

**TOWN COUNCIL
WORKSHOP MEETING
AUGUST 1, 2002**

The meeting was called to order at 7:01 p.m. Present were: Mayor Venis, Vice-Mayor Clark, and Councilmembers Paul, Starkey, and Truex. Also present were Town Administrator Willi, Town Attorney Kiar, and Town Clerk Muniz recording the meeting.

1. 2002-2003 BUDGET

Mr. Willi explained the reduction in millage due to the reduction in debt service and advised that the budget for 2002-2003 had the smallest increase in the last several budget years. He pointed out various changes that were made and noted where increases and decreases in expenses occurred. Mr. Willi stated that the budget included a number of new positions, staffing increases, promotions and upgrades.

Assistant Town Administrator Ken Cohen explained the salary schedule changes and added that in the past, employees from one department might have been paid out of another department's budget. He explained that this year, that practice would be eliminated. He clarified that the budget presented to Council was not a final draft and asked for Council's input.

Mayor Venis asked what the reserve amount was. Mr. Cohen indicated that he tried to keep it at the same amount as last year, which was \$200,000.

Councilmember Starkey and Mayor Venis had concerns with the zeros in the line items and asked if information could be included that would allow for comparisons to be made from year to year. Mr. Cohen indicated that this could be done adding that anything other than a consolidated report for salaries would be voluminous.

Councilmember Truex was pleased with the budget package. He felt the ad valorem rate could, and should, be cut because the taxpayers were going to be asked to approve a bond for a new firehouse and additional fees for staffing would be needed. Councilmember Truex felt the budget included some unrealistic characteristics; for example, the cost recovery program was not included which would be additional revenue to the Town.

Vice-Mayor Clark felt the Town needed to be cautious with reducing the millage rate in case there was a shortfall next year. Councilmember Truex indicated that the rate could then be raised back up to the current rate, rather than being raised higher. Mayor Venis felt the rate should not change because an increase in the future would be much larger if the current rate was reinstated and additional funding was necessary. Councilmember Paul was glad the rate was lowered due to debt service, but felt that the Town should hold steady rather than reduce the millage rate.

Councilmember Paul asked if the budget included an additional school resource officer position in the Police Department which she felt was extremely important. Chief George explained the breakdown of the school resource officer position. He stated that grants had been submitted for this position for the last three years, but to no avail.

Councilmember Paul felt the budget was a tremendous improvement over last year's budget. She wanted to see adjustments in the Charitable Donation line item and reiterated that the school resource officer should be included. Mr. Cohen reiterated that this budget was a draft and the Charitable Donation line item was not complete as requests were still coming in. He encouraged Council to revise the draft as they saw necessary.

Mayor Venis recommended that Council give their suggestions to Mr. Cohen so he could make revisions.

Councilmember Starkey wanted to keep the millage rate and the budget stable. Mayor Venis was pleased that the millage rate had been reduced over the last two years. He thanked staff for putting the budget together and felt it was very realistic. Councilmember Starkey indicated her desire to have Council and department director memberships in civic organizations budgeted because these memberships were costly and Councilmembers were invited to join many organization's boards. Mr. Willi stated that there was a line item for membership, but it was not specifically for Council. Mr. Cohen stated that this could be reviewed and spelled out, if necessary.

Mr. Cohen made a presentation on emergency medical services fees and distributed a schedule of rates and proposed rates. He explained that year-by-year, the rate would be impacted by approximately a 25% increase per year because of the opening of the proposed fire stations.

Councilmember Truex asked what the basis was for taxable property, specifically what formula was used. Mr. Cohen believed that Fire Chief DiPetrillo considered a 35% increase in business and homeowner usage.

Mayor Venis asked about revenues generated in transporting fees. Mr. Cohen indicated that he was not sure if they would generate fees to offset all of the costs to provide this service, but the fee schedule he created represented the maximum cost. Mayor Venis asked if more fees were collected than anticipated for transport fees, would it reduce the deficit in this analysis. Mr. Cohen indicated that this was possible.

Councilmember Paul asked if this rate was set, could it be lowered. Mr. Cohen replied affirmatively.

Councilmember Truex indicated that he did not want to place the multi-year proposal in place as he felt it would alarm the residents of the Town. Councilmember Starkey wanted the Town to take a mid-range approach regarding the emergency medical services fees. Mayor Venis and Councilmember Truex reiterated their feelings that the Town should approach this issue on a year-by-year basis.

Mayor Venis thanked staff for their hard work in putting the budget together.

Mayor Venis recessed the meeting at 8:14 p.m. and reconvened at 8:25 p.m.

2. ZONING IN PROGRESS

Development Services Director Mark Kutney explained the overview of this presentation and indicated that it would focus on the open space design concept guidelines that were previously discussed.

