

**TOWN OF DAVIE
REGULAR MEETING
JUNE 10, 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 Starkey and Councilmembers Caletka, Hattan and Luis. Also present were Town Administrator Lemack, Town Attorney Rayson and Town Clerk Roig recording the meeting.

Vice-Mayor Starkey requested a moment of silence in memory of Bill Ellis, who had passed away recently.

III. OPEN PUBLIC MEETING

No speakers.

IV. PRESENTATIONS

1. Presentation of FSAWWA Award for Most Improved Class B Water Treatment Plant awarded to System III WTP (3500 NW 76 Avenue), Don Bayler, Utilities Director
Mr. Bayler described the system rehabilitation and improvements and presented the award to Council.
2. May 2015 SPIRIT Award Recipient, Anita Reid, Public Relations Coordinator
Ms. Reid gave a presentation on the recent awards luncheon and presented the award to Budget and Finance Department Customer Service Cashier Kerry Lesinski.
3. Police Academy Graduates - Keiva Greene and Kenny Fernandez
Mayor Paul had been guest speaker at the Police Academy graduation ceremony and two who graduated with honors were Davie residents. She described their achievements at the Academy.
4. 2015 Mayor's Scholarship Recipient, Angelina Leary
Mayor Paul presented the scholarship to Ms. Leary.
5. 40 Years of Service at Walgreens in Davie, Pamela Adamec
Mayor Paul thanked Ms. Adamec and presented her with a certificate of recognition. Charlie Larkin, Walgreens District Manager, congratulated and thanked Ms. Adamec.

Mayor Paul pulled Item 27 from the Consent Agenda. Councilmember Caletka pulled Item 30 and Vice-Mayor Starkey pulled Items 4 and 21.

Councilmember Hattan made a motion, seconded by Councilmember Caletka to approve the Consent Agenda, less items 4, 21, 27 and 30. In a voice vote, all voted in favor. (Motion carried 5-0)

V. APPROVAL OF CONSENT AGENDA

Minutes

1. April 7, 2015 Meeting Minutes (Vision & Goal Setting)
2. April 15, 2015 Meeting Minutes (Regular)

3. May 6, 2015 Meeting Minutes (Regular)

Resolutions

Administration

4. **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE EXECUTION OF A CENTENNIAL AGREEMENT BETWEEN THE TOWN OF DAVIE, FLORIDA AND BROWARD COUNTY, FLORIDA FOR THE BROWARD-100 VISUAL EYES PROJECT FOR A MURAL PROJECT AT THE PINE ISLAND MULTIPURPOSE CENTER; AND PROVIDING FOR AN EFFECTIVE DATE.

Engineering

5. **UTILITY EASEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE THE UTILITY EASEMENT FROM ARROWHEAD CONDO HOMEOWNERS ASSOCIATION FOR PLACEMENT OF A WATER METER FOR THE DAVIE GOLF AND COUNTRY CLUB AND PROVIDING FOR AN EFFECTIVE DATE.
6. **MAINTENANCE AND ENCROACHMENT EASEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO GRANT THE MAINTENANCE AND ENCROACHMENT EASEMENT TO WALMART STORES EAST, LP FOR OPERATION AND MAINTENANCE OF CERTAIN DRAINAGE IMPROVEMENTS WITHIN THE ORANGE DRIVE RIGHT OF WAY AND PROVIDING FOR AN EFFECTIVE DATE.

Fire Dept.

7. **GRANT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE PARTICIPATION IN THE EMERGENCY MEDICAL SERVICES (EMS) COUNTY GRANT PROGRAM FUNDS FROM THE FLORIDA DEPARTMENT OF HEALTH BUREAU OF EMERGENCY MEDICAL SERVICES FOR IMPROVEMENT AND EXPANSION OF PRE-HOSPITAL EMERGENCY MEDICAL SERVICES IN BROWARD COUNTY.

Parks and Recreation

8. **BID SELECTION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE BID FOR THE PURCHASE OF TWO NEW PORTABLE STAGES FOR USE AT TOWN SPECIAL EVENTS AND PROVIDING FOR AN EFFECTIVE DATE.

