TOWN OF DAVIE

Davie Town Hall: 6591 Orange Drive, Davie, Florida 33314 *Phone*: (954) 797-1000

REGULAR MEETING
September 6, 2018
6:30 p.m.

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL

III. OPEN PUBLIC MEETING

IV. PRESENTATIONS

1. Town of Davie Parks, Recreation and Cultural Arts Aquatics Division Staff Recognition, Mark J. Wilson, Broward Fire Academy Program Coordinator
2. American Cancer Society Relay-for-Life Recognition

V. APPROVAL OF CONSENT AGENDA

Proclamation

1. National Payroll Week (September 3-7, 2018)
2. National Suicide Prevention Month (September 2018)

Minutes

3. July 25, 2018 Meeting Minutes (Regular)
4. August 1, 2018 Meeting Minutes (Community Endowment Workshop)
5. August 1, 2018 Meeting Minutes (CIP Workshop)
6. August 1, 2018 Meeting Minutes (Regular)

Resolutions

Administration

7. **SUPPORT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, HONORING FIFTY YEARS OF MUNICIPAL HOME RULE IN THE FLORIDA CONSTITUTION AND COMMITTING TO AN EDUCATIONAL INITIATIVE TO HELP FLORIDIANS UNDERSTAND THIS BENEFICIAL RIGHT; AND PROVIDING FOR AN EFFECTIVE DATE.

CRA

8. **RIGHT OF WAY DEDICATION**- A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, RATIFYING AND ACCEPTING A DEDICATION OF PUBLIC ROAD RIGHT-OF-WAY ALONG THE FRONTAGES OF THREE PARCELS OWNED BY THE TOWN OF DAVIE COMMUNITY REDEVELOPMENT AGENCY LOCATED AT 6507, 6501 AND 6453 ORANGE DRIVE (A/K/A SW 45TH STREET) IN ACCOMMODATION OF SIDEWALK NETWORK IMPROVEMENTS; AUTHORIZING THE MAYOR TO EXECUTE THE RESOLUTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR RECORDING; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Engineering

9. **EASEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE WATER AND SEWER UTILITY EASEMENT AND A BILL OF SALE FROM RAG DAVIE LLC. FOR WATER AND SEWER FACILITIES AND THEIR APPURTENANCES ASSOCIATED WITH PARC 3400 DEVELOPMENT; AUTHORIZING THE MAYOR TO EXECUTE THE RESOLUTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

10. **RIGHT OF WAY DEDICATION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, DEDICATING PUBLIC ROAD RIGHT-OF-WAY ALONG THE FRONTAGES OF TWO TOWN OWNED PARCELS LOCATED AT 6591 AND 6991 ORANGE DRIVE IN ACCOMMODATION OF SIDEWALK NETWORK IMPROVEMENTS; AUTHORIZING THE MAYOR TO EXECUTE THE RESOLUTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR RECORDING; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

11. **RIGHT OF WAY OCCUPANCY PERMIT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING AND AUTHORIZING THE APPROPRIATE TOWN OFFICIALS TO EXECUTE A RIGHT-OF-WAY OCCUPANCY PERMIT BETWEEN THE TOWN OF DAVIE AND PRESTIGE DUKE JV II LLC, FOR PRIVATE DRAINAGE PIPES WITHIN THE BRIGHT ROAD RIGHT OF WAY ADJACENT TO 10600 STATE ROAD 84; AUTHORIZING THE MAYOR TO EXECUTE THE RESOLUTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR RECORDING; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Fire

12. **BID SELECTION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE BID AWARDED TO RESCUE SYSTEMS UNLIMITED LLC FOR THE PURCHASE OF GENESIS EFORCE BATTERY OPERATED EXTRICATION TOOLS VIA CITY OF OKEECHOBEE, FLORIDA RFP BID NO. FD-01-00-07-17; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

