Broward County, provided the presentation.

Mayor Paul announced the winners of the Orange Blossom Parade contests: Best Commercial Float: Extreme Action Park; Best Non-commercial Float: The Irizarri-Rodriguez Family; Best Youth Performance: South Florida Cloggers; Best Adult Performance: Dennis Rogers from the Navaho Nation; Best Musical Marching Band: Deerfield Beach High School Band; Best Non-musical Marching Band: The Worshippers' House; Best Animal: Don Danello's Equestrian Columbian Club; Best Dressed Vehicle: The Mahi Shriners; Best Overall Theme: Hope Outreach

Center and Aftercare.

Vice-Mayor Starkey pulled Item 1 from the Consent Agenda.

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

## V. APPROVAL OF CONSENT AGENDA

### Minutes

1. January 6, 2016 Meeting Minutes (Regular)
2. January 13, 2016 Meeting Minutes (Special)
3. January 20, 2016 Meeting Minutes (Regular)
4. February 11, 2016 Meeting Minutes (Regular)

### ***Resolutions***

#### Administration

5. **MEMORANDUM OF AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A MEMORANDUM OF AGREEMENT BETWEEN THE TOWN OF DAVIE AND WASTE MANAGEMENT, INC. OF FLORIDA TO INITIATE A PILOT BULK WASTE PICKUP PROGRAM IN THE SPECIAL SERVICES DISTRICT; AND PROVIDING FOR AN EFFECTIVE DATE.

#### Engineering

6. **GRANT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE COUNTY INCENTIVE GRANT PROGRAM AGREEMENT BETWEEN THE TOWN OF DAVIE AND THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) FOR THE DAVIE ROAD PHASE 1 PROJECT BETWEEN SR 84 AND NOVA DRIVE; AND PROVIDING FOR AN EFFECTIVE DATE.

#### Fire

7. **GRANT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING A GRANT FROM THE 2015 UNITED STATES DEPARTMENT OF HOMELAND SECURITY COMMUNITY EMERGENCY RESPONSE TEAM (CERT) SUBGRANT PROGRAM FOR \$8,615 TO PURCHASE PERSONAL PROTECTIVE EQUIPMENT, COMMUNICATIONS EQUIPMENT, MEDICAL SUPPLIES, AND POWER EQUIPMENT FOR THE DAVIE CERT TEAM, AUTHORIZING ITS EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE.
8. **GRANT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING A GRANT FROM THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY CITIZEN CORPS SUBGRANT PROGRAM OF \$8,638 FOR THE PURCHASE OF PERSONAL PROTECTIVE EQUIPMENT FOR THE DAVIE FIRE RESCUE EXPLORERS PROGRAM, AUTHORIZING ITS EXECUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

#### Purchasing

9. **BID SELECTION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, SELECTING THE FIRM OF VALLI INFORMATION SYSTEMS DBA POSTAL PROS SOUTHWEST TO PROVIDE THE SERVICES OF PROCESS AND MAILING OF TOWN FORMS PURSUANT TO TOWN OF DAVIE BID#B-16-14 AND AUTHORIZING THE TOWN ADMINISTRATOR OR HIS DESIGNEE TO NEGOTIATE AN AGREEMENT FOR SUCH SERVICES.

Utilities

10. **CONTRACT RENEWAL** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING RENEWAL OF THE BID AWARDED TO AUSTIN TUPLER TRUCKING, INC. FOR LIME SLUDGE HAULING (BID #13-113)
  
11. **BID SELECTION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, WAIVING FORMAL BIDDING AND ACCEPTING THE BID FROM METRON-FARNIER, LLC AS A SOLE SOURCE SUPPLIER OF SINGLE JET METERS AND INNOV8 METER REGISTERS FOR AUTOMATED METER READING.  
Tabled to April 6, 2016.