Planning and Zoning

9. **INCLUSIONARY HOUSING** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE "IN LIEU" FEE OF THE TOWN'S INCLUSIONARY HOUSING PROGRAM, AS AUTHORIZED BY CHAPTER 12, ARTICLE XVII, AFFORDABLE HOUSING INCENTIVE PROGRAM, OF THE TOWN'S LAND DEVELOPMENT CODE, AND PROVIDING FOR AN EFFECTIVE DATE.
10. **QUIT CLAIM DEED** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,

AUTHORIZING THE MAYOR TO EXECUTE A QUIT-CLAIM DEED TO ROSA DANISI REGARDING PROPERTY ADJACENT TO 4490 SW 74TH AVENUE, DAVIE, FL, BEING THE SAME PROPERTY AS VACATED TO ROSA DANISI BY WAY OF APPLICATION VA14-087 AND ORDINANCE 2015-008; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Police

11. **BID SELECTION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING AND AWARDED THE BID TO PROFESSIONAL FILING SYSTEMS, INC. D/B/A TRANSCRIPTION EXPERTS INCORPORATED FOR VERBATIM TRANSCRIPTION SERVICES FOR THE DAVIE POLICE DEPARTMENT.
12. **EXPENDITURE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE EXPENDITURE OF FUNDS FROM THE POLICE DEPARTMENT'S STATE FORFEITURE FUND ACCOUNT IN THE AMOUNT OF \$1,500.00 FOR A DONATION TO A CHILD IS MISSING ALERT AND RECOVERY CENTER, A NON PROFIT ORGANIZATION.
13. **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE TOWN OF DAVIE AND BROWARD COLLEGE FOR LAW ENFORCEMENT SERVICE.

Public Works

14. **BID SELECTION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO ACCEPT THE BID RECOMMENDATION FOR ELECTRICAL SERVICES AND PROVIDING FOR AN EFFECTIVE DATE.
15. **CONTRACT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH METRO CONTRACTORS, INC. FOR MISCELLANEOUS CONSTRUCTION SERVICES FROM BID# B-15-52 AND PROVIDING FOR AN EFFECTIVE DATE.
16. **CONTRACT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH EAST COAST BUILDERS & DEVELOPERS CORPORATION FOR MISCELLANEOUS CONSTRUCTION SERVICES FROM BID# B-15-52 AND PROVIDING FOR AN EFFECTIVE DATE.
17. **CONTRACT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH COASTAL CONTRACTING & DEVELOPMENT, INC. FOR MISCELLANEOUS CONSTRUCTION SERVICES FROM BID# B-15-52 AND PROVIDING FOR AN EFFECTIVE DATE.
18. **CONTRACT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH SELDIN CONSTRUCTION COMPANY, INC. FOR MISCELLANEOUS CONSTRUCTION SERVICES FROM BID# B-15-52 AND PROVIDING FOR AN EFFECTIVE DATE.
19. **CONTRACT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,

AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH LEADDEX CORPORATION FOR MISCELLANEOUS CONSTRUCTION SERVICES FROM BID# B-15-52 AND PROVIDING FOR AN EFFECTIVE DATE.

20. **CHANGE ORDER** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO APPROVE CHANGE ORDER #1 TO ROTH SOUTHEAST TO RETROFIT THE EXISTING VAV BOXES AT THE POLICE DEPARTMENT FROM VARITRANE STYLE MODULATION TO A SINGLE BLADE DAMPER AND ACTUATORS.

21. **CHANGE ORDER** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO APPROVE CHANGE ORDER #3 TO COASTAL CONTRACTING AND DEVELOPMENT, INC. TO INSTALL A PEDESTRIAN AND EQUESTRIAN CROSSWALK ACROSS GRIFFIN ROAD AT SW 106TH AVENUE FOR THE C-11 EQUESTRIAN BRIDGE.

Town Attorney

22. **EMPLOYMENT AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE TOWN ADMINISTRATOR TO EXECUTE AN EMPLOYMENT AGREEMENT REAPPOINTING JOHN WILSON AS THE TRAFFIC INFRACTION ENFORCEMENT OFFICER, AND PROVIDING FOR AN EFFECTIVE DATE.

Utilities

23. **EASEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING A UTILITY EASEMENT FROM BROWARD COLLEGE, FLORIDA, AND AUTHORIZING THE APPROPRIATE TOWN OFFICIALS TO EXECUTE THE FIFTEEN FOOT (15') UTILITY EASEMENT AT THE NW CORNER OF DAVIE ROAD (SW 64 AVENUE) AND SW 37 STREET.

24. **CONTRACT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE THE EXTENDED WARRANTY CONTRACT WITH PANTROPIC POWER, INC. FOR MAINTENANCE OF CATERPILLAR ELECTRIC POWER GENSETS FOR THE SYSTEM IV WATER RECLAMATION FACILITY AND SYSTEM V WATER TREATMENT FACILITY (SYSTEM IV/V) (7351 SW 30 STREET).

Quasi-Judicial Consent Agenda Items

25. **TEMPORARY USE PERMIT** - TU 15-162, **Fireworks Lady & Co.**, 13200 State Road 84 (B-2).

26. **TEMPORARY USE PERMIT** - Temporary Use for Seasonal Sales (TU 15-161), **TNT Fireworks/Rock Church** (4301 South University Drive, zoned B-2).

27. **Site Plan** - **SP 12-004 Chabad Menachem Center** (10601 Stirling Road, currently zoned A-1 County) (**tabled from March 18, 2015**) (**Requires super-majority vote**)(See related

items #41 & 42).

