

**TOWN OF DAVIE
REGULAR MEETING
FEBRUARY 18, 2015**

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 Luis and Starkey. Councilmember Caletka was absent. Also present were Town Administrator Lemack, Town Attorney Rayson and Town Clerk Roig recording the meeting.

Mayor Paul reported Councilmember Caletka was at the airport meeting and would be late.

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

Mayor Paul requested a moment of silence in memory of Justin Beemer, Utilities Department employee; David Stevens, firefighter; Glen Eubanks, firefighter; Bob Munson, community member and Al Roth, community member.

III. PRESENTATIONS

2. Promoting Water Conservation in Davie - Samantha Baker, Broward County Environmental Protection & Growth Management Department

Dr. Jennifer Jurado, Division Director, Broward County Planning and Community Resilience, provided a presentation. She announced the Broward Mega Money-Saving, Record-Breaking Wild Water Switcheroo contest, which involved a full retrofit of all household water-using devices.

3. First Quarter Financial Results - William Ackerman, Budget and Finance Director

Mr. Ackerman provided an update on the first quarter General Fund. He reminded Council that for 2015, they would not use any one-time revenue sources or General Fund reserves to balance the budget as they had in previous years. He stated there were no major concerns regarding revenues for the first quarter. Mr. Ackerman said staff would continue to monitor spending and review contracts as they came up.

1. Options for Establishing the Appropriate Right-of-Way width for Orange Drive, between University Drive and Davie Road - David Quigley, Planning and Zoning Manager

Tabled to Council's next meeting.

Mayor Paul announced the applicant for item 15 had requested tabling the item to April 1.

Councilmember Luis made a motion, seconded by Councilmember Starkey to table item 15 to April 1. In a voice vote, with Councilmember Caletka absent, all voted in favor. (Motion carried 4-0)

Mayor Paul pulled items 1, 2, 3 and 5.

Vice-Mayor Hattan made a motion, seconded by Councilmember Starkey to approve the Consent Agenda less items 1, 2, 3 and 5. In a voice vote, with Councilmember Caletka absent, all voted in favor. (Motion carried 4-0)

IV. APPROVAL OF CONSENT AGENDA

Proclamation

1. Florida Face The Music Day (March 8, 2015)
2. General Federation of Women's Club of West Broward (GFWC) - (January 31 and February 18, 2015)
3. #Saferby4 Day (February 9, 2015)

Resolutions

Engineering

4. **BID SELECTION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE BID FROM WEEKLEY ASPHALT PAVING, INC. FOR CONSTRUCTION SERVICES FOR DAVIE ROAD STREETScape AND INFRASTRUCTURE IMPROVEMENTS FROM NOVA DRIVE TO SR 84.

Fire

5. **GRANT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE ACCEPTANCE OF A DIGITAL FIRE EXTINGUISHER TRAINING SYSTEM DONATED TO THE TOWN OF DAVIE BY THE FIREHOUSE SUBS PUBLIC SAFETY FOUNDATION.

Human Resources

6. **INSURANCE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A TWO (2) YEAR POLLUTION LIABILITY INSURANCE POLICY WITH THE AIG SPECIALTY INSURANCE COMPANY FOR THE TERM; DECEMBER 21, 2014 TO DECEMBER 21, 2016; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Public Works

7. **CONTRACT EXTENSION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING AN EXTENSION TO WEEKLEY ASPHALT PAVING, INC. AND PROVIDING FOR AN EFFECTIVE DATE.
8. **CHANGE ORDER** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO APPROVE CHANGE ORDER NO. 1 TO BEJAR CONSTRUCTION, INC. IN THE AMOUNT OF \$45,654.20 TO COMPLETE THE RENOVATIONS IN THE FINANCE DEPARTMENT AT TOWN HALL AND PROVIDING FOR AN EFFECTIVE DATE.
9. **EXPENDITURE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO APPROVE THE PURCHASE OF A HOT ASPHALT RECYCLER WITH TRAILER FROM THE NJPA CONTRACT 113012-FRM FOR \$29,529.00 AND PROVIDING FOR AN EFFECTIVE DATE.

Quasi-Judicial Consent Item

10. **PLAT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A RE-PLAT KNOWN AS "PEREZ ESTATES" AND AUTHORIZING THE MAYOR AND TOWN CLERK TO ACKNOWLEDGE THE APPROVAL BY AFFIXING THE MAYOR'S SIGNATURE AND THE TOWN SEAL TO SAID PLAT; AND PROVIDING AN EFFECTIVE DATE. (P14-250 Perez Estates, 10830 SW 23 St., Zoned A-1)

V. DISCUSSION OF CONSENT AGENDA ITEMS

1. Florida Face The Music Day (March 8, 2015)

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

Mayor Paul read the proclamation and presented it to members of the Recovery Unplugged treatment center. One of the members announced a concert at Young At Art Museum on March 8 from 3 pm until 7 pm to raise money for families to help finance treatment for their children. Tickets may be purchased through the website: www.FaceTheMusicFoundation.org or by phoning the Young At Art Museum directly.

