

**TOWN OF DAVIE
REGULAR MEETING
SEPTEMBER 3, 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 Starkey and Councilmembers Caletka, Hattan and Luis. Also present were Town Administrator Lemack, Assistant Town Administrator Lewis, Town Attorney Rayson and Deputy Town Clerk Esquenazi recording the meeting.

Mayor Paul requested a moment of silence in honor of police officers who had been murdered across the country. She stated they supported their police and thanked them for their service.

III. OPEN PUBLIC MEETING

Diane Hickey said Councilmember Hattan and she had attended Nation Overdose Awareness Day and thanked the Town for issuing a proclamation and supporting the cause. Ms. Hickey reported she had been in recovery for 30 years and was now a productive member of society. She reported the organization Learn to Cope had done many things to help families of addicts and she had instituted the first local chapter nine months ago in Fort Lauderdale. She invited anyone in need to attend their meetings.

Lois Beck discussed the homeless problem on 65 Avenue and Stirling Road. She said the Davie Police Department had responded but the homeless kept returning so she needed to call on a daily basis.

Marcia Silverstein, Director of Community Relations and Marketing at Nova Southeastern University Alvin Sherman Library, reminded everyone that September was Library Card Sign-Up Month and Hispanic Heritage Month. She said this library was unique because it was an academic library that was open to the public. Ms. Silverstein said anyone in Broward County could get a library card.

IV. PRESENTATIONS

1. A presentation in appreciation for Public Works employee Michael Lemon, Presented by Mark Collins, Public Works Director

Mr. Collins presented Mr. Lemon with a certificate of appreciation for his quick actions on July 2, 2015 to save the life of Chris Delancy. Mr. Delancy thanked Mr. Lemon. Mr. Lemon thanked the Fire Department for first aid training he had received.

2. 2015 Gold Level Fit Friendly Company Award to Town of Davie, Presented by Donna Byrne, Heart Walk Director

Jamie Schempp, American Heart Association, presented the award to the Town. Stacey Hipsman, Director of Human Resources, accepted the award and thanked Mayor Paul and the Town.

Mayor Paul pulled Item 11 from the Consent Agenda. Vice-Mayor Starkey pulled Item 12.

Councilmember Luis made a motion, seconded by Councilmember Hattan to approve the Consent Agenda, less items 11 and 12. In a voice vote, all voted in favor. (Motion carried 5-0)

V. APPROVAL OF CONSENT AGENDA

Resolutions

Fire

1. **GRANT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE ACCEPTANCE OF A \$2,433,612 GRANT FROM THE U.S. DEPARTMENT OF HOMELAND SECURITY'S 2014 STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER) GRANT PROGRAM WITH NO REQUIRED MATCHING FUNDS.

Human Resources

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

Information Systems

3. **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE AT&T SPECIAL CONSTRUCTION SERVICE AGREEMENTS 5EA46118B AND 5EA46117B FOR THE REMOVAL OF OBSOLETE EQUIPMENT AND ASSOCIATED FIBER NETWORK TERMINATIONS AT BOTH THE TOWN HALL, 6591 ORANGE DR, DAVIE FL 33314 AND FIRE ADMINISTRATION, 6901 ORANGE DR, DAVIE, FL 33314 LOCATIONS. AMOUNT OF EXPENDITURE WILL BE RETURNED TO THE TOWN AS A CREDIT.
4. **CONTRACT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH COMCAST BUSINESS COMMUNICATIONS, LLC TO UPGRADE THE TOWNS CURRENT INTERNET SERVICES AND REDUCE CURRENT COST OF \$1,600.00 PER MONTH TO \$1,500.00 PER MONTH FOR A 24 MONTH TERM WITH ANNUAL SAVINGS OF \$1200.00 AND A MASTER SERVICE AGREEMENT FOR 60 MONTHS.

Parks and Recreation

5. **FEE SCHEDULE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, REVISING CERTAIN FEE SCHEDULES FOR VARIOUS DEPARTMENT PROGRAMS AND ACTIVITIES AND PROVIDING AN EFFECTIVE DATE.