13. **EXPENDITURE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE PURCHASE OF VARIOUS FIRE, POLICE, MEDICAL SUPPLIES AND OTHER EQUIPMENT FROM THE BROWARD SHERIFF FIRE RESCUE DIVISION LOGISTICS WAREHOUSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Human Resources

14. **COLLECTIVE BARGAINING AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ADOPTING THE COLLECTIVE BARGAINING AGREEMENTS FOR THE PERIOD OF OCTOBER 1, 2017 – SEPTEMBER 30, 2020, BETWEEN THE TOWN OF DAVIE AND DAVIE PROFESSIONAL FIREFIGHTERS, IAFF LOCAL 2315 AFL-CIO, RANK & FILE AND SUPERVISORY UNIT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

15. **EMPLOYMENT AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE AN EXTENSION TO THE EMPLOYMENT AGREEMENT BETWEEN THE TOWN OF DAVIE AND JOHN C. RAYSON AS IN-HOUSE ATTORNEY; AND PROVIDING FOR AN EFFECTIVE DATE.

16. **LETTER OF RENEWAL** - 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 2019 CALENDAR YEAR IN ACCORDANCE WITH THE ATTACHED OFFER CONFIRMATION LETTER; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

17. **LETTERS OF AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, TO APPROVE DENTAL & VISION COVERAGE (HUMANA), SHORT AND LONG TERM DISABILITY (THE STANDARD), AND LIFE INSURANCE (THE STANDARD) FOR ALL ELIGIBLE TOWN EMPLOYEES IN ACCORDANCE WITH THE ATTACHED LETTERS OF AGREEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Planning & Zoning

18. **PUBLIC PARTICIPATION POLICY** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ESTABLISHING A POLICY CONCERNING PUBLIC PARTICIPATION; PROVIDING FOR CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

Public Works

19. **ADDITIONAL JANITORIAL SERVICES** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING ADDITIONAL JANITORIAL SERVICES FOR THE UTILITIES DEPARTMENT IN THE AMOUNT OF $25,209.36 PER YEAR AND IN ACCORDANCE TO BID #B-16-71 AS APPROVED BY RESOLUTION R-2016-105; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Purchasing

20. **BID SELECTION** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, SELECTING THE TWO TOP RANKED PROPOSERS, PROFESSIONAL FILING SYSTEMS DBA TRANSCRIPTION EXPERTS AND TRANSCRIPTION PARTNERS, INC., IN ACCORDANCE WITH RFP# JZ-18-81 VERBATIM TRANSCRIPTION SERVICES TERM CONTRACT AND AUTHORIZING THE TOWN ADMINISTRATOR OR HIS DESIGNEE TO NEGOTIATE AN AGREEMENT FOR SUCH SERVICES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

21. **CONTRACT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING THE CONTRACT WITH FLORIDA CDI, LLC DBA CHRISTMAS DESIGNERS FOR INSTALLATION, MAINTENANCE AND REMOVAL OF HOLIDAY LIGHTING FOR PORTIONS OF TOWN HALL AND PORTIONS OF DAVIE ROAD, SW 43RD STREET, THE WALK BRIDGE BETWEEN TOWN HALL AND OLD DAVIE SCHOOL, ALONG WITH PORTIONS OF THE OLD DAVIE SCHOOL AND THE ADDITION OF THE TWO CENTER MEDIAN ISLANDS LOCATED TO THE WEST OF DAVIE ROAD ALONG SW 43RD STREET ACCORDING TO RFP CS- 18-82; AUTHORIZING THE MAYOR TO EXECUTE THE RESOLUTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Utilities

22. **CONTRACT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, WAIVING FORMAL BIDDING AND ACCEPTING THE MAINTENANCE CONTRACT FROM ASCO POWER SERVICES, INC. AS A SOLE SOURCE MANUFACTURER AND SERVICE AGENT OF THE ASCO POWER TECHNOLOGIES EMERGENCY POWER TRANSFER SYSTEM FOR THE GENERATOR AT THE SYSTEM IV WATER RECLAMATION FACILITY (WRF) AND SYSTEM V WATER TREATMENT PLANT (WTP) (7351 SW 30 STREET); PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Quasi-Judicial Consent Agenda

