

**TOWN OF DAVIE
TOWN COUNCIL REGULAR MEETING
SEPTEMBER 13, 2017**

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

Mayor Paul announced that the developer Terry Stiles had passed away recently. Mr. Stiles had done work with the Junior Achievement Program in Town. She requested a moment of silence to honor Mr. Stiles and victims of 9/11.

III. OPEN PUBLIC MEETING

None

Mayor Paul stated staff had requested that Consent Agenda Item 6 be tabled to September 27.

Councilmember Hattan made a motion, seconded by Councilmember Starkey to table Item 6 to September 27. In a voice vote, all voted in favor. (Motion carried 5-0)

Mayor Paul reported staff had also requested that items 24 and 25 be tabled to September 27.

Councilmember Hattan made a motion, seconded by Councilmember Starkey to table items 24 and 25 to September 27. In a voice vote, all voted in favor. (Motion carried 5-0)

Mayor Paul requested a motion to withdraw items 20, 21, 22 and 23 from the Agenda.

Councilmember Hattan made a motion, seconded by Councilmember Starkey to withdraw items 20, 21, 22 and 23 from the Agenda. In a voice vote, all voted in favor. (Motion carried 5-0)

Councilmember Caletka pulled Item 13 from the Consent Agenda.

Councilmember Hattan made a motion, seconded by Vice-Mayor Luis to approve the Consent Agenda, less Item 13. In a voice vote, all voted in favor. (Motion carried 5-0)

V. APPROVAL OF CONSENT AGENDA

Minutes

1. July 26, 2017 Meeting Minutes (First Budget Workshop)
2. July 26, 2017 Meeting Minutes (Regular)
3. August 2, 2017 Meeting Minutes (Workshop Capital Improvements Program)
4. August 2, 2017 Meeting Minutes (Community Endowment Workshop)
5. August 2, 2017 Meeting Minutes (Regular)

Administration

6. **FEE SCHEDULE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE BUILDING DIVISION FEE SCHEDULE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Tabled to September 27, 2017.

7. **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE INDEPENDENT CONTRACTOR AGREEMENT WITH WEISS SEROTA HELFMAN COLE & BIERMAN PL AND DESIGNATING ALAN L. GABRIEL, ESQ. AS THE SOLE

PROFESSIONAL SERVICE PROVIDER TO ACT IN THE CAPACITY OF SPECIAL MAGISTRATE IN CODE ENFORCEMENT RELATED MATTERS AND AUTHORIZING THE TOWN ADMINISTRATOR TO EXECUTE THE AGREEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

8. **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE INDEPENDENT CONTRACTOR AGREEMENT WITH THERESA EDWARDS, ESQ. TO ACT IN THE CAPACITY OF SPECIAL MAGISTRATE IN CODE ENFORCEMENT RELATED MATTERS AND AUTHORIZING THE TOWN ADMINISTRATOR TO EXECUTE THE AGREEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.
9. **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE INDEPENDENT CONTRACTOR AGREEMENT WITH MEAH TELL, ESQ. TO ACT IN THE CAPACITY OF SPECIAL MAGISTRATE IN CODE ENFORCEMENT RELATED MATTERS AND AUTHORIZING THE TOWN ADMINISTRATOR TO EXECUTE THE AGREEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

Fire

10. **AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE PIGGYBACK AGREEMENT BETWEEN THE TOWN OF DAVIE AND BENNETT FIRE PRODUCTS CO., INC. FOR THE BID AWARDED BY LAKE COUNTY, FLORIDA CONTRACT NO. 17-0606B FOR FIRE EQUIPMENT AND SUPPLIES, ESTIMATED ANNUAL EXPENSE TO BE WITHIN THE DEPARTMENT'S ESTABLISHED BUDGET FOR THE FISCAL YEAR AND PROVIDING FOR AN EFFECTIVE DATE.

Human Resources

11. **RENEWAL LETTER** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE RENEWAL OF UNITED HEALTHCARE AS THE TOWN'S GROUP MEDICAL INSURANCE CARRIER AND THIRD PARTY ADMINISTRATOR FOR THE 2018 CALENDAR YEAR IN ACCORDANCE WITH THE ATTACHED OFFER CONFIRMATION LETTER.
12. **RENEWAL LETTER** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE RENEWAL OF UNUM TO SERVE AS THE TOWN'S GROUP SHORT AND LONG TERM DISABILITY CARRIER IN ACCORDANCE WITH THE ATTACHED RENEWAL OFFER LETTER FOR THE 2018 CALENDAR YEAR; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Planning and Zoning

13. **AMENDMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE LOCAL ROAD MASTER PLAN AS TO THE RIGHT-OF-WAY REQUIREMENTS FOR DAVIE ROAD AND ORANGE DRIVE AND UPDATING THE PROPOSED FUTURE ROADWAYS AND PROJECTS LIST; AUTHORIZING THE MAYOR TO AFFIX HIS OR HER SIGNATURE TO SAID RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

Public Works

14. **MODIFICATION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MODIFICATION OF PURCHASE ORDER #2017-161 BY INCREASING THE AMOUNT BY \$7,870.22 FOR THE ELECTRICAL LOOP SERVICE FOR THE NEW FIRE RESCUE STATION #86 AND COMMUNITY CENTER/F.O.C. AT SHENANDOAH PARK AND PROVIDING FOR AN EFFECTIVE DATE.

