

**TOWN OF DAVIE  
REGULAR MEETING  
FEBRUARY 4, 2015**

**I. PLEDGE OF ALLEGIANCE**

The meeting was called to order at 6:29 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 memory of Cindy Osborne, who had passed away on January 31. She had been one of the DMIA founding members.

**III. OPEN PUBLIC MEETING**

Jim Moore thanked everyone for their support at the PAL 10K/5K Mayor's Walk. He thanked the Parks and Recreation and Cultural Arts Departments for the Martin Luther King Jr. ceremony. Mr. Moore congratulated the Town's softball team, who were still undefeated. He announced upcoming events: the Police and Fire Rescue Expo on February 7 and 8; Councilmember Caletka's birthday on February 10 and the Kiwanis Pancake Breakfast. Mr. Moore said his family had enjoyed Mayor Paul's February video message. He announced he had qualified for the March 10 election for Town Council in District 1.

**IV. PRESENTATIONS**

1. Human Trafficking Poster Contest Winners - Soroptimist International

Kathy Blanton, President of Soroptimist International of Davie, presented the awards to the first, second and third place winners. Mayor Paul presented certificates to the winners.

Ms. Blanton thanked Council for helping increase awareness of human trafficking.

Mayor Paul reported the applicant for item 14 had requested tabling to March 18

Councilmember Starkey made a motion, seconded by Vice-Mayor Hattan to table item 14 to March 18. In a voice vote, all voted in favor. (Motion carried 5-0)

Mayor Paul stated items 22 and 24 needed to be tabled to March 18.

Councilmember Starkey made a motion, seconded by Vice-Mayor Hattan to table items 22 and 24 to March 18. In a voice vote, all voted in favor. (Motion carried 5-0)

Mayor Paul said staff had requested tabling item 25 to February 18.

Vice-Mayor Hattan made a motion, seconded by Councilmember Starkey to table item 25 to February 18. In a voice vote, all voted in favor. (Motion carried 5-0)

Mayor Paul pulled items 1, 5 and 9 from the Consent Agenda.

Councilmember Luis made a motion, seconded by Vice-Mayor Hattan to approve the Consent Agenda, less items 1, 5 and 9. In a voice vote, all voted in favor. (Motion carried 5-0)

**V. APPROVAL OF CONSENT AGENDA**

***Proclamation***

1. Black History Month Proclamation (February 2015)

***Resolutions***

***Engineering***

2. **UTILITY EASEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE THE UTILITY EASEMENT FROM KENNEDY HOMES, LLC FOR TARALYNE OAKS AND TO ACCEPT CLOSEOUT DOCUMENTS INCLUDING UTILITIES BILL OF SALE, GENERAL RELEASE OF LIEN AND OPINION OF TITLE AND PROVIDING FOR AN EFFECTIVE DATE.

***Police***

3. **CONTRACT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE TOWN OF DAVIE TO RETAIN THE SERVICES OF ATTORNEY GREGG ROSSMAN OF BAUMAN AND ROSSMAN, LLC AS A POLICE DEPARTMENT LEGAL ADVISOR FOR ONE (1) YEAR OF CONTRACTUAL SERVICES.

***Purchasing***

4. **CONTRACT AMENDMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT NUMBER 6 TO THE CONTRACT BETWEEN THE TOWN AND FIRST VEHICLE SERVICES FOR GARAGE MAINTENANCE OPERATIONS, AND PROVIDING FOR A TARGET BUDGET.