Police

6. **EXPENDITURE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE EXPENDITURE OF FUNDS FROM THE ANIMAL EXPENSE ACCOUNT IN THE AMOUNT OF \$10,500 FOR THE PURCHASE OF A CANINE FOR THE DAVIE POLICE DEPARTMENT FROM METRO DADE K-9 GUARD DOG SERVICE INC. D/B/A METRO DADE K-9 SERVICES UTILIZING MIAMI DADE COUNTY CONTRACT NO. BPOABCW1000007, BID 9084-0419.
7. **EXPENDITURE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE EXPENDITURE OF FUNDS FROM THE POLICE DEPARTMENT'S STATE FORFEITURE FUND ACCOUNT FOR A DONATION IN THE AMOUNT OF \$3,500.00 TO THE DAVIE POLICE EXPLORERS POST #564.
8. **EXPENDITURE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE EXPENDITURE OF FUNDS FROM THE POLICE

DEPARTMENT'S STATE FORFEITURE FUND ACCOUNT FOR A DONATION IN THE AMOUNT OF \$5,000.00 TO THE POLICE ATHLETIC LEAGUE (PAL).

Purchasing

9. BID SELECTION - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, SELECTING THE FIRMS OF SUPERSPORTS OF BROWARD COUNTY, INC., BROWARD COUNTY UMPIRES ASSOCIATION, INC., AND EAGLE EYE OFFICIATING LLC TO PROVIDE SPORTS OFFICIALS SERVICES AND AUTHORIZING THE TOWN ADMINISTRATOR OR HIS DESIGNEE TO NEGOTIATE AN AGREEMENT FOR SUCH SERVICES.

Utilities

10. BID SELECTION - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE BID FOR AN INTERNATIONAL DURASTAR FIVE (5) YARD DUMP TRUCK AWARDED BY THE FLORIDA SHERIFFS ASSOCIATION (CONTRACT #14-12-0904).

Quasi-Judicial Consent Items

11. Site Plan (SP) 15-139 Broward Table Tennis Club, Generally located on the northeast corner of University Drive and Northwest 33rd Street - Folio 51-41-03-52-0041 (B-2) (tabled from August 5, 2015)

12. Site Plan (SP) 14-374 Tilted Kilt/Outback Steakhouse and Commercial Development (2701 South University Drive, B-2). (tabled from August 19, 2015) (see other related items #14 and 15)

VI. DISCUSSION OF CONSENT AGENDA ITEMS

11. Site Plan (SP) 15-139 Broward Table Tennis Club

Mayor Paul said there had been discussion about the separation between the commercial use and residential uses. Carlos Eller, representing the Broward Table Tennis Club, said they planned to install a masonry wall.

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

12. Site Plan (SP) 14-374 Tilted Kilt/Outback Steakhouse

Vice-Mayor Starkey was concerned that landscaping might not grow in the courtyard between the two buildings and the area would not be secure. She asked the applicant to work with staff to ensure that the landscaping between the Outback Restaurant and the Tilted Kilt would be shade tolerant. She also asked that they consider enhancing the landscape design at the round entrance area from University Drive by adding canopy trees and landscape walls.

Hope Calhoun, the applicant's attorney, agreed to work with staff on Vice-Mayor Starkey's suggestions.

Vice-Mayor Starkey made a motion, seconded by Councilmember Hattan to approve, subject to the conditions Vice-Mayor Starkey had stated. In a voice vote, all voted in favor. (Motion carried 5-0)

VII. PUBLIC HEARING

Resolution

13. CAPITAL IMPROVEMENT PROGRAM - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE 10-YEAR CAPITAL IMPROVEMENT PROGRAM FOR THE TOWN OF DAVIE FOR FISCAL YEARS 2016-2025; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Rayson read the resolution 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.

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).