Purchasing

15. **BID SELECTION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, SELECTING LIMOUSINES OF SOUTH FLORIDA, INC. DBA LSF SHUTTLE IN ACCORDANCE WITH RFP#B-17-160 COMMUNITY BUS SERVICES AND AUTHORIZING THE TOWN ADMINISTRATOR OR HIS DESIGNEE TO NEGOTIATE AN AGREEMENT FOR SUCH SERVICES.
16. **BID SELECTION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, QUALIFYING AND APPROVING THE SHORTLIST OF PROFESSIONAL ENGINEERING FIRMS TO PERFORM CONSTRUCTION ENGINEERING AND INSPECTION (CEI) SERVICES FOR NOVA DRIVE ROADWAY IMPROVEMENTS PROJECT IN RESPONSE TO RFQ# B-17-180; AUTHORIZING THE TOWN ADMINISTRATOR OR HIS DESIGNEE TO NEGOTIATE AN AGREEMENT FOR SUCH SERVICES.

Town Attorney

17. **CONTRACT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE SIX WEEK CONTRACT WITH PATRICK LYNN, TO ACT IN THE CAPACITY OF POLICE CONSULTANT AND AUTHORIZING THE TOWN ADMINISTRATOR TO EXECUTE THE CONTRACT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

Utilities

18. **BID SELECTION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AWARDED BID NO. B-17-156 TO THE HINTERLAND GROUP, INC. FOR THE REHABILITATION OF LIFT STATION #9 (2981 N. 73 AVENUE) AND AUTHORIZING THE MAYOR TO SIGN THE AGREEMENT.

VI. DISCUSSION OF CONSENT AGENDA ITEMS

13. AMENDMENT - LOCAL ROAD MASTER PLAN

Councilmember Caletka indicated he would enter a protest vote of “no” on this Item.

Vice-Mayor 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)

VII. PUBLIC HEARING

Resolution

19. **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 2018-2027; 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.

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

Ordinances - First Readings (Second and final readings to be held on September 27, 2017)

20. **CODE AMENDMENT** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING CHAPTER 12, ARTICLE III, SECTION 34, CODE OF ORDINANCES TITLED, "STANDARDS FOR SPECIFIC USES", PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

Withdrawn.

21. **CODE AMENDMENT** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING CHAPTER 12, ARTICLE III, CODE OF ORDINANCES TITLED, "USE REGULATIONS", PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

Withdrawn.

22. **CODE AMENDMENT** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING CHAPTER 12, ARTICLE III, SECTION 2.1, CODE OF ORDINANCES TITLED, "APPLICABILITY", PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

Withdrawn.

23. **REPEAL** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, REPEALING ORDINANCE 2017-019, THE TEMPORARY MORATORIUM ON THE SUBMITTAL, CONSIDERATION, AND APPROVAL OF BUILDING PERMITS AND DEVELOPMENT APPLICATIONS OF ANY KIND INVOLVING THE ESTABLISHMENT OF MARIJUANA (CANNABIS) DISPENSARIES OR MEDICAL MARIJUANA (CANNABIS) TREATMENT CENTERS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Withdrawn.

Quasi-Judicial Public Hearing

24. **VARIANCE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING VARIANCE APPLICATION V17-068 PARKSIDE ESTATES; AND PROVIDING AN EFFECTIVE DATE (Located on Orange Drive, approximately 1,000 west of Pine Island Road, Zoned AG). (**tabled from August 2, 2017**)

Tabled to September 27, 2017.

25. **VARIANCE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, TAKING FINAL ACTION ON VARIANCE APPLICATION V16-334 CLARK, AND PROVIDING AN EFFECTIVE DATE (Located at 4311 SW 93rd Avenue, zoned A-1).

Tabled to September 27, 2017.

VIII. APPOINTMENTS

26. Committee/Board Vacancies & Appointments
None.

IX. COMMITTEE RECOMMENDATIONS

None.

X. OLD BUSINESS

None.

XI. NEW BUSINESS

None.