***Town Clerk***

5. **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING AN AGREEMENT BETWEEN THE BROWARD COUNTY SUPERVISOR OF ELECTIONS AND THE TOWN OF DAVIE FOR THE PURPOSE OF ENGAGING POLL WORKERS FOR MUNICIPAL ELECTIONS AND FOR ELECTION SERVICES NOT TO EXCEED \$103,381.00; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

***Utilities***

6. **EASEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, GRANTING A UTILITY EASEMENT TO FLORIDA POWER & LIGHT COMPANY OVER A PORTION OF LOTS 590 AND 591, BLOCK J, PLAYLAND VILLAGE SEC. 4.
7. **CONTRACT RENEWAL** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE FIRST RENEWAL OF THE CONTRACT FOR ELECTRICAL REPAIR AND MAINTENANCE SERVICES AWARDED BY THE CITY OF SUNRISE, FLORIDA.
8. **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO SIGN THE AGREEMENT WITH ALL FLORIDA CONTRACTING SERVICES, LLC FOR THE SUPERVISORY CONTROL AND DATA ACQUISITION (SCADA) INTEGRATION PROJECT (B-15-01).

***Quasi-Judicial Consent Items***

9. **Site Plan 14-162, Holly Acres Pet Resort** (10701 Stirling Road, currently zoned A-2, County) (Requires super-majority vote pursuant to Sec. 12-432, Town Code). (Item reconsidered at the January 21, 2015 Town Council meeting). (See related items #19 & 20)

10. **Site Plan (SP) 14-241 Cumberland Farms**, (12450 West State Road 84, currently zoned B-2, County). (tabled from January 21, 2015). (See related items #21 & 23).
11. **Site Plan (SP14-189) College Town Townhomes**, (SW 39th Street, West of Davie Road, RAC-TC). (See related items #12 & 13)
12. **DELEGATION REQUEST** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A DELEGATION REQUEST TO CHANGE THE RESTRICTIVE NOTE ON A PORTION OF TRACT "A" OF THE PLAT KNOWN AS "DAVIE - 39 STREET ADDITION", AND PROVIDING AN EFFECTIVE DATE (DG 14-185 College Town Townhomes). (See related items #11 & 13)
13. **DELEGATION REQUEST** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A DELEGATION REQUEST TO AMEND THE NON-VEHICULAR ACCESS LINE (NVAL) OPENING ON THE PLAT KNOWN AS "DAVIE - 39 STREET ADDITION" AND PROVIDING AN EFFECTIVE DATE (DG 14-186, College Town Townhomes, RAC-TC). (See related items #11 & 12)
14. **Site Plan - SP 12-004 Chabad Menachem Center** (10601 Stirling Road, currently zoned A-1 County) (tabled from November 5, 2014) (Requires super-majority vote). (See related items #22 & 23)  
(Tabled to March 18)

## **VI. DISCUSSION OF CONSENT AGENDA ITEMS**

### 1. Black History Month Proclamation (February 2015)

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

Mayor Paul presented the proclamation to Marcia Barry-Smith from MBS Consulting Services, who had been guest speaker at the Town's Martin Luther King Jr. event.

### 5. BROWARD COUNTY SUPERVISOR OF ELECTIONS

Mayor Paul said there would be a substantial reduction of the cost for the March election. She recommended approval, with the revision to \$50,000.

Councilmember Starkey made a motion, seconded by Vice-Mayor Hattan to approve, with the amount amended to \$50,000. In a voice vote, all voted in favor. (Motion carried 5-0)

Mayor Paul stated Council would discuss items 9, 19 and 20 together.

### 9. Site Plan 14-162, Holly Acres Pet Resort

Mayor Paul stated there had been confusion and miscommunication regarding these items and Council had agreed to reconsider them.

Planning and Zoning Manager David Quigley said the recommended conditions were included in the special permit item. The applicant had agreed to those conditions.

Mr. Rayson reported the applicant had waived the quasi-judicial process.

Kelly Dow, owner of Holley Acres, said she was thrilled with the recommendations.