Quasi-Judicial Public Hearing Items

14. VARIANCE - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING VARIANCE APPLICATION "V 15-104 TILTED KILT/OUTBACK STEAKHOUSE AND COMMERCIAL DEVELOPMENT", AND PROVIDING AN EFFECTIVE DATE. (V 15-104 Tilted Kilt/Outback Steakhouse and Commercial Development, 2701 South University Drive, B-2) (tabled from August 19, 2015) (see other related items #12 and 15)

Mr. Rayson read the resolution by title and said the parties had waived the quasi-judicial process.

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 Hattan 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).

15. VARIANCE - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING VARIANCE APPLICATION "V 15-159 TILTED KILT/OUTBACK STEAKHOUSE AND COMMERCIAL DEVELOPMENT", AND PROVIDING AN EFFECTIVE DATE. (V 15-159 Tilted Kilt/Outback Steakhouse and Commercial Development, 2701 South University Drive, B-2) (tabled from August 19, 2015) (see other related items #12 and 14)

Mr. Rayson read the resolution by title and said the parties had waived the quasi-judicial process.

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 Hattan 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).

VIII. APPOINTMENTS

16. Committee/Board Vacancies and Appointments

None.

IX. COMMITTEE RECOMMENDATIONS

None.

X. OLD BUSINESS

None.

XI. NEW BUSINESS

17. FLUORIDE - A RESOLUTION OF THE TOWN OF DAVIE URGING THE BROWARD COUNTY BOARD OF COMMISSIONERS TO REPEAL THE COUNTY ORDINANCE THAT MANDATES THAT THE TOWN OF DAVIE ADD FLUORIDE TO THE POTABLE WATER DELIVERED TO DAVIE RESIDENCES, AND PROVIDING FOR AN EFFECTIVE DATE.

Councilmember Caletka acknowledged that the County would probably not change its policy but he wanted to make a statement about allowing municipalities to decide for themselves. He said the studies indicated that fluoridation did not prevent cavities and could be harmful to some people.

Mayor Paul said she had benefitted from fluoride treatments as a child and she was not willing to vote in favor of this.

Vice-Mayor Starkey did not feel they should be putting unnecessary things in the Town's water system.

Don Bayler, Utilities Director, said he could see both sides. He stated it cost the Town approximately \$15,000 per year to fluoridate the water.

Councilmember Luis thought the opposition to this was based on "junk science." He said Nova Southeastern University's dental school had researched this and supported fluoridation.

Councilmember Caletka disagreed, and said fluoride was a drug. He stated this request was not based on "junk science."

Vice-Mayor Starkey served on the Water Resource Task Force that had merged with the County Water Advisory Board, which made recommendations to the County. She agreed to put this on a future agenda.

Councilmember Caletka made a motion to approve. Motion died for lack of a second.

18. Town's existing waste disposal contract with Sun Bergeron Solid Waste Services JV

Phil Holste, Development Administrator, explained Waste Management had reached an agreement to purchase the assets and collections contracts from Southern Waste Systems and Sun Recycling. The Town had a contract with Sun Bergeron and Joint Venture, which operated a facility at 2380 College Avenue. Per the contract, the Town had a right to review any sale or assignment of interest in that facility and Mr. Lemack had requested all documentation regarding the sale for the Town to make an informed decision regarding the sale. Since there was limited information as yet, Mr. Holste recommended the Town have limited discussion.

Mayor Paul had concerns and said they would await the additional information.

XII. SCHEDULE OF NEXT MEETING

None.

XIII. MAYOR/COUNCILMEMBER'S COMMENTS

COUNCILMEMBER LUIS

No comments.

COUNCILMEMBER HATTAN

FED UP. Councilmember Hattan had attended the recent Fed Up event and said many providers and elected officials were there. She thanked Mayor Paul for signing the proclamation. Councilmember Hattan had learned that there were 20 flakka cases in the emergency room every

day. She urged everyone to report if they thought they saw the drug being sold.