XII. SCHEDULE OF NEXT MEETING

27. Cancellation of second meeting in November and December (11/15 & 12/20/2017)

Councilmember Caletka made a motion, seconded by Councilmember Starkey to cancel the second meetings in November and December. In a voice vote, with Councilmember Starkey dissenting, all voted in favor. (Motion carried 4-1)

28. Scheduling of Public Private Partnership Workshop, November 1, 2017

Councilmember Caletka made a motion, seconded by Councilmember Starkey to schedule the Public Private Partnership Workshop for November 1, 2017 at 4:30. In a voice vote, all voted in favor. (Motion carried 5-0)

29. Scheduling of Executive Session IAFF

30. Scheduling of Solid Waste Workshop

Upcoming Meetings:

September 27, 2017 - Second Budget Workshop, 5:15 PM

September 27, 2017 - Town Council Meeting, 6:30 PM

October 4, 2017 - Town Council Meeting, 6:30 PM

October 18, 2017 - Town Council Meeting, 6:30 PM

XIII. MAYOR/COUNCILMEMBER'S COMMENTS

COUNCILMEMBER HATTAN

THANKS TO STAFF. Councilmember Hattan thanked everyone who had helped to move the Town Council meeting this evening.

PORTABLE TRAFFIC LIGHTS. Councilmember Hattan had seen portable traffic lights that towns were using while regular traffic signals were without power.

HONOR FLIGHT. Councilmember Hattan announced that the honor flight that had been cancelled on Saturday had been rescheduled to September 16.

VICE-MAYOR LUIS

THANKS TO STAFF AND THE EOC. Vice-Mayor Luis thanked everyone for their help during and after the storm. He said it was great to see neighbors helping each other.

COUNCILMEMBER STARKEY

THANKS TO STAFF AND COUNCIL. Councilmember Starkey thanked Council and staff for their devotion to the Town. She noted that residents had also helped each other before and after the storm. Councilmember Starkey thought it was important to keep learning from every event.

COUNCILMEMBER CALETKA

THANKS TO THE COMMUNITY. Councilmember Caletka remarked on how the community had helped each other during the hurricane. He said residents had been amazed at how quickly the Utilities Department had responded to problems.

MAYOR PAUL

HOMETOWN HERO. Mayor Paul asked residents for nominations for a Hometown Hero certificate.

THANKS TO STAFF AND RESIDENTS. Mayor Paul stated Town staff had done a great job responding to the storm. She said many residents had participated in the street cleanup as well. Mayor Paul pointed out that the “robo calls” had been very effective in keeping residents informed.

DEBRIS. Mayor Paul reported people were clogging storm drains with yard debris and this could present a drainage problem on the roads.

THANKS TO MR. LEMACK. Mayor Paul thanked Mr. Lemack for being “everywhere” and helping everyone, even during the storm. His dedication to the Town was greatly appreciated.

HAPPY NEW YEAR. Mayor Paul wished everyone a Happy Rosh Hashanah.

XIV. TOWN ADMINISTRATOR’S COMMENTS

EOC ACTIVATION. Mr. Lemack explained how the Town representatives communicated during an emergency and said the process and participation had been phenomenal.

9/11 ACKNOWLEDGEMENT. Mr. Lemack reported Chief Dunn had come to the EOC on 9/11 and they had observed a moment of silence at 8:46 A.M., the time of the first plane strike.

IV. PRESENTATION

1. Fire Chief Julie Downey - Hurricane Irma

Chief Downey read updates from Town departments regarding storm recovery and cleanup.

Don Bayler, Utilities Director, provided an update on the Town’s water facility. Mr. Holste provided an update on the Town’s waste collection schedule. He stressed that storm debris and household waste for bulk collection must be separated. Regular bulk pickup would be cancelled for the remainder of September.

Mayor Paul wanted to be sure the Town made people aware of small business and agricultural assistance from the Town. Chief Downey agreed to post information on the website and on social media.

Mitch Taylor, Intergovernmental Affairs Manager, said the Bloomberg Workshop would be rescheduled to the last week in September. Attendance was capped at 16 attendees. Councilmember Hattan said they may be able to use the Women’s Club to meet.

Mr. Lemack requested direction regarding storm debris removal along private roadways. This would be done after major and local roads were cleared. Mayor Paul recalled that the Town had done this after Hurricane Wilma and she did not object to doing it again. Councilmember Starkey said some communities were utilizing their own contractors. She said homeowners’ associations were responsible for their own debris removal and this was what their reserves were for. She thought the Town could help them to help themselves. Mayor Paul pointed out that many associations were very small and probably had limited reserves. Councilmember Caletka stated his neighborhood was not in an HOA. He said he favored having the Town haulers take away everything rather than leaving items they were unsure about.

Mr. Lemack explained how the Town could help the private communities get their debris removed.

Councilmember Hattan made a motion, seconded by Vice-Mayor Luis to approve the Town

removing storm debris from private roadways. In a voice vote, with Councilmember Starkey dissenting, all voted in favor. (Motion carried 4-1)

XV. TOWN ATTORNEY’S COMMENTS

Mr. Rayson commended the EOC leadership for their response to the storm.

XVI. ADJOURNMENT

There being no further business to discuss and no objections, the meeting was adjourned at 7:26 p.m.

Approved _____

Mayor/Councilmember

Town Clerk