28. **Site Plan - SP 15-092 Plaza at Davie - iFly, (11690 State Road 84 [B-2]) (See related item #45)**

29. **DELEGATION REQUEST - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A DELEGATION REQUEST TO CHANGE THE RESTRICTIVE NOTE ON THE PLAT KNOWN AS SADDLE BRIDGE, AND PROVIDING AN EFFECTIVE DATE. (DG 15-061 Saddle Bridge, located on Griffin Road between Southwest 76th Avenue and Southwest 78th Avenue, zoned Griffin Corridor District - University Drive Node)**
30. **DELEGATION REQUEST - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A DELEGATION REQUEST TO CHANGE THE RESTRICTIVE NOTE ON THE PLAT KNOWN AS "BOGGS COUNTRY ACRES", AND PROVIDING AN EFFECTIVE DATE. (DG 15-22 Boggs, on SW 76th Avenue just south of SW 41st Street, zoned A-1).**

31. **DELEGATION REQUEST - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A DELEGATION REQUEST TO REMOVE AN EXISTING 15 FOOT DRAINAGE EASEMENT ON THE PLAT KNOWN AS "DAVIE - 39 STREET ADDITION" AND PROVIDING AN EFFECTIVE DATE. (DG 15-137, College Town Townhomes, zoned RAC-TC).**

32. **DELEGATION REQUEST - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A DELEGATION REQUEST TO AMEND THE RESTRICTIVE NOTE ON THE PLAT KNOWN AS "PINE ISLAND PLAZA ASSOCIATES," AND PROVIDING AN EFFECTIVE DATE (DG15-025, Pine Island Plaza, 8800 - 8990 State Road 84 East).**

33. **DELEGATION REQUEST - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A DELEGATION REQUEST TO AMEND THE CONDITION OF APPROVAL ON RESOLUTION 2015-094 FOR THE PLAT KNOWN AS "ARTIS SENIOR LIVING," AND PROVIDING FOR AN EFFECTIVE DATE (DG15-174, Artis Senior Living, 2800 Flamingo Road [zoned CF]).**

34. **DELEGATION REQUEST - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A DELEGATION REQUEST TO CHANGE THE RESTRICTIVE NOTE ON THE PLAT KNOWN AS I-595 COMMERCE CENTER PLAT, AND PROVIDING AN EFFECTIVE DATE. (DG 15-095, I-595 Park of Commerce Center Plat, east side of Davie Road, south of Nova Drive, zoned RAC-RTE).**

PUBLIC HEARING

39. **CODE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING CHAPTER 12, LAND DEVELOPMENT CODE; SECTION 12-24, STATEMENT OF PURPOSE AND INTENT FOR ZONING DISTRICTS; SECTION 12-32, PERMITTED USES; SECTION 12-34, STANDARDS FOR SPECIFIC USES; SECTION 12-54, NONRESIDENTIAL PERFORMANCE STANDARDS; SECTION 12-55,**

SCALE OF NONRESIDENTIAL DEVELOPMENT; SECTION 12-240, ARTICLE VIII, SIGNS, LIGHTING; ARTICLE X, PLANNING AND DEVELOPMENT, DIVISION 6, TEMPORARY USE PERMITS; ARTICLE XI, DEVELOPMENT REVIEW PROCEDURES; DIVISION 4, DESIGN STANDARDS AND REQUIREMENTS; ARTICLE XIII, SPECIAL PLANNING AREAS AND DISTRICTS, DIVISION 1, WESTERN THEME DISTRICT; DIVISION 2, EASTSIDE NEIGHBORHOOD SPECIAL ZONING DISTRICT; DIVISION 11, REGIONAL ACTIVITY CENTER DISTRICTS; SECTION 12-503, DEFINITIONS; SECTION XVII, AFFORDABLE HOUSING INCENTIVE PROGRAM; PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE. **{Approved on first reading on May 20, 2015. In a roll call vote, the vote was as follows: Mayor Paul - yes; Vice Mayor Starkey - yes; Councilmember Hattan - yes; Councilmember Caletka - yes; Councilmember Luis - yes.} (Motion Carried 5-0).**

Mr. Rayson read the ordinance by title.

Mr. Lemack provided a presentation.

Mayor Paul opened the public hearing portion of the meeting.

Frank Declino asked about the agricultural exemption and Mayor Paul stated planes were usually used for crop dusting on agricultural property but that was not being done in Town. Mr. Rayson stated the agricultural exemption required a permit and must be for application of chemicals to crops only.

Brian Anderson wondered if the Town had considered increasing the agricultural exemption from 20 acres to 30. Planning and Zoning Manager David Quigley confirmed Council could change this to 30 acres.

Raj Pahwa said he opposed allowing any property to be used as a landing strip in the Town.