Vice-Mayor Hattan made a motion, seconded by Councilmember Starkey to accept the site plan as documented, with staff's recommendations. In a voice vote, all voted in favor. (Motion carried 5-0)

Quasi-Judicial Public Hearing  
Ordinance - Second and Final Reading

19. **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). (tabled from January 21, 2015). (See related items #9 & 20)**

Councilmember Starkey 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 - yes; Councilmember Luis - yes; Councilmember Starkey - yes. (Motion carried 5-0)

20. **SPECIAL PERMIT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING SPECIAL PERMIT APPLICATION "SE 14-161, HOLLY ACRES PET RESORT;" AND PROVIDING FOR AN EFFECTIVE DATE. (10701 Stirling Road, currently zoned A-1, County) (**Requires super-majority vote**). (**Item reconsidered at the January 21, 2015 Town Council meeting**) (See related items #9 & 19).

Vice-Mayor Hattan made a motion, seconded by Councilmember Starkey to approve, with the revised staff recommendations. In a roll call vote, the vote was as follows: Mayor Paul - yes; Vice-Mayor Hattan - yes; Councilmember Caletka - yes; Councilmember Luis - yes; Councilmember Starkey - yes. (Motion carried 5-0)

## **VII. PUBLIC HEARING**

Ordinances - Second and Final Readings

15. **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. {**Approved on first reading on January 21, 2015. In a roll call vote, the vote was as follows: Mayor Paul - absent; Vice Mayor Hattan - yes; Councilmember Starkey - yes; Councilmember Caletka - yes; Councilmember Luis - yes. (Motion Carried 4-0).**

Mr. Rayson read the ordinance by title.

Mayor Paul opened the public hearing portion of the meeting.

David Landsberg, president and CEO of Goodwill Industries South Florida, requested an amendment to the proposed ordinance to allow them to continue to operate three attended donation center locations. He reminded Council that Goodwill was a significant support system that trained, employed and found jobs for people with disabilities. He said the income from their many businesses were a major support system in the community and allowed them to create 3,000 jobs in South Florida. Their donated goods program was key to funding their human services and was critical to helping people succeed.

Eileen Mehta, attorney for Goodwill, said she knew Davie was a generous Town and the needs of the community were important. If the exemption for the collection center was not possible, she asked to meet with staff to address issues or concerns the Town had so they could work together.

Jim Moyer, Salvation Army, recalled that at the 3/14/14 workshop, Councilmember Starkey had said they wished to work with for-profit and charity agencies and Mayor Paul liked the idea of a

franchise agreement as a way to help fund the Town's Endowment Fund, but not to the detriment of charitable organizations. Mr. Moyer disagreed with the bid being open to for-profit organizations as well as charities. He agreed that for-profit textile recycling was environmentally sound, but said they had always operated at the back end of the process, after the benefits to society were maximized. Now they wished to compete with charities that provided social benefits. Mr. Moore requested that the Salvation Army's collection box at Nova Southeastern University be allowed to remain.

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

Mr. Quigley said the ordinance would address placement and operation standards; the franchise agreement dealt with business aspects. He explained that Council could consider a special permit on a site-by-site basis for textile collection that was not specifically mentioned in the zoning code.

Mayor Paul stated the Salvation Army and Goodwill could apply for those special permits, providing they complied with the franchise agreement.

Mr. Lemack stated this ordinance would prevent someone from having a drop-off clothing/textile box, unless they had a franchise agreement; this did not prohibit storefront or residential pick-up.

Councilmember Starkey had been struggling with this issue. She would like to see language that would help the Salvation Army and Goodwill. Mr. Lemack reminded Council that the rfp was issued specifically for exclusivity; there could be no exceptions for Goodwill and the Salvation Army without opening up to everyone. He felt the franchise agreement was a viable way to help fund the Town's Community Endowment Fund. Councilmember Starkey wanted to compare the possible revenue to the Community Endowment Fund to the possible revenue to Goodwill and the Salvation Army. Mr. Lemack said, "What they had offered at a minimum was \$50,000, so that would have been the baseline for negotiation."