23. **Site Plan SP17-271 Addilyn** (1201 SW 130th Ave., zoned A-1, R-5 proposed). **(tabled from August 15, 2018) (see related items #24, & 27)**

24. **Plat P17-272 Addilyn** (1201 SW 130th Ave., zoned A-1, R-5 proposed). **(tabled from August 15, 2018) (see related items #23, & 27)**

VI. DISCUSSION OF CONSENT AGENDA ITEMS

VII. PUBLIC HEARING

Resolution

25. **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 2019-2028; AND PROVIDING FOR AN EFFECTIVE DATE.

Ordinance - First Reading (Second and Final Reading to be held on September 17, 2018)

26. **PENSION PLAN AMENDMENT** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE TOWN OF DAVIE FIREFIGHTER PENSION PLAN TO ADOPT THE PENSION PROVISIONS OF THE 2017 - 2020 COLLECTIVE BARGAINING AGREEMENTS BETWEEN THE TOWN AND THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS; AMENDING SECTION 2, DEFINITIONS; AMENDING SECTION 16, SHARE PLAN; PROVIDING FOR THE MUTUALLY AGREED USE OF PREMIUM TAX REVENUES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; AND PROVIDING FOR AN EFFECTIVE DATE.

Quasi-Judicial Public Hearing
Ordinance - First Reading (Second and Final Reading to be held on September 17, 2018)

27. **REZONING** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING REZONING PETITION ZB17-273, **ADDILYN**, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM: AGRICULTURAL (A-1) DISTRICT TO LOW MEDIUM DENSITY DWELLING (R-5) DISTRICT; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE. (located at 1201 SW 130th Ave.). **(tabled from August 15, 2018) (see related items #23, & 24)**

Resolutions

28. **SPECIAL PERMIT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING SPECIAL PERMIT APPLICATION SE16-244 **HOME DEPOT**; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE. (Tower Shops - 2300 S. University Drive, zoned B-3). **(tabled from July 25, 2018)**

29. **VARIANCE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, TAKING FINAL ACTION ON VARIANCE APPLICATION V18-140 **SERGIO'S LATIN CAFE**, AND PROVIDING AN EFFECTIVE DATE. (3699 Davie Road Extension, zoned B-2).

30. **VARIANCE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, TAKING FINAL ACTION ON VARIANCE APPLICATION V18-154 **GRAHN**, AND PROVIDING AN EFFECTIVE DATE. (Variance V18-154 Grahn, located 60 Via Firenza Way (Currently Zoned R-5).

31. **VARIANCE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, TAKING FINAL ACTION ON VARIANCE APPLICATION V18-126 **ADVENTURE GAME SOCIETY**, AND PROVIDING AN EFFECTIVE DATE. (Variance V18-126 Adventure Game Society, located 6891-6895 Stirling Road (B-2 District).

APPLICANT IS REQUESTING THIS ITEM TO BE TABLED TO OCTOBER 3, 2018

32. **VARIANCE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, TAKING FINAL ACTION ON VARIANCE APPLICATION V18-120 **LONG KEY NATURE CENTER**, AND PROVIDING AN EFFECTIVE DATE. (3737 South Flamingo Road, zoned RS) **(Tabled from August 1, 2018)**

VIII. APPOINTMENTS

33. Committee/Board Vacancies & Appointments

IX. COMMITTEE RECOMMENDATIONS

X. OLD BUSINESS

XI. NEW BUSINESS

XII. SCHEDULE OF NEXT MEETING

September

Wed. 12th	12:00 PM Special Assessments Hearing
Mon. 17th	5:15 PM Second Budget Hearing 6:30 PM Town Council Meeting

XIII. MAYOR AND COUNCILMEMBER COMMENTS

XIV. TOWN ADMINISTRATOR COMMENTS

XV. TOWN ATTORNEY COMMENTS

XVI. ADJOURNMENT

Pursuant to Florida Statute § 286.0105, if a person decides to appeal any decision made by this board, agency, committee, or council with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings. For such purpose, he or she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

Persons with disabilities requiring accommodations in order to participate should contact the Town Clerk at 954-797-1023 at least five business days prior to the meeting to request such accommodations. If you are hearing or speech impaired, please contact the Florida Relay Service by using the following numbers: 1-800-955-8770 (voice) or 1-800-955-8771 (TDD).