Fred Elson felt this issued had gotten “a little out of hand.” He thought the Town appreciated personal responsibility.

Joseph Pensabene thanked Council for the ordinance.

Thomas Hill said he was a pilot and he agreed with Mr. Elson and described the maintenance pilots must perform. He remarked that flying was the safest means of transportation and this seemed to be a “manufactured crisis.”

Stephanie Scheinman said this was about “protecting what we feel that Davie stands for.” She felt allowing a private airstrip could endanger the Town’s horses’ way of life.

Mayor Paul closed the public hearing portion of the meeting.

Mayor Paul stated Council existed to protect the community and if something endangered residents they would vote based on the community’s needs and wishes.

Councilmember Luis made a motion, seconded by Councilmember Hattan to approve, amending the agricultural exemption to 30 acres. In a roll call vote, the vote was as follows: Mayor Paul - yes; Vice Mayor Starkey - yes; Councilmember Hattan - yes; Councilmember Caletka - yes; Councilmember Luis - yes. (Motion Carried 5-0).

27. Site Plan - SP 12-004 Chabad Menachem Center

Mr. Rayson read the request and stated all parties had waived quasi-judicial procedure.

Mayor Paul wanted ~~to memorialize that a special permit was needed to remove the billboard from the property~~ **to memorialize for the record that there was a billboard on the property that they were requesting to be moved and that it required them to apply for a special permit in order to do that.**

Councilmember Hattan made a motion, seconded by Vice-Mayor Starkey to approve, memorializing the billboard requirement. In a roll call vote, the vote was as follows: Mayor Paul - yes; Vice Mayor Starkey - yes; Councilmember Hattan - yes; Councilmember Caletka - yes; Councilmember Luis - yes. (Motion Carried 5-0).

Quasi-Judicial Public Hearing Ordinance - First Reading Ordinance (Second and Final Reading to be held on July 29, 2015)

41. **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 March 18, 2015) (Requires super-majority vote) (See related items #27 & 42)**

Mr. Rayson read the ordinance by title and stated all parties had waived quasi-judicial procedure.

Councilmembers disclosed communications they had regarding this item.

Vice-Mayor 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 Starkey - yes; Councilmember Hattan - yes; Councilmember Caletka - yes; Councilmember Luis - yes. (Motion Carried 5-0).

Quasi-Judicial Public Hearing

42. **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 March 18, 2015) (Requires super-majority vote) (See related items #27 & #41)**

Mr. Rayson read the resolution by title, stated all parties had waived quasi-judicial procedure and swore in witnesses.

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

Planning and Zoning Manager David Quigley reported staff had provided a memo that contained an alternative resolution with additional language regarding the parking restrictive covenant. Staff recommended Council adopt the alternative resolution.

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

City Manager Bruce Loucks from Cooper City said they had been working on the details of the restrictive covenant and the Cooper City Commission would vote on June 16 to approve removal of the restrictive covenant.

Rabbi Pinni, applicant, thanked the Town for working with them.

Al Bash said he supported this resolution.

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

Councilmembers disclosed communications they had regarding this item.

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

Ordinances - Second and Final Readings

37. **LAND USE AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING LAND USE APPLICATION (LA) 13-327 HORSESHOE LAKE, AMENDING THE TOWN OF DAVIE COMPREHENSIVE PLAN BY CHANGING THE FUTURE LAND USE PLAN MAP DESIGNATION OF CERTAIN LANDS FROM “COMMERCIAL” AND “RESIDENTIAL 3 DU/ACRE” TO “RESIDENTIAL 10 DU/ACRE” AND “RECREATION AND OPEN SPACE”; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (Land Use Plan Amendment (LA) 13-327 Horseshoe Lake, 5800 Griffin Road and 4621 Southwest 58th Avenue, Griffin Corridor District (East Gateway Zone) {Approved on first reading on August 19, 2014. In a roll call vote, the vote was as follows: Mayor Paul - no; Vice Mayor Hattan - yes; Councilmember Starkey - yes; Councilmember Caletka - yes; Councilmember Luis - yes.} (Motion Carried 4-1).**

Mr. Rayson read the ordinance by title.

Mayor Paul acknowledged she had received a petition containing 141 signatures requesting development be limited to no more than 5 units per acre south of Griffin Road.

Mayor Paul opened the public hearing portion of the meeting.

Joan Ast wished to sign the petition.

Linda Harris was concerned about traffic impacts from this development. She said 99% of her neighbors had signed the petition. Ms. Harris wanted Davie to stay an equestrian community and asked Council to “vote conservatively.” She said the developer had agreed to create a footbridge over the canal near 48 Street, install a second speed hump on 58 Avenue and connect the Sunny Lake Bird Sanctuary path.

Carole Duroche was concerned the high-density development would have a devastating effect on the area. She feared traffic and security/crime problems and school impacts.