Councilmember Caletka stated the Town needed to help its Endowment Fund recipients to help residents of the Town. Considering the potential revenue, he felt that charitable organizations would respond to the next rfp, whether this was their business model or not.

Vice-Mayor Hattan said they just needed to educate the community that in order to donate to Goodwill, they should go to a Goodwill store. She felt the franchise agreement would not work without exclusivity.

Councilmember Starkey recalled how the Salvation Army and Goodwill had helped residents and wished there was a way to phase in implementation. She said she would vote no because of the way this was being done.

Councilmember Caletka 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 - yes; Councilmember Luis - yes; Councilmember Starkey - no. (Motion carried 4-1)

**16. 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 FOR AN EFFECTIVE DATE. {Approved on first reading on January 21, 2015. In a roll call vote, the vote was as follows: Mayor Paul - absent; Vice Mayor Hattan - yes; Councilmember Starkey - yes; Councilmember Caletka - yes; Councilmember Luis - yes. (Motion Carried 4-0).**

Mr. Rayson read the ordinance by title.

Mayor Paul opened the public hearing portion of the meeting.

John Toole asked why this needed to be increased from \$2,500 to \$25,000. He also asked why they were proposing removing the language stating the Town could not purchase from Town employees.

Mr. Lemack said the amounts had not changed; they were clarifying when this needed to come back to Council. Procurement Manager Herb Hyman confirmed that they had changed (not deleted) the language regarding doing business with Town employees "if they have a financial interest in the company."

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

Councilmember Starkey 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 - yes; Councilmember Luis - yes; Councilmember Starkey - yes. (Motion carried 5-0)

17. **LAND USE AMENDMENT** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING APPLICATION LA(TXT) 14-291 AMENDING THE FUTURE LAND USE ELEMENT OF THE TOWN OF DAVIE COMPREHENSIVE PLAN IN RELATION TO ITS IMPLEMENTATION; PROVIDING FOR TRANSMISSION TO THE STATE LAND PLANNING AGENCY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. **{Approved on first reading on December 2, 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 - yes. (Motion Carried 5-0).**

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.

Councilmember Starkey 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 - yes; Councilmember Luis - yes; Councilmember Starkey - yes. (Motion carried 5-0)

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

18. **LAND USE PLAN AMENDMENT** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING LAND USE AMENDMENT APPLICATION (LA) 14-203 OSPREY PRESERVE, AMENDING THE TOWN OF DAVIE COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE PLAN MAP DESIGNATION OF CERTAIN LANDS FROM SPECIAL CLASSIFICATION RESIDENTIAL 2 DU/ACRE AND RESIDENTIAL/OFFICE TO SPECIAL CLASSIFICATION RESIDENTIAL 6 DU/ACRE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (located on the west side of Davie Road, between Griffin Road and Stirling Road, currently zoned CF) **(Requires super-majority vote).**

Mr. Rayson read the ordinance by title.

Mr. Quigley provided the staff report.

Mayor Paul announced that a public hearing on the ordinance would be held at a later date.

Scott Backman, representing the applicant, provided a Power Point presentation on the project. He said this application and site plan/plat/rezoning applications met the definition of managed growth to meet the housing needs of future residents. He presented conceptual renderings of the project as well.

Mayor Paul opened the public hearing portion of the meeting.

John Toole said he opposed any changes in density or any change to the Town's land regulations. He stated this would only make the Town more crowded.

Joan Ast said she had moved to Davie because of the low density and opposed this. She felt the Town had become very built up.

Jennifer Allen said development was taking away the core of the old Town.

Robert Kelly stated he had a business in Davie and his biggest problem was the traffic in Town. He also feared this development would decrease the value of his property.

William Clayton urged Council not to alter the zoning on Davie Road.

Robert Gianantonio felt Davie was experiencing urban sprawl. He described several housing projects on several local roads, and said these would add 5,000 beds in the next 18 months, which he felt was enough.

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

Councilmembers disclosed communications they had regarding this item.