TOWN OF DAVIE
REGULAR MEETING
SEPTEMBER 6, 2018

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 Caletka and Councilmembers Hattan, Luis 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.

III. OPEN PUBLIC MEETING

Mark Sierens thanked Council for installing speed tables on 70th Avenue, which was already helping. He wanted sidewalks installed next, and then a traffic light at 70th Avenue and Stirling Road.

Euri Marosi reported an alligator had been in her backyard and it had taken the Town three days to have it removed. She said a flap gate was needed to keep the alligators out.

Alana Wurtzman, Community Engagement Coordinator at Feeding South Florida, described the organization and asked the Town to help. She stated September was Hunger Action Month and suggested holding food drives and volunteering.

Christine Santoro, President of her neighborhood Crime Watch, said they vehemently opposed the Cinemark expansion project due to traffic and safety concerns. She feared the development would also increase crime.

Andrea Neumann, Ivanhoe resident, was also opposed to the Cinemark expansion because the space was too small. She said they feared it would prevent them from accessing their community. Approximately 20 other people stood to show support for this position.

Lee Jenkins, Ivanhoe resident and realtor, opposed the Cinemark expansion because of the traffic it would add. She also feared it would negatively affect property values.

IV. PRESENTATIONS

1. Town of Davie Parks, Recreation and Cultural Arts Aquatics Division Staff Recognition, Mark J. Wilson, Broward Fire Academy Program Coordinator

Mr. Wilson described the program and thanked Parks and Recreation for making Bamford Park available for the Fire Academy agility tests.

2. American Cancer Society Relay-for-Life Recognition

This item was postponed to another meeting.

Mayor Paul reported the applicant for Item 32 had requested it be tabled to October 3.

Councilmember Luis made a motion, seconded by Councilmember Starkey to table Item 32 to October 3. In a voice vote, all voted in favor. (Motion carried 5-0)

Mayor Paul pulled items 1, 3, 4, and 25 from the Consent Agenda. Vice Mayor Caletka pulled items 14, 23 and 24. Councilmember Starkey pulled Item 7.

Councilmember Starkey made a motion, seconded by Councilmember Luis to approve the

Consent Agenda, less items 1, 3, 4, 7, 14, 23, 24 and 25. In a voice vote, all voted in favor. (Motion carried 5-0)

V. APPROVAL OF CONSENT AGENDA

Proclamation

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Planning & Zoning

18. **PUBLIC PARTICIPATION POLICY** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ESTABLISHING A POLICY CONCERNING PUBLIC PARTICIPATION; PROVIDING FOR CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

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19. **ADDITIONAL JANITORIAL SERVICES** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING ADDITIONAL JANITORIAL SERVICES FOR THE UTILITIES DEPARTMENT IN THE AMOUNT OF $25,209.36 PER YEAR AND IN ACCORDANCE TO BID #B-16-71 AS APPROVED BY RESOLUTION R-2016-105; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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Utilities

22. **CONTRACT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, WAIVING FORMAL BIDDING AND ACCEPTING THE MAINTENANCE CONTRACT FROM ASCO POWER SERVICES, INC. AS A SOLE SOURCE MANUFACTURER AND SERVICE AGENT OF THE ASCO POWER TECHNOLOGIES EMERGENCY POWER TRANSFER SYSTEM FOR THE GENERATOR AT THE SYSTEM IV WATER RECLAMATION FACILITY (WRF) AND SYSTEM V WATER TREATMENT PLANT (WTP) (7351 SW 30 STREET); PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Quasi-Judicial Consent Agenda