Eve Montella-Smith said she had seen the “terrible impact” of high-density development including high crime and increased traffic.

Jim Moore opposed the ordinance because he felt the project did not fit in the Town.

Dennis Mele, representing the applicant, confirmed they had agreed to the items listed by Ms. Harris and all improvements would be completed prior to the first Certificate of Occupancy. Mr. Mele said, “If you’re concerned about traffic, you should vote for this amendment” because they currently had the right to build 204 residential rental units and commercial development on the site. Trips associated with that development would be 5,987 per day but this proposal would only generate 1,073 per day, an 82% reduction. This proposal represented a significant reduction in traffic, density, building mass and paved area. They intended to build 180 townhomes and eliminate vehicular access to 58 Avenue and 61 Avenue. Mr. Mele said the School Board had already reported there was sufficient capacity for children in the existing schools. He stated there had been no negative comments from any State agency and the Broward County Commission had approved this unanimously.

Council reviewed the infrastructure improvements Mr. Mele had confirmed and he said they would also agree to install an additional speed hump on 61 Avenue.

Vice-Mayor Starkey asked about a pocket park for the area and Mr. Mele said there was green space included near the clubhouse area; he agreed to put a “tot lot” on the site.

Pursuant to a request from Councilmember Caletka, Mr. Mele agreed to repave the section of 58 Avenue adjacent to this property.

Councilmember Hattan asked that the connection to Sunny Lake be constructed earlier and Mr. Mele agreed to do so if they could pull the permit earlier.

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

Councilmember Caletka recalled he had voted against Trotter's Chase (the formerly proposed project) and this one was much better. He recalled a lot of public participation regarding this and people preferred this to the original proposal.

Councilmember Hattan felt residents' input at the participation meetings had been heeded by the developer and she supported this proposal.

Councilmember Luis said he supported this but he did not like the water in the rear of the development.

Mayor Paul stated if she was unhappy with at least one aspect of a project, she voted against it. She would have preferred a lower density and Councilmember Caletka said he had spoken with the developer about it and he had refused for "a myriad of reasons." Councilmember Caletka stated his constituents definitely did not want apartment units or affordable housing here.

Councilmember Caletka made a motion, seconded by Vice-Mayor Starkey to approve, including the concessions to which the applicant had agreed: the speed hump on 61 Avenue, repaving 58 Avenue adjacent to the property; the tot lot and creating the Sunny Lake Path prior to a Certificate of Occupancy. In a roll call vote, the vote was as follows: Mayor Paul - no; Vice Mayor Starkey - yes; Councilmember Hattan - yes; Councilmember Caletka - yes; Councilmember Luis - yes. (Motion Carried 4-1).

Quasi-Judicial Public Hearing

43. **VARIANCE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING VARIANCE APPLICATION V 12-242 S&Z SUBDIVISION; AND PROVIDING AN EFFECTIVE DATE. (V 12-242 S&Z Subdivision, 7080 State Road 84, RAC-RTW).

Mr. Rayson read the resolution by title and stated all parties had waived quasi-judicial procedure.

Mr. Quigley provided the staff report.

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

Bill Laystrom, representing the applicant, invited questions.

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 Starkey to approve. In a roll call vote, the vote was as follows: Mayor Paul - yes; Vice Mayor Starkey - yes; Councilmember Hattan - yes; Councilmember Caletka - yes; Councilmember Luis - yes. (Motion Carried 5-0).

44. **VARIANCE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING VARIANCE APPLICATION "V 15-63 TWIN PEAKS", AND PROVIDING AN EFFECTIVE DATE. (V 15-63 Twin Peaks, 2000 South University Drive, zoned B-3).

Mr. Rayson read the resolution by title.

Mr. Abramson provided the staff report.

Dwayne Dickerson, 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.

Mr. Rayson confirmed that no variance set a precedent for another request in the future.

Mayor Paul asked if the additional signage was needed and Mr. Dickerson replied they were confident the signage requested was proportional to the size of the building and needed for visibility. Councilmember Luis felt the signage request was fair.

Councilmember Luis made a motion, seconded by Councilmember Hattan to approve. In a

roll call vote, the vote was as follows: Mayor Paul - yes; Vice Mayor Starkey - yes; Councilmember Hattan - yes; Councilmember Caletka - yes; Councilmember Luis - yes. (Motion Carried 5-0).

45. **SPECIAL PERMIT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING SPECIAL PERMIT APPLICATION "SE 15-091 PLAZA AT DAVIE - iFLY;" AND PROVIDING FOR AN EFFECTIVE DATE (SE15-091, Plaza at Davie - iFly, 11690 State Road 84 [B-2]).(See related item #28)

Mr. Rayson read the resolution by title.

Mr. Quigley provided the staff report.

Mr. Mele, 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.