Councilmember Caletka said he had spoken at length with many neighbors in the area and the overall consensus was that they wished single-family homes, not townhomes, to be built here. He said he would vote against the project.

Mayor Paul said she believed in maintaining the land use plan. She was not sure this development was needed in this area.

Councilmember Luis agreed with Mayor Paul and said he thought this offered a more affordable housing option but this was too much density for this property and this area.

Vice-Mayor Hattan understood the density issue, but she thought this was a very good project. Most people had complained about traffic, but Vice-Mayor Hattan thought there would be much more traffic if the property were developed into businesses, for which it was currently zoned.

Mr. Backman said Kennedy Homes did not want to deviate from six units to the acre. He stated a third of the property was currently zoned for five units per acre, and suggested they could reduce their request to five units per acre on the entire site. He also agreed they might reconsider the site plan and product type, but he doubted they could get down to single family homes.

Councilmember Starkey stated there would be time for the developer to work on the site plan with Town staff, Council and neighbors. She said she would be willing to go forward with five units per acre.

Vice-Mayor Hattan wanted to ensure that residents were informed about participation meetings. Mr. Backman confirmed that after they revised and resubmitted their plans, they would increase the notice radius.

Mayor Paul had been concerned about not only traffic, but also open space, parking and landscaping along Davie Road and said she would vote against this when it came back before Council if these issues were not addressed.

Councilmember Luis said he would rather see this section of Davie Road be more residential and less commercial.

Councilmember Luis Made a motion, seconded by Vice-Mayor Hattan to approve with the change to five units per acre and with the strong recommendation to redesign with single family homes. In a roll call vote, the vote was as follows: Mayor Paul - yes; Vice-Mayor Hattan - yes; Councilmember Caletka - no; Councilmember Luis - yes; Councilmember Starkey - yes. (Motion carried 4-1)

### Quasi-Judicial Public Hearing Items

21. **VARIANCE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING VARIANCE APPLICATIONS "V 14-245, 247, 248 CUMBERLAND FARMS", AND PROVIDING AN EFFECTIVE DATE. (V 14-245, 247, 248 Cumberland Farms, 12450 West State Road 84, currently zoned B-2 County). (**tabled from January 21, 2015**). (See **related items #10 & 23**)

Mr. Rayson read the resolution by title and said the Quasi-judicial process had been waived.

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

Mr. Rayson opened the public hearing portion of the meeting.

Mike Troxel from Thomas Engineering, representing the applicant, said the size of the lot had been reduced significantly with the reconstruction on State Road 84 and I-595. Because of this, the lot could not accommodate code requirements such as landscape buffers. Mr. Troxel said the code required a 10-foot buffer along the south property line, which they could maintain for a good portion of the project; in other areas, they would increase the buffer from zero to five feet. On the north side of the property, there was no buffer for a significant section and they would increase it

here as well. The proposed development would match the existing setback and they would reduce the length of the existing non-conforming portion of the building. Mr. Troxel stated they would increase the open space from 7,000 square feet to 8,800 square feet. He noted the applicant had not created these issues. Mr. Troxel confirmed that the only business located here would be Cumberland Farms.

As no one else spoke, Mr. Rayson 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 - yes; Councilmember Luis - yes; Councilmember Starkey - yes. (Motion carried 5-0)

22. **VARIANCE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING VARIANCE APPLICATION "V 14-193 CHABAD MENACHEM CENTER"; AND PROVIDING AN EFFECTIVE DATE. (10601 Stirling Road, currently zoned A-1 County) **(tabled from November 5, 2014) (Requires super-majority vote). (See related items #14 & 24)**

(Tabled to March 18)

Quasi-Judicial Public Hearing Items

Ordinances - First Readings (Second and Final Readings to be held on February 18, 2015)

23. **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 21, 2015). (See related items #10 & 21)**

Mayor Paul stated a public hearing on the ordinance would be held on February 18, 2015.