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24. **Plat P17-272 Addilyn** (1201 SW 130th Ave., zoned A-1, R-5 proposed). **(tabled from August 15, 2018) (see related items #23, & 27)**

VI. DISCUSSION OF CONSENT AGENDA ITEMS

1. National Payroll Week (September 3-7, 2018)

Vice Mayor Caletka read the proclamation and Mayor Paul presented it to Bill Ackerman, Budget and Finance Director. Mr. Ackerman thanked his team and Council for their support.

3. July 25, 2018 Meeting Minutes (Regular)
4. August 1, 2018 Meeting Minutes (Community Endowment Workshop)

Mayor Paul reported the minutes had been revised.

Vice Mayor Caletka made a motion, seconded by Councilmember Hattan to approve the July 25, 2018 and August 1, 2018 minutes as amended. In a voice vote, all voted in favor. (Motion carried 5-0)

7. **SUPPORT** - MUNICIPAL HOME RULE

Councilmember Starkey stated the Florida League of Cities had held its annual conference recently and celebrated the 50th anniversary of municipal home rule. She asked Council's support for this resolution.

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

14. **COLLECTIVE BARGAINING AGREEMENT** - DAVIE PROFESSIONAL FIREFIGHTERS

Vice Mayor Caletka said Davie had the best Fire Department but not the best pay. He wanted the next contract to offer more competitive pay, to bring them from being in the top third to the top quarter.

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

VII. PUBLIC HEARING

Resolution

25. **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 2019-2028; 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.

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

Ordinance - First Reading (Second and Final Reading to be held on September 17, 2018)

26. **PENSION PLAN AMENDMENT** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE TOWN OF DAVIE FIREFIGHTER PENSION PLAN TO

ADOPT THE PENSION PROVISIONS OF THE 2017 - 2020 COLLECTIVE BARGAINING AGREEMENTS BETWEEN THE TOWN AND THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS; AMENDING SECTION 2, DEFINITIONS; AMENDING SECTION 16, SHARE PLAN; PROVIDING FOR THE MUTUALLY AGREED USE OF PREMIUM TAX REVENUES; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Paul announced the second reading would be held on 9/17/18.

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

The following three items were heard together:

23. **Site Plan SP17-271 Addilyn** (1201 SW 130th Ave., zoned A-1, R-5 proposed). **(tabled from August 15, 2018) (see related items #24, & 27)**

Mr. Rayson read the request by title.

David Abramson, Deputy Planning and Zoning Manager, described changes to the staff report and the applicant's public participation report and said the applicant had a presentation.

Jess Aberman, representing Zaveco Development, Ryan Thomas, civil engineer, and Dan Levitan, marketing consultant provided a presentation. Ms. Aberman said everyone attending the public information meeting supported the project.

Mayor Paul asked about the two small lots in the back and Mr. Levitan said any home model would fit on the small lots. Mr. Thomas stated the separation between the homes would be the same - 20 feet.

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 thought the homes were too large for the lots and were not compatible with the surrounding community. Mr. Levitan agreed that these homes' square footage was greater than the nearby Taralyne development, but noted that there were more 1 ½ and 2 story homes. The footprint was not much different. He stated these were the types of homes people wanted now.

Mayor Paul explained that this application had been submitted prior to Council passing the water storage ordinance. She said it was imperative that the homeowners' association documents indicate that the swale in front of the berm must never be filled in. Mr. Thomas agreed they would contribute $35,000 to the Drainage Fund. Mayor Paul stated if Central Broward Water Control District made the applicant install a lake for water retention, they would not be responsible for the contribution.

Councilmember Luis made a motion, seconded by Councilmember Starkey to approve, including the Site Plan Committee and stormwater recommendations. In a roll call vote, the vote was as follows: Mayor Paul - yes; Vice Mayor Caletka - no; Councilmember Hattan - yes; Councilmember Luis - yes; Councilmember Starkey - no. (Motion carried 3-2).