Vice-Mayor 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 Starkey - yes; Councilmember Hattan - yes; Councilmember Caletka - yes; Councilmember Luis - yes. (Motion Carried 5-0).

VI. PUBLIC HEARING

Resolution

35. **CAPITAL IMPROVEMENT PLAN** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE THIRD 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.

Development Administrator Phil Holste 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.

Mayor Paul left the dais temporarily.

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

Ordinances - Second and Final Readings

36. **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.**{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). (tabled from May 20, 2015)

Mayor Paul returned to the dais.

Mr. Rayson read the ordinance by title.

Mr. Quigley 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.

Vice-Mayor 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 Starkey - yes; Councilmember Hattan - yes; Councilmember Caletka - yes; Councilmember Luis - yes. (Motion Carried 5-0).

38. **BUDGET AMENDMENT - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING AN AMENDMENT TO THE ESTIMATED REVENUES AND APPROPRIATIONS FOR FISCAL YEAR 2015; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. {Approved on first reading on May 20, 2015. In a roll call vote, the vote was as follows: Mayor Paul - yes; Vice Mayor Starkey - yes; Councilmember Hattan - yes; Councilmember Caletka - yes; Councilmember Luis - yes.} (Motion Carried 5-0).**

Mr. Rayson read the ordinance by title and 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.

Vice-Mayor 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 Starkey - yes; Councilmember Hattan - yes; Councilmember Caletka - yes; Councilmember Luis - yes. (Motion Carried 5-0).

Ordinance - First Reading (Second and Final Reading to be held on July 29, 2015)

40. **MINIMUM HOUSING STANDARDS - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING CHAPTER 6, CODE ENFORCEMENT SPECIAL MAGISTRATE, ARTICLE II, MINIMUM HOUSING AND PROPERTY MAINTENANCE STANDARDS CODE, SECTION 6-34, MINIMUM STANDARDS FOR AREA, USE AND LOCATION REQUIREMENTS, PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

Mayor Paul announced a public hearing on the ordinance would be held on July 29, 2015.

Mr. Rayson read the ordinance by title.

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 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 Starkey - yes; Councilmember Hattan - yes; Councilmember Caletka - yes; Councilmember Luis - yes. (Motion Carried 5-0).

VII. DISCUSSION OF CONSENT AGENDA ITEMS

4. AGREEMENT - BROWARD-100 VISUAL EYES PROJECT

Intergovernmental Affairs Coordinator Mitch Taylor provided a presentation. He reported the artist had met with Councilmembers and this agreement must be approved prior to the artist producing renderings. Vice-Mayor Starkey was disappointed that Broward County chose the artist and that the Town's Parks and Recreation Advisory Board had not reviewed the proposal. She did not feel this artist's work was "anything near what we in cowboy town or country flair would want to see." She did not want to waste the artist's time on "something that I might have to absolutely vote down later on." She had spoken with the artist, and said he had refused to alter his style to suit her preferences. Vice-Mayor Starkey also did not feel the multipurpose center should have any artwork on the sides. Vice-Mayor Starkey had suggested tabling the item and asking the County Commissioner for District 5 to consider another artist.

Mayor Paul had also spoken with the artist, and said he had agreed he could do what the Council wanted. She had described a specific design for the artist and said he seemed amenable to her idea. Mayor Paul said they could ask the artist to make a presentation to the Town's Parks and Recreation Advisory Board once he had sketches.

Councilmember Hattan wanted the artist to have the opportunity to show what he could do. She confirmed that the Town could not change the artist; this selection was made by the Broward Cultural Council. Councilmember Hattan said it was an honor to have a second mural in Town.

Councilmember Caletka said this artist's characteristic style was "not something that I would normally say would be a nice fit for the Town of Davie." Leslie Fordham, Public Art Administrator from the Broward County Cultural Division, stated Council could request the design be refined, but the Cultural Division asked the Town to commit to going forward with this artist. Mr. Taylor said he was still working with the County regarding the language in the contract.

Vice-Mayor Starkey made a motion to deny. Motion died for lack of a second.

Councilmember Hattan made a motion, seconded by Councilmember Luis to approve. In a voice vote, with Vice-Mayor Starkey and Councilmember Caletka dissenting, all voted in favor. (Motion carried 3-2)

21. CHANGE ORDER - PEDESTRIAN AND EQUESTRIAN CROSSWALK

Vice-Mayor Starkey said the change order was due to "outside agencies." Mark Collins, Director of Public Works, explained there had been numerous challenges. The change order addressed the paving and the reworking of the crosswalk. Mr. Collins stated they wanted the ribbon cutting to be in October.

Mayor Paul left the dais temporarily.

Councilmember Luis made a motion, seconded by Vice-Mayor Starkey to approve. In a voice vote, with Mayor Paul out of the room, all voted in favor. (Motion carried 4-0)

30. DELEGATION REQUEST - "BOGGS COUNTRY ACRES"

Mayor Paul returned to the dais.