Mr. Rayson read the ordinance by title.

Mr. Abramson provided the staff report.

Mike Troxel from Thomas Engineering, representing the applicant, invited questions.

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 item.

Councilmember Starkey 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 - yes; Councilmember Luis - yes; Councilmember Starkey - yes. (Motion carried 5-0)

24. **REZONING** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING REZONING APPLICATION (ZB) 14-194 CHABAD MENACHEM CENTER, CHANGING THE ZONING DESIGNATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM AGRICULTURAL ESTATES (A-1 COUNTY) DISTRICT TO COMMUNITY FACILITY (CF) DISTRICT; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (10601 Stirling Road, zoned A-1 County) **(tabled from November 5, 2014) (Requires super-majority vote). (See related items #14 & 22)**

(Tabled to March 18)

**STAFF IS REQUESTING THIS ITEM TO BE TABLED TO FEBRUARY 18, 2015**

Resolution

25. **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 to February 18)

#### **VIII. APPOINTMENTS**

##### **26. Committee/Board Vacancies and Appointments**

Mayor Paul reported Todd Evans, her appointee to the Planning and Zoning Board, had resigned and she thanked him for his service. She asked anyone interested in replacing him to contact the Town Clerk.

#### **IX. COMMITTEE RECOMMENDATIONS**

None.

#### **X. OLD BUSINESS**

None.

#### **XI. NEW BUSINESS**

Vice-Mayor Hattan said she had volunteered to help with the Old Davie School Mural and asked another Councilmember to accompany her.

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

No discussion.

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

##### **MAYOR PAUL**

**WINGS OF GOLD PLAQUE.** Mayor Paul displayed the plaque she had received from the Wings of Gold and the Presidents Club thanking the Town for their assistance in the Toys in the Sun Run.

**SOUND WALLS.** Mayor Paul reminded everyone that the sound wall construction in Vista Folare would begin the following day. The project should take three months, with work hours 7-5 Monday through Friday.

**HEART WALK.** Mayor Paul discussed the Heart Walk in April.

**WOMEN'S CLUB OF WEST BROWARD.** Mayor Paul had attended the Women's Club of West Broward 25<sup>th</sup> anniversary and the Town would present a proclamation at the next Council meeting.

**DAVIE ELEMENTARY.** Mayor Paul reported the School Board had voted against Davie Elementary's plan without listening to it. She said they would get started earlier next year.

**PARK CITY CAR SERVICE COMPLAINT.** Mayor Paul had received a letter regarding a car service in Park City detailing violations. She asked Mr. Lemack to investigate.

**AIRPORT EXPANSION INFORMATION SESSION.** Mayor Paul related the session would be held on February 18 at 6 p.m. She asked Mr. Lemack to find out if public comments or written statements would be accepted. She intended to post the announcement on the Town's website.

**HAPPY BIRTHDAY.** Mayor Paul wished Councilmember Caletka a Happy Birthday.

##### **COUNCILMEMBER LUIS**

**IVANHOE SIDEWALKS.** Councilmember Luis thanked Public Works for repairing sidewalks in Ivanhoe.

**SAFE HAVEN FOR NEWBORNS.** Councilmember Luis had been asked to coordinate a walk to benefit a safe haven for newborns. He invited anyone to contact him to help with this endeavor.

**SOUTH FLORIDA SCHUTZHUND CLUB.** Councilmember Luis said the club had held their first class in Town the previous evening. They would hold their annual competition on February 27

**THANK-YOU EMAILS.** Councilmember Luis said he had received many emails from people enjoying the Town and this was a credit to Town employees.

#### **COUNCILMEMBER CALETKA**

**NOVA DRIVE MEETING.** Councilmember Caletka said the recent meeting had gone very well and outreach had been excellent.