24. **Plat P17-272 Addilyn** (1201 SW 130th Ave., zoned A-1, R-5 proposed). **(tabled from August 15, 2018) (see related items #23, & 27)**

Mr. Rayson read the request by title.

Councilmember Luis made a motion, seconded by Councilmember Starkey to approve. In a roll call vote, the vote was as follows: Mayor Paul - yes; Vice Mayor Caletka - no; Councilmember Hattan - yes; Councilmember Luis - yes; Councilmember Starkey - no. (Motion carried 3-2).

Quasi-Judicial Public Hearing

Ordinance - First Reading (Second and Final Reading to be held on September 17, 2018)

27. **REZONING** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING REZONING PETITION ZB17-273, **ADDILYN**, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM: AGRICULTURAL (A-1) DISTRICT TO LOW MEDIUM DENSITY DWELLING (R-5) DISTRICT; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE. (located at 1201 SW 130th Ave.). **(tabled from August 15, 2018) (see related items #23, & 24)**

Mr. Rayson read the ordinance by title and reported the parties had waived quasi-judicial procedures.

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 Caletka -no; Councilmember Hattan - yes; Councilmember Luis - yes; Councilmember Starkey - no. (Motion carried 3-2).

Resolutions

28. **SPECIAL PERMIT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING SPECIAL PERMIT APPLICATION SE16-244 **HOME DEPOT**; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE. (Tower Shops - 2300 S. University Drive, zoned B-3). **(tabled from July 25, 2018)**

Mr. Rayson read the resolution by title and reported the parties had waived quasi-judicial procedures.

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

29. **VARIANCE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, TAKING FINAL ACTION ON VARIANCE APPLICATION V18-140 **SERGIO'S LATIN CAFE**, AND PROVIDING AN EFFECTIVE DATE. (3699 Davie Road Extension, zoned B-2).

Mr. Rayson read the resolution by title and reported the parties had waived quasi-judicial procedures.

Mayor Paul opened the public hearing portion of the meeting.

Martina Cruz, daughter of the applicant, said this was a family business and they wanted the wine and beer license to encourage more customers. She stated there was no bar in the restaurant.

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

David Quigley, Planning and Zoning Manager, reported there were three churches within the 1,200-foot zone, but no letters of objection had been received.

Mr. Quigley stated staff recommended that this be limited to a 2COP license and that alcoholic beverages would only be sold to patrons who also purchased a meal.

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

30. **VARIANCE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, TAKING FINAL ACTION ON VARIANCE APPLICATION V18-154 **GRAHN**, AND PROVIDING AN EFFECTIVE DATE. (Variance V18-154 Grahn, located 60 Via Firenza Way (Currently Zoned R-5).

Mr. Rayson read the resolution by title.

Mr. Abramson said the Planning and Zoning Board and the HOA supported the request.

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

31. **VARIANCE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, TAKING FINAL ACTION ON VARIANCE APPLICATION V18-126 **ADVENTURE GAME SOCIETY**, AND PROVIDING AN EFFECTIVE DATE. (Variance V18-126 Adventure Game Society, located 6891-6895 Stirling Road (B-2 District).

Mr. Rayson read the resolution by title.

Brian Dalrymple, the applicant, invited questions.

Mayor Paul opened the public hearing portion of the meeting.

Mark Sierens said the shop had been here 10 years and it was a great environment. He said Mr. Dalrymple was on the board of GAMA, Game Manufacturers Association, which helped stores like this become more successful. Mr. Sierens stated he would still bring his kids to the shop if alcohol was served.

Joseph Richard Pepin, Hollywood resident, said he had made many friends at the store and brought his son there.

Anthony Altieri, Cooper City resident, stated he had been visiting this store for a long time and he would appreciate being able to have a beer or two while playing games.