Councilmember Luis made a motion, seconded by Councilmember Hattan to approve. In a voice vote, with Councilmember Caletka dissenting, all voted in favor. (Motion carried 4-1)

VIII. APPOINTMENTS

46. Committee/Board Vacancies and Appointments

Board members agreed to let the Town Clerk know of their appointments.

Mayor Paul said the Florida League of Cities needed a voting delegate for the conference in August.

Vice-Mayor Starkey nominated Councilmember Hattan to be the Town's voting delegate at the League of Cities conference in August. In a voice vote, all voted in favor. (Motion carried 5-0)

Councilmember Caletka made the following appointments: David Oakes to the Budget Advisory Committee; Cynthia Schaefer and Eric Swalley to the Agricultural and Environmental Advisory Committee; Christina Pellicane and Mike Pasani to the Open Space and Recreation Advisory Committee. He reappointed his members to the Senior Citizen Advisory Committee.

Mayor Paul reappointed her members to the Youth Education and Safety Advisory Committee and Bill Bamford to the Budget Advisory Committee. She also reappointed Stephanie

Munson. She appointed Jim Moore to the Open Space and Recreation Advisory Committee.

Vice-Mayor Starkey made the following appointments: Phil Busey to the Agriculture and Environmental Advisory Committee; Dr. Bob Preziosi to the Budget Advisory Committee; Linda Greck and Frank Stuart to the Open Space and Recreation Advisory Committee; Chris Corey to the Planning and Zoning Board; Josette McDonald and Dorothy Millais to the Senior Citizen Advisory Committee; Dr. Arant and Tim Curtin to Youth Education and Safety Advisory Committee.

Councilmember Hattan said she was reappointing all her appointees.

Councilmember Luis appointed Dr. Song Gal to the Agriculture and Environmental Advisory Committee.

Ron Fore said he was very interested in being on an advisory committee or board. Councilmember Luis appointed Mr. Fore to the Agriculture and Environmental Advisory Committee.

IX. COMMITTEE RECOMMENDATIONS

None.

X. OLD BUSINESS

None.

XI. NEW BUSINESS

Mayor Paul said Broward County Commissioner Bogen had asked her to support an initiative to ask the Supervisor of Elections to adopt a policy that the Supervisor of Election's attorney would not be allowed to work on campaigns or solicit money for campaigns. She asked if Council supported this.

Councilmember Caletka referred to the Supreme Court decision that declared campaign contributions to fall under freedom of speech and said this ran against that.

Mayor Paul was unsure she wanted the Town to get involved in County business.

Mayor Paul recalled Council had discussed the County Mayors' Gala to support a veteran and she had received the County's requirements. She said their selection was due by August 21 and asked how the Town should select their veteran. Mayor Paul suggested they pick the oldest veteran and Vice-Mayor Starkey suggested finding someone whose service had been exemplary. Mayor Paul intended to bring this up at the next veterans' breakfast, post this to the Town's web site and send out a press release.

XII. SCHEDULE OF NEXT MEETING

No discussion.

XIII. MAYOR/COUNCILMEMBER'S COMMENTS

MAYOR PAUL

VALUE PLACE RIBBON CUTTING. Mayor Paul had attended the event and been surprised.

WESTERN HIGH SCHOOL UNDERCLASS AWARDS NIGHT. Mayor Paul had presented six students awards for 800 or more hours of community service.

MEMORIAL DAY PARADE. Mayor Paul said this had been a beautiful event.

KISS RADIO INTERVIEW. Mayor Paul said during the interview she had discussed the Animal Fashion and Horse Show, the Farm Park and the Town's open space program.

VETERANS BREAKFAST. Mayor Paul reported this would be at 9:30 at Robbins Lodge and there would be two guest speakers.

SYNCHRONIZED SWIMMING. Mayor Paul stated this was a new and exciting activity at Pine Island Park.

POSTAL SERVICE PROPERTY. Mayor Paul had received a letter indicating the Postal Service had selected another site in the same shopping plaza.

LUNCHEON. Mayor Paul had met with the Mayor of Neshar, Israel and discussed their mutual issues.

GREEN FLEET SOLUTIONS EVENT. Mayor Paul had attended this recently and wished the Agricultural and Environmental Advisory Committee to discuss Green fleet management.

CONFERENCE OF MAYORS. Mayor Paul said Conference members wanted her to approve a resolution regarding open skies. The resolution was aimed at getting Qatar and the United Arab Emirates to comply with the rules to prevent future impact on American airlines and our economy.

WESTERN HIGH SCHOOL GRADUATION. Mayor Paul had attended the graduation and noted that 33% of the graduates had graduated with honors. Dwayne Wade had been a special guest.