2. General Federation of Women's Club of West Broward (GFWC) - (January 31 and February 18, 2015)

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

Vice-Mayor Hattan read the proclamation and presented it to members of the GFWC.

3. #Saferby4 Day (February 9, 2015)

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

Councilmember Starkey read the proclamation and thanked Council for their support.

5. GRANT - DIGITAL FIRE EXTINGUISHER TRAINING SYSTEM

Fire Chief Julie Downey acknowledged the Firehouse Subs Public Safety Foundation for the training system. A Firehouse Subs representative said they had donated \$12 million in 43 states and Puerto Rico.

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

VI. PUBLIC HEARING

Resolutions

11. FRANCHISE AGREEMENT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, GRANTING A FRANCHISE FOR TEXTILE RECYCLING SERVICES TO FLSC, LLC; AUTHORIZING THE MAYOR TO EXECUTE A FRANCHISE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE. (tabled from February 4, 2015)

Mr. Rayson read the resolution by title.

Mayor Paul opened the public hearing portion of the meeting.

Jim Moyer, Salvation Army, said their work was funded 60% from clothing donations. He said the number of boxes the resolution would authorize could generate over \$3 million in a year for the franchisee and the resolution could allow the franchise agreement to continue for seven and a half years.

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

Development Administrator Phil Holste provided a presentation describing the agreement, which would allow FLSC LLC to maintain 50 collection bins and four trucks for four and a half years with one three-year renewal. The Town would collect half the guaranteed revenue for 2015: \$50,000 and in 2016, the Town would collect \$100,000, with CPI increases in subsequent years. These revenues would be used to fund the Town's Community Endowment Program. FLSC would

also pay the Town \$.10 per pound for collections of clothing and shoes during two annual clothing and shoe drives. It would also provide two hundred \$25 vouchers per year to community Endowment recipients for use at the Think Thrift store in Lauderhill. Mr. Holste showed photos of the collection bins.

Councilmember Luis 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 Hattan - yes; Councilmember Caletka - absent; Councilmember Luis - yes; Councilmember Starkey - no. (Motion carried 3-1)

12. CAPITAL IMPROVEMENT PLAN - 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 2015-2024; AND PROVIDING FOR AN EFFECTIVE DATE.

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.

Councilmembers disclosed communications they had regarding this item.

Councilmember Luis 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 Hattan - yes; Councilmember Caletka - absent; Councilmember Luis - yes; Councilmember Starkey - yes. (Motion carried 4-0)

Ordinance - Second and Final Reading/Quasi-Judicial Item

13. 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). {Approved on first reading on February 4, 2015. Councilmember Luis 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 Hattan - yes; Councilmember Starkey - yes; Councilmember Caletka - absent; Councilmember Luis - 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.

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

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

14. CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING CHAPTER 12, ENTITLED "LAND DEVELOPMENT CODE," OF THE TOWN OF DAVIE CODE OF ORDINANCES BY ADOPTING A NEW ARTICLE (LL) UNDER SECTION 12-33, ENTITLED, "EMERGENCY TEMPORARY HOUSING," TO PROVIDE FOR THE USE OF TEMPORARY HOUSING DURING DECLARED HOUSING EMERGENCIES; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Mayor Paul announced a public hearing on the item would be held on March 4, 2015.

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.

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 Hattan - yes; Councilmember Caletka - absent; Councilmember Luis - yes; Councilmember Starkey - yes. (Motion carried 4-0)

Ordinance - First Reading (Second and Final Reading to be held 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 7.4 DU/ACRE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (located on the west side of Davie Road, south of Southwest 49th Court, currently zoned A-1) **(Requires super-majority vote) (tabled from January 21, 2015)**

Tabled to April 1, 2015.

Quasi-Judicial Public Hearing

Ordinance - First Reading (Second and Final Reading to be held March 4, 2015)

16. VACATION - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING APPLICATION VA14-087, DANISI, VACATING A PORTION OF SOUTHWEST 45TH STREET (ORANGE DRIVE) RIGHT-OF-WAY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (VA 14-087 Danisi, Generally located at the northeast corner of Southwest 45th Street and Southwest 74th Avenue) **(tabled from December 2, 2014)**

Councilmember Luis made a motion, seconded by Vice-Mayor Hattan to table items 1 and 16 to Council's next meeting. In a voice vote, with Councilmember Caletka absent, all voted in favor. (Motion carried 4-0)

VII. APPOINTMENTS

17. Committee/Board Vacancies and Appointments
No discussion.
Councilmember Caletka arrived 7:36 pm.

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

ORANGE BLOSSOM FESTIVAL. Mayor Paul stated everyone was looking forward to the Orange Blossom Festival on February 27 and the parade on February 28.

CHAMBER BREAKFAST. Mayor Paul thanked everyone who had attended the Chamber of Commerce breakfast earlier for her State of the Town address. She thanked Intergovernmental Affairs Coordinator Mitch Taylor for assisting her with the address and presentation.

MR. LEMACK'S REVIEW. Mayor Paul reported all Councilmembers had submitted reviews for Mr. Lemack and they could give him an increase to the extent allowed by his contract. Council gave direction to Mr. Ackerman to proceed with the increase.