Quasi-Judicial Consent Items

12. **DELEGATION REQUEST** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A DELEGATION REQUEST TO CHANGE THE RESTRICTIVE NOTE ON THE PLAT KNOWN AS "COLLEGE CROSSINGS TWO", AND PROVIDING AN EFFECTIVE DATE. (**DG16-033 College Crossings Two, 5600 Reese Road, zoned RAC-RTE**)

**VI. DISCUSSION OF CONSENT AGENDA ITEMS**

1. January 6, 2016 Meeting Minutes (Regular)

Vice-Mayor Starkey stated in her comments, she was discussing the Orange *Park* Cleanup, not the Orange Blossom Cleanup. She had also discussed Orange *Park* Mobile Home Park, not Orange Blossom Mobile Home Park in the body of the minutes.

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

**VII. PUBLIC HEARING**

Ordinance - Second and Final Reading

13. **LAND USE AMENDMENT** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING LAND USE AMENDMENT APPLICATION (LA)14-219 BRETON PARK (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 7 DU/ACRE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (LA14-218 Breton Park Marbella Grande, generally located on the west side of Davie Road, south of Southwest 49th Court, currently zoned A-1) (**Requires super-majority vote**) {**Approved on first reading on April 15, 2015. In a roll call vote: Mayor Paul - no; Vice-Mayor Starkey - yes; Councilmember Caletka - yes; Councilmember Hattan - yes; Councilmember Luis - yes. (Motion carried 4-1)**}  
Tabled to April 6, 2016.

Ordinance - First Reading (Second and Final Reading to be held on March 23, 2016)

14. **CODE AMENDMENT** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, CREATING CHAPTER 4, TITLED, "ANIMALS", ARTICLE V, TITLED "ELIMINATION OF THE RETAIL SALE OF DOGS AND CATS FROM PET SHOPS", SECTION 70, TITLED "ELIMINATION OF THE RETAIL SALE OF DOGS AND CATS FROM PET SHOPS", IN THE CODE OF ORDINANCES PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.  
Tabled to May 4, 2016.

## **VIII. APPOINTMENTS**

15. Committee/Board Vacancies and Appointments  
None

## **IX. COMMITTEE RECOMMENDATIONS**

### **X. OLD BUSINESS**

### **XI. NEW BUSINESS**

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

16. Vision and Goal Setting  
Council agreed to meet on April 7.

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

### **MAYOR PAUL**

**PLANNING AND ZONING REQUESTS.** Mayor Paul requested that Planning and Zoning include the property lot sizes on the information provided to Council.

**WATER ISSUE.** Mayor Paul requested an update on the water issue Mr. Cosner mentioned.

**FLORIDA GREEN BUILDING COALITION.** Mayor Paul said the coalition wanted to thank the Town for its Green certification and noted their certificate expired in June 2016 and they needed to recertify.

**VOLUNTEER INCOME TAX ASSISTANCE PROGRAM.** Mayor Paul said Hispanic Unity of Florida asked the Town to participate in the program and to respond by March 11. Vice-Mayor Starkey said the organization already planned a Davie site. Mr. Lewis confirmed dates were set already in Town.

**APRIL 18 ALPHA 250 PROPERTY MEETING.** Mayor Paul announced that all Resource Recovery Board municipalities would meet to discuss whether to sell the property or conduct a study for a new use for the parcel. Mayor Paul asked Council's support for her to vote to postpone the sale pending a study.

Councilmember Caletka made a motion, seconded by Councilmember Hattan to support Mayor Paul's decision regarding the Alpha 250 property. In a voice vote, all voted in favor. (Motion carried 5-0)

**WOMEN'S CLUB HISTORICAL RECOGNITION.** Mayor Paul reported the property had been proposed for listing in the National Register of Historic Places. She said they had collected 386 petition signatures supporting the listing during the Orange Blossom event. She and members of the Women's Club would also write letters of support to Tallahassee.

**FRIENDS OF THE DAVIE FARM PARK BAR-B-QUE FUNDRAISER.** Mayor Paul distributed flyers for the event.

**ROGER PENSKE.** Mayor Paul reported she and Mr. Lemack had met Roger Penske at the Penske Porsche dealership.

**VISION AND GOAL SETTING SESSION.** Mayor Paul remarked on the traffic issues that had arisen after the I-595 expansion and suggested that during the session, they discuss ways to re-address this with FDOT.

**COUNTY BUS SHELTERS.** Mayor Paul said the County had delayed construction so long that many shelters had not been installed because of the price increase. She wanted to address this. She thought they could encourage the Wawa to build a shelter on their site.