COUNCILMEMBER HATTAN

INTERNS. Councilmember Hattan said the school from which she had retired had two graduates who had worked as interns under Mr. Collins.

CONCERT IN THE PARK. Councilmember Hattan hoped everyone would attend the event this Thursday.

CODE ENFORCEMENT. Councilmember Hattan noted that District 2 south of Stirling Road had been neglected and asked staff to review how code officers were assigned and that some be sent to this area.

LIGHT AT 33 STREET AND UNIVERSITY. Councilmember Hattan had received statistics from the Police Department on accidents at this intersection and she provided them to Laura Borgesi, Town Engineer, who then requested a traffic study. Councilmember Hattan explained that people wishing to access the schools in the area needed to make U-turns, creating traffic problems at dismissal time. Councilmember Hattan said they did not have a special agreement with the Police Department to police the school properties and she had advised the headmaster of Devon Academy to discuss this with the landlord. When school was back in session, she asked Police Chief Patrick Lynn to have a detail on University where people were making the U-turns.

HAPPY BIRTHDAY. Councilmember Hattan wished Mayor Paul a Happy Birthday.

COUNCILMEMBER LUIS

ANIMAL FASHION AND HORSE SHOW. Councilmember Luis said he was looking forward to this event.

VICE-MAYOR STARKEY

GRADUATIONS. Vice-Mayor Starkey had spoken at a kindergarten and a college graduation.

WOMEN IN DISTRESS STARFISH LUNCHEON. Vice-Mayor Starkey had attended this event and noted how much Women in Distress was needed.

100 OUTSTANDING WOMEN OF BROWARD. Vice-Mayor Starkey said she was part of this event again, which benefited the Boys and Girls Clubs.

BOYS AND GIRLS CLUBS GOLF TOURNAMENT. Vice-Mayor Starkey reported the tournament would be held on Columbus Day at the Caddy Shack Grand Oaks Golf Tournament.

THANK-YOU NOTE. Vice-Mayor Starkey had received a thank-you note from a resident thanking the Town for replacing a dead memorial tree in Bamford Park.

TOWER FORUM. Vice-Mayor Starkey had attended the forum where activity in Tallahassee was debated.

FLORIDA LEAGUE OF CITIES FINANCE, TAXATION AND PERSONNEL COMMITTEE. Vice-Mayor Starkey announced she had been nominated for this committee.

CIVILITY WORKSHOP. Vice-Mayor Starkey stated the Broward League of Cities was hosting this workshop on June 18 at 4 p.m. in Pembroke Pines.

PINE ISLAND ROAD ARCHEOLOGICAL STUDY. Vice-Mayor Starkey provided Ms. Borgesi with the study.

COUNCILMEMBER CALETKA

THANKS TO MS. BORGESI. Councilmember Caletka thanked Ms. Borgesi for responding to his requests so often.

THANKS TO MR. LEWIS. Councilmember Caletka thanked Assistant Town Administrator Macciano Lewis for accompanying him to investigate code issues recently.

PARK AND RIDE AT I-75 AND GRIFFIN ROAD. Councilmember Caletka reported Broward County Commissioner Lois Wexler “threw us under the bus” regarding the Park and Ride project. She had not attended a meeting held with Southwest Ranches, Davie and FDOT District 4 Secretary O’Reilly but a copy of the minutes had been provided to all MPO members, including Commissioner Wexler. Commissioner Wexler had then sponsored a resolution to the Broward County Commission supporting the Park and Ride project and claimed she was unaware of any opposition except from Davie’s representative on the MPO and Southwest Ranches. Councilmember Caletka agreed with Secretary O’Reilly that they would address this with a full vote of the MPO at its July meeting. Commissioner Wexler was encouraging her colleagues on the Broward County Commission - all of whom supported the project - to attend the July MPO meeting to help encourage the MPO members to vote in favor of it. Councilmember Caletka remarked that Davie and Southwest Ranches did not want the Park and Ride at I75 and Griffin Road but the Pembroke Pines City Commissioner wanted the Park and Ride at an alternative site in their city. Councilmember Caletka asked other Councilmembers to attend the July 9 MPO meeting.

XIV. TOWN ADMINISTRATOR’S COMMENTS

47. July 4th Event Update

Parks and Recreation Director David Flaherty provided an update on the planned 4th of July activities.

XV. TOWN ATTORNEY’S COMMENTS

WESTON/DAVIE BOUNDARY FIX. Mr. Rayson reported Governor Scott had sign the boundary fix into law.

LITIGATION REPORT. Mr. Rayson said the all documents had been endorsed by all parties on the LRB and they should have distribution in the next 30 days.

XVI. ADJOURNMENT

There being no further business to discuss and no objections, the meeting was adjourned at 10:00 pm.

REVISED

Item 2

June 10, 2015 Meeting Minutes

Approved _____

Mayor/Councilmember

Town Clerk