Jesse Fischer, Davie resident, explained that this store had helped him to come out of his shell and develop longstanding friendships. He thought it was reasonable to have a beer and wine license for social gaming. He also thought this would be good for the Town.

Tracy Bovee, Davie resident, said people were comfortable bringing young children into the store and they would do nothing to alter that atmosphere.

Another Davie resident said they had played games in bars but the environment was not optimal for gaming.

Chris Negelein, Hollywood resident, stated his son had Asperger's Syndrome and had benefited greatly from playing games in this store. He said the store encouraged solid friendships and community.

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

Vice Mayor Caletka had visited the store and acknowledged that stores like this were serving alcohol to survive.

Kamran Khurshd, co-owner, informed Council that they would sell food as well. He pointed out that Chuck E. Cheese's serves alcohol. He confirmed that anyone under 16 must be accompanied by an adult. Mr. Quigley added this to the resolution as a condition.

Vice Mayor Caletka made a motion, seconded by Councilmember Hattan to approve, with

the condition that anyone under the age of 16 must be accompanied by an adult, and the staff recommendations. In a roll call vote, the vote was as follows: Mayor Paul - yes; Vice Mayor Caletka - yes; Councilmember Hattan - yes; Councilmember Luis - yes; Councilmember Starkey - yes. (Motion carried 5-0).

Mayor Paul stated that this item was a good example as to how decision making occurs. She stated that prior to the meeting she was unsure about the item. Mayor Paul explained that she has advised applicants that she is unable to tell them whether she is in support of an item or not prior to hearing testimony regarding the item. The testimony given by the people who came to speak in support of this item swayed her, this was a perfect example of why it is important to listen to testimony.

APPLICANT IS REQUESTING THIS ITEM TO BE TABLED TO OCTOBER 3, 2018

32. **VARIANCE** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, TAKING FINAL ACTION ON VARIANCE APPLICATION V18-120 **LONG KEY NATURE CENTER**, AND PROVIDING AN EFFECTIVE DATE. (3737 South Flamingo Road, zoned RS) **(Tabled from August 1, 2018)**
    Tabled to October 3, 2018.

VIII. APPOINTMENTS

33. Committee/Board Vacancies & Appointments
    None

IX. COMMITTEE RECOMMENDATIONS

None

X. OLD BUSINESS

None

XI. NEW BUSINESS

None

XII. SCHEDULE OF NEXT MEETING

September

Wed. 12	12:00 PM	Special Assessments Hearing
Mon. 17	5:15 PM	Second Budget Hearing
	6:30 PM	Town Council Meeting

XIII. MAYOR/COUNCILMEMBERS' COMMENTS

MAYOR PAUL

THANKS TO PARKS AND RECREATION. Mayor Paul read a letter from the Senior Advisory Committee thanking the Parks and Recreation Department for the volunteers' appreciation dinner.

SAND VOLLEYBALL COURT REQUEST. Council had received a request for the court at Bergeron Park. Mayor Paul wanted Parks and Recreation to discuss this first.

RODEO. Mayor Paul reminded everyone that the rodeo was on Saturday at 7:30.

COUNCILMEMBER HATTAN

HOLES IN DRIFTWOOD PARK. Councilmember Hattan had received an alert from a resident about the holes and Public Works had addressed the problem immediately.

VOLUNTEERS' LUNCH. Councilmember Hattan said people were still talking about the lunch.
ALLIGATORS IN LINEAR PARK. Councilmember Hattan said residents wanted signs in Linear Park warning of the alligators. Mayor Paul suggested adding to the existing "Be Alert" signs.
REFURBISHING REFLECTIONS PARK. Councilmember Hattan said there was bond money left to refurbish the park.

COUNCILMEMBER LUIS
VENDOR TRAINING SEMINAR. Councilmember Luis reminded everyone that on September 28 the Purchasing Division would hold the seminar at 10 A.M. in Council Chambers.
FALL HARVEST FESTIVAL. Councilmember Luis reported the festival would be held on September 29 at Bergeron Rodeo Ground from 4 P.M. until 8 P.M.
THANKS FOR FLOOD MITIGATION. Councilmember Luis thanked the Town for addressing flooding issues.