RANCH ROAM TABLE. Later in the meeting, Mayor Paul announced she would purchase a table at Ranch Roam and all Councilmembers were invited to join her.

FRIENDS OF DAVIE FARM PARK. Later in the meeting, Mayor Paul said the Friends of Davie Farm Park were planning an informative event to introduce the community to Farm Park concepts on April 19 at Bergeron's Green Glades Ranch.

COUNCILMEMBER LUIS

VISTA FILAIRE SOUND WALLS. Councilmember Luis reported the forms for the sound walls had been erected.

IVANHOE REPAIRS. Councilmember Luis stated sidewalks and streets were being repaired in Ivanhoe and it looked good.

ORANGE BLOSSOM FESTIVAL. Councilmember Luis was looking forward to the Orange Blossom Festival.

COUNCILMEMBER STARKEY

UPCOMING EVENTS. Councilmember Starkey asked if Council would buy individual seats for the 19th Annual Ranch Roam on March 14.

MACCABI GAMES. Councilmember Starkey said a dinner to honor Dennis and Debby Eisenger Lori and Mitch Green on March 7 would benefit the games.

100 YEAR BSO ANNIVERSARY. Councilmember Starkey announced Sheriff Scott Israel would host an anniversary event called Uniting Broward Community Showcase in Markham Park on March 7 from 10 a.m. until 4 p.m.

WATER MATTERS DAY. Councilmember Starkey reported Water Matters Day would be held on March 14 from 9 a.m. until 3 p.m. at Treetops Park.

VICE-MAYOR HATTAN

MAYOR PAUL'S STATE OF THE TOWN SPEECH. Vice-Mayor Hattan said Mayor Paul's speech was exceptional and thanked staff who had attended.

OPENINGS. Vice-Mayor Hattan announced the Whole Foods and Starbucks openings and said Chair Exercise Group had three men coming out on Tuesday and Friday.

EIGHTH BEST PLACE TO LIVE. Vice-Mayor Hattan said Davie had been named the Eighth Best place in Florida to live.

DAVID STEVENS' FUNERAL. Vice-Mayor Hattan had attended and said it was a moving event.

SERVICE AWARDS. Vice-Mayor Hattan thanked Director of Human Resources Stacey Hipsman and her department for the awards. She wanted to be sure more people could attend next year.

2015 COMMUNITY INVOLVEMENT AWARDS. Vice-Mayor Hattan thanked Mark Collins, Director of Public Works, for attending the event with her the previous day. She stated Whispering Pines School was the winner of the School Days Partnership of the Year Project Based Learning Award for the horticulture department. The Town had also won the Tree City USA Growth Award and the Outstanding Urban Forestry Program Large Community Award Grant. She presented the award to Mayor Paul.

COUNCILMEMBER CALETKA

MR. LEMACK. Councilmember Caletka congratulated Mr. Lemack on his reviews from Council **FPL SOLAR PANEL.** Councilmember Caletka asked that a resident’s plan for solar panels be reviewed as soon as possible.

AIRPORT NOISE MEETING. Councilmember Caletka said many residents had attended the meeting earlier and said he had asked the airport to restrict the flight times on the south runway between 10 p.m. and 7 a.m. and not to divert flights to the north. He had also requested that eastbound landings perform turns at higher altitudes, outside residential jurisdictions; allowing acoustical tests in Davie and implementing a Quieter Skies program. He had also mentioned the letter Mayor Paul had written Broward County Mayor Ryan regarding the stress airport noise caused animals in Town and asked that the oily substances on vehicles and houses be investigated and the finding shared with the Town.

XIII. TOWN ADMINISTRATOR’S COMMENTS

THANK YOU TO COUNCIL. Mr. Lemack thanked Councilmembers for their direction to staff that he should receive an increase to the extent allowed by his contract.

FLORIDA FIRE CHEIFS’ ASSOCIATION. Mr. Lemack reported the President of the Association, Kingman Schuldt, had attended the annual Davie Fire and Police Expo and remarked it was a fantastic event. Mr. Lemack thanked Council for their support and thanked Chief Lynn and Chief Montopoli and their staff for doing a great job.

WATER AND SEWER BOND RATINGS. Mr. Ackerman stated in December 2014, Moody’s had upgraded the Town’s bonds from A to AA. He thanked Council for their support.

ORANGE BLOSSOM FESTIVAL. Senior Operations Manager Matt Mlodzinski provided a presentation on the Festival events.

HOBBY FARM DESIGNATION. Mayor Paul said several residents had contacted her regarding Hobby Farm Designation and asked Mr. Lemack to look into a timeline for designation.

XIV. TOWN ATTORNEY’S COMMENTS

ATT TELEPHONE POLES. Mr. Rayson said ATT would remove six old telephone poles in the Town’s right-of-way the following day.

XV. ADJOURNMENT

There being no further business to discuss and no objections, the meeting was adjourned at 7:56 pm.

Approved _____

Mayor/Councilmember

Town Clerk