**THANKS TO THE TOWN CLERK.** Councilmember Caletka thanked Ms. Roig for her help recently.

**THANKS TO MR. LEMACK.** Councilmember Caletka thanked Mr. Lemack and recalled there was a formal process for his review.

**THANKS TO MR. MOSS.** Councilmember Caletka thanked Mr. Moss for his fast reply to a message recently.

**THANKS TO POLICE.** Councilmember Caletka reported an officer had stopped by his mother's house just to say hello recently.

**MOTORIZED HOME ORDINANCE.** Councilmember Caletka had asked Mr. Lemack for an ordinance regarding motorized homes, which were currently unregulated. He wanted to restrict the number of times a motorized home could relocate.

**THANKS TO DAVIE FIREFIGHTERS.** Councilmember Caletka thanked the firefighters for supporting him in the upcoming election.

#### **COUNCILMEMBER STARKEY**

**CONFLICT.** Councilmember Starkey reported a Florida League of Cities meeting conflicted with a Council meeting date on March 18. The meeting could not be moved because the Charter required that date for installation of officials.

**LUNCH AND LEARN.** Councilmember Starkey wanted to institute a Lunch and Learn program at the Davie Women's Club like the one at the Fort Lauderdale club. She suggested human trafficking, CPR training and safety as subjects.

**THANKS TO PUBLIC WORKS.** Councilmember Starkey thanked Public Works for the recent bridge installation. She wished to hold a picnic on the bridge.

**BOY SCOUTS MEETING.** Councilmember Starkey had attended a meeting the previous evening and said they had a question and answer session about government and civics.

**26 STREET IMPROVEMENTS.** Councilmember Starkey said the improvements were complete and looked great. Now they would ask the County to reduce the speed on 26 Street.

**SUNRISE WATER SERVICE INVESTIGATION.** Councilmember Starkey reported residents had been overcharged for water in Sunrise and she thanked staff for working on a resolution.

#### **VICE-MAYOR HATTAN**

**SWIMMING AND FITNESS DAY.** Vice-Mayor Hattan had attended the event recently and seen the Olympic quality water ballet class.

**MARTIN LUTHER KING DAY POETRY CONTEST.** Vice-Mayor Hattan thanked Special Projects for this event.

**PINE ISLAND MURAL.** Vice-Mayor Hattan recommended to Mr. Moss to add the Pine Island Multipurpose building to the list of buildings for murals.

**PAINTINGS WITH A TWIST RIBBON CUTTING.** Vice-Mayor Hattan had attended this event recently.

**THANKS TO HUMAN RESOURCES.** Vice-Mayor Hattan thanked Human Resources for the recent Lunch and Learn events in the Town.

**RADIO SHACK IS CLOSED.** Vice-Mayor Hattan had noticed Radio Shack on University Drive was closed.

**HAPPY BIRTHDAY.** Vice-Mayor Hattan wished Councilmember Caletka Happy Birthday.

**HAPPY VALENTINE'S DAY.** Vice-Mayor Hattan wished everyone a Happy Valentines Day.

**XIV. TOWN ADMINISTRATOR'S COMMENTS**

**CONCERTS IN THE PARK.** Parks and Recreation Director David Flaherty said they were moving the Concerts in the Park to the Old Davie School band shell. The first concert would be the Friday prior to the Orange Blossom Festival. After that, it would be the second Thursday of each month, year-round.

**XV. TOWN ATTORNEY'S COMMENTS**

**COUNTY WORKSHOP.** Mr. Rayson had attended the workshop and learned that Wheelabrator had been sold and there was a proposal before the County to close the north County waste-to-energy plant and bring all the waste to the south County plant near the Davie border. He was concerned because the \$40 million Resource Recovery Board settlement was being approved but had been assured by the County Mayor that the process would not be disturbed.

**XVI. ADJOURNMENT**

There being no further business to discuss and no objections, the meeting was adjourned at 9:02 pm.

Approved \_\_\_\_\_

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

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