COUNCILMEMBER STARKEY
LANDSCAPING CODE. Councilmember Starkey asked for staff's help amending the code to address greenery that had overtaken property. Council agreed.
SIERRA RANCHES ISSUES. Councilmember Starkey said there had been complaints about ATVs and gunfire at the property and this was because the fencing had been removed. She asked staff to address this.
EMAIL FROM MAYOR RYAN. Councilmember Starkey said Sunrise Mayor Michael Ryan had sent an email encouraging municipalities to send a resolution to the Supervisor of Elections and the Broward County School Board to block voting at schools. There were concerns about people coming onto campus and disrupting school. Vice Mayor Caletka said the idea was not to stop voting at schools but to give students the day off on election day.
RODEO. Councilmember Starkey was looking forward to the rodeo.
GOLF TOURNAMENTS. Councilmember Starkey said one tournament would benefit the Boys and Girls Club and the other would benefit Soroptimists International. She asked anyone interested to contact her or the Town.
ROSH HASHANAH AND YOM KIPPUR. Councilmember Starkey wished everyone a good Rosh Hashanah and a happy Yom Kippur.

VICE MAYOR CALETKA
GRIFFIN ROAD INTERCHANGE. Vice Mayor Caletka had met with FDOT earlier regarding the interchange he had removed from the MPO's Transportation Improvement Plan. FDOT had tried to convince him to keep the project but he refused.
TRANSPORTATION SURTAX ILA. Vice Mayor Caletka said the process Broward County had adopted via an ordinance for municipal projects was for them to be submitted and vetted by the Broward MPO but subsequently approved by the County Commission as well. The ILA municipalities were asked to sign included a penalty that municipalities that did not approve the ILA would be ineligible for any funding for 2019 and possibly 2020. This included the funding for community buses. Vice Mayor Caletka said the County had requested changing the structure of the MPO board to allow only Broward County Commissioners to have alternates attend a meeting in a Commissioner's place. Vice Mayor Caletka stated this had been deferred to the MPO board's November meeting, after the surtax vote. He said the MPO's general counsel had indicated it would be unconstitutional for the County to withhold distribution of the funds that were collected by the entire County.

XIV. TOWN ADMINISTRATOR'S COMMENTS

Mr. Lemack asked for clarification regarding voting in schools and Vice Mayor Caletka suggested that all students should be released from school on Election Day and Mr. Lemack should draft a letter pursuant to this. Mrs. Roig said the Broward County Municipal Clerks' Association was asked to send a letter to the School Board.

Mr. Lemack said Grace Garagozzo, Human Resources Director and HR staff deserved credit for the Volunteers' Luncheon.

Mr. Lemack had received a request from the Broward County Administrator to amend the ILA regarding the Consolidated Regional E-911 Communications. The item was scheduled for Broward County Commission action on September 13. The amendment would be effective October 1, 2018, retroactively, if need be. Mr. Lemack said many issues had been raised and some felt the consultant should have had more input from local public safety providers. He agreed to keep Council apprised of the situation.

Mr. Lemack reported that on September 13, the Broward County Commission would consider directing County staff to bring back an item that historic preservation issues would default to the Broward County Historic Preservation Board for any County municipality that was not a Certified Local Government per the Florida Division of Historical Resources. He recommended they monitor the County's process and take action once a decision was made. Mayor Paul said this was a Home Rule issue.

XV. TOWN ATTORNEY'S COMMENTS

Mr. Rayson announced he had been appointed Broward County Delegate to the American Bar Association House of Delegates by the President of the Broward County Bar Association.

XVI. ADJOURNMENT

There being no further business to discuss and no objections, the meeting was adjourned at 8:39 p.m.

Approved October 3, 2018

Judy Paul
Mayor/Councilmember

Town Clerk