CONTINUUM OF CARE COMMITTEE. Councilmember Hattan was on the committee and said their goal was to house all veterans within 30 days.

COUNTY HOMELESS FUNDING. Councilmember Hattan stated the County Commission would ask municipalities to contribute to a homeless fund. She thought Davie would be asked for \$330,000 per year and they could count housing programs toward their funding. Mayor Paul said she would prefer creating programs in the Town instead of giving the money to the County.

COUNCILMEMBER CALETKA

THANKS TO CHIEF LYNN. Councilmember Caletka thanked Chief Lynn for a creative solution to providing officers to a Western High School sporting event.

CELLPHONE VENDING MACHINES. Councilmember Caletka had seen vending machines in Texas that purchased phones from people and asked Mr. Rayson to determine if the Town could ban them by ordinance.

ZONING IN PROGRESS. Councilmember Caletka said there was development planned in the area south of and Griffin Road that was “incredibly intense” and requested a Zoning in Progress for RO zoning. He wanted to examine parking issues, and whether residential and offices uses could be combined. Councilmember Caletka said this combination was a very intense use he believed residents would oppose. Councilmember Luis had questions on this and other issues and requested a workshop. Mayor Paul supported the Zoning in Progress and the workshop. Council agreed to put this on their next agenda.

VICE-MAYOR STARKEY

COLLECTION BINS. Vice-Mayor Starkey said there seemed to be a lot of bins, with multiples in some shopping centers. She asked staff to check the locations and number of the bins to make sure they were in compliance. Vice-Mayor Starkey wished a blurb on the Town’s website indicating that income from the bin went toward Town charities and those wanting tax deductions could still donate to Goodwill or the Salvation Army.

BROWARD LEAGUE OF CITIES BOARD OF DIRECTORS. Vice-Mayor Starkey said Broward County Vice Mayor Kiar had stated at the meeting that they were seeking to decriminalize possession of small amounts of cannabis. She asked Mr. Rayson to review the information. She had provided a list of possible amendments to the ethics ordinance the board had agreed upon at the League of Cities. Additional items would be discussed further after the elections.

ANNUAL LEAGUE OF CITIES CONFERENCE. Vice-Mayor Starkey thanked Councilmember Hattan for attending and stated they had passed their legislative priorities. Advocacy training for going to Tallahassee would be offered in the next month for those interested. There was also an upcoming P3 transportation workshop.

MAYOR PAUL

CHOOSE PEACE, STOP VIOLENCE. Mayor Paul announced the sixth annual Peace Week would be September 21-26. They were launching their “Go Blue to End Mean” initiative and suggested Councilmembers all wear blue to their next meeting. The initiative included having schools create a “wall of nice” in areas where bullying took place and the “Blue Pinky Project” in solidarity to stand up to bullying.

CONGRATULATIONS TO COUNCILMEMBER CALETKA. Mayor Paul thanked Councilmember Caletka for his work against the Park and Ride on Griffin Road and said he had been thanked by a Southwest Ranches Councilmember for his help.

THANKS TO MR. HOLSTE AND PUBLIC WORKS. Mayor Paul said the showcases added something to the front lobby where the Town’s awards could be displayed.

PUPPY MILLS. Mayor Paul asked the status of the puppy mill ordinance. Councilmember Caletka reported appeals had been filed and he believed they would be disposed of very soon.

Mayor Paul wished to move forward with a Town ordinance.

COLLECTION BINS. Mr. Lemack informed Mayor Paul that clothing could be donated inside any building.

9/11 COMMEMORATION. Mayor Paul reminded everyone of the event at Western High School. She reported BSO was also hosting an event at the Signature Grand.

XIV. TOWN ADMINISTRATOR'S COMMENTS

No comments.

XV. TOWN ATTORNEY'S COMMENTS

No comments.

XVI. ADJOURNMENT

There being no further business to discuss and no objections, the meeting was adjourned at 7:39 pm.

Approved _____

Mayor/Councilmember

Town Clerk