**BERMAN PARK.** Mayor Paul requested a report on the inappropriate activity in Berman Park.

**ELECTION DAY.** Mayor Paul reminded everyone that March 15 was presidential primary and Town elections day.

### **COUNCILMEMBER HATTAN**

**WOMEN'S CLUB.** Councilmember Hattan said they had made ice cream sundaes the previous weekend at the Women's Club and the event was very successful. She thanked everyone who participated in the Orange Blossom Parade.

### **COUNCILMEMBER LUIS**

**ORANGE BLOSSOM FESTIVAL.** Councilmember Luis said he had really enjoyed the event. He was concerned about the effects of the heat on dogs that accompanied people to the event. He advised people to be sure their dogs were not overheated and that they had adequate water. Mayor Paul suggested installing dog watering stations.

### **VICE-MAYOR STARKEY**

**ORANGE PARK.** Vice-Mayor Starkey said Orange Park residents had agreed to an April Spring Cleaning and Waste Management had agreed to add a bulk pickup date. She remarked on the number of unsafe structures in the area and asked for accelerated efforts by Code Enforcement and the Insafe Structures Board to address the problem.

**ORANGE PARK COMMUNITY CENTER.** Vice-Mayor Starkey wished to use some District 3 Bond funds to renovate and upgrade the center and grounds.

**DANGEROUS BLEACHERS.** Vice-Mayor Starkey reported some bleacher sections had collapsed in the rodeo grounds and she would like this addressed.

**ORANGE BLOSSOM FESTIVAL.** Vice-Mayor Starkey thanked staff for their work and said it was one of the best ever.

**CHAMBER OF COMMERCE SPEAKER.** Vice-Mayor Starkey announced that Annarose Ingarra-Milch would be a guest speaker at the Signature Grand event on March 8. Tickets were available online.

**PIRTLE CONSTRUCTION COMPANY.** Vice-Mayor Starkey thanked the company for sponsoring the James Pirtle Memoria Golf Classic.

### **COUNCILMEMBER CALETKA**

**MEETING DATE CHANGE.** Councilmember Caletka reminded everyone that the second Town Council meeting of the month would be on March 23 instead of the March 16.

**THANKS TO THE POLICE DEPARTMENT.** Councilmember Caletka thanked the Department and said Broward County Commissioner Tim Ryan's son had told him the Town's Police were the friendliest in the County.

**THANKS TO PUBLIC WORKS.** Councilmember Caletka thanked the department for responding to a resident's sidewalk complaints.

**TALLAHASSEE VISIT.** Councilmember Caletka said he and Vice-Mayor Starkey had spent an extremely productive visit in Tallahassee.

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

**EMERGENCY POLICE EQUIPMENT NEED.** Mr. Lemack stated they needed to make an emergency purchase for a new phone recording system for the Police Department.

**WATER ISSUE.** Mr. Bayler discussed the difficulties they were having addressing the water issue Mr. Cosner had brought up. He said they should have the design within the month and he was working with the Purchasing Department regarding the contractor.

**COOPER CITY COMMISSION WORKSHOP.** Mr. Lemack showed Council the Power Point presentation he had made to the Cooper City Commission regarding Davie providing Fire services to Cooper City. The Town's analysis indicated the cost for Cooper City would be \$1,493,897.00 per year. This would impact the Town's 2017 budget by \$800,000 but would provide the Town \$1.5 million in shared-cost savings.

**XV. TOWN ATTORNEY'S COMMENTS**

**COMMANDANT OF THE FRENCH NATIONAL POLICE VISIT.** Mr. Rayson reported he and his wife had met Bernard LaFleur recently and R. LaFleur had asked Mr. Rayson to give Police Chief Patrick Lynn and Assistant Police Chief Keith Dunn patches.

**KUDOS TO MR. LEMACK.** Mr. Rayson reported Mr. Lemack had done an exemplary job making the presentation to Cooper City.

**XVI. ADJOURNMENT**

There being no further business to discuss and no objections, the meeting was adjourned at 8:36 pm.

Approved \_\_\_\_\_

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

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