Planning and Zoning Manager Fernando Leiva made a PowerPoint presentation that focused on design guidelines and more specifically, the concepts of site design, building siting and design, compatibility and transition between uses, aesthetics, street access and circulations. He asked Council to consider what design features they would like to be available for the Town. Mr. Leiva stated that front porches in new communities were an architectural feature the Town could require as part of the Land Development Code. He referred to front-loading garages and

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stated that in order to preserve the natural character of the Town, this design could be discouraged. He said an alternative was to suggest that garages be placed on the side of houses. Mr. Leiva stated that specific requirements could be added to encourage more natural-looking fences. He spoke of guardhouses and main entrances and stated that they should be proportional to the surrounding environment, adding that this could be added as a requirement in the Land Development Code.

Mr. Leiva spoke of compatibility of uses and stated that a variety of natural landscape bufferings could be considered between uses. He referred to aesthetics and stated that developments should be offering different types of housing, facades, and rooflines which the current Code did not. Mr. Leiva stated that some municipalities had architectural review boards that set out guidelines and monitored the aesthetic features of new developments.

Mr. Leiva spoke of streets and roads and stated that staff wanted to encourage connectivity between adjacent sites. He indicated that cul-de-sacs should be discouraged and stated that the connectivity would alleviate some problems for emergency vehicles.

Planner Debbie Ross spoke of scenic corridors which consisted of landscape materials and other features as determined by Council. She referred to seven roadways considered by Council as corridors and advised that staff had added Orange Drive to the list. Ms. Ross advised that the corridors would include permitted uses, landscape materials, buffers, and signage, and clarified what specifics would be included for each. Councilmember Starkey asked that Hiatus Road be included.

Councilmember Paul indicated that she had spent several hours with staff and wondered if she should go over the changes she had recommended. Mr. Leiva indicated that these changes were not yet implemented because staff wanted to get all comments from Council prior to the document being brought back before Council. Councilmember Paul clarified that she wanted to see more trees and more landscaping and that the corridors in question should be lush in their initial stages rather than waiting until they grow.

Planner Marcie Nolan spoke of the Land Development Code revisions for AG, A-1, and R-1 land use designations, as they were crucial to the rural lifestyle. She stated that it was staff's intention to insure that the three zoning districts were implemented consistent with their purposes and staff had suggested insuring that residential developments were required to comply with the zoning district regulations as modified by the Zoning in Progress. Ms. Nolan clarified that staff was proposing that the minimum requirement was a true acre rather than a builder's acre in the AG and A-1 districts. The R-1 district could maintain a builder's acre concept. She stated that staff was proposing incentives for the AG and A-1 increase to a pure acre. Ms. Nolan advised that berms, walls, guardhouses, and guard gates could be restricted and this would encourage developers to build one unit per acre. She stated that gated communities in the R-1 district would have to build true acre sites. The berm and wall restrictions would enhance the open space effect. Ms. Nolan added that water features should be more natural and incorporated into the development.

Ms. Nolan referenced performance criteria within these districts, including roads that were consistent with the necessary usage. She referred to retention areas and stated that they should be the minimum that was necessary to serve the site. Ms. Nolan stated that Central Broward Water District would be consulted for appropriate size.

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Councilmember Starkey asked why the Rural Ranch category designations were not considered. Ms. Nolan indicated that this designation required a minimum of one unit per 2.5 acres and this was not included in the Town's land use map, but it was included in the Land Use Code. Councilmember Starkey felt this should be established so that it would be an option for the larger parcels under development. Ms. Nolan felt this was a good idea, but it would have to be voluntary.

Councilmember Paul felt there were residents who would want to keep their land as AG. She felt that AG should remain on the land use map, as some lands would not be developed. Ms. Nolan indicated that it could not appear on the map unless someone stepped forward and voluntarily offered to change their land use designation to AG.

Councilmember Starkey expressed her desire to remain with the larger lot sizes.

Councilmember Paul spoke of Julie Aitken's letter which asked Council what alternatives they could offer to preserve open space. Councilmember Paul felt the Code needed to be changed so that R-1 could have the provision for open space.

Councilmember Truex asked if having a guard gate was a property right. Land Use Attorney Andrew Maurodis indicated that building a guard gate was not a property right. Councilmember Truex expressed his opposition to guardhouses and felt they should be abolished all together. He asked that staff be more restrictive when approving this feature.

Councilmember Paul stated her concern about the guardhouses restricting public access and spoke of enhancing the guard gates by bringing them closer to the street. Ms. Nolan indicated that the potential restrictions included walls and berms greater than three feet in height, guard gates, guardhouses or guard arms, and opaque fencing applied to all three land use categories. She clarified that guardhouses would only be allowed in R-1 developments.

Ms. Nolan spoke of the open space design concept and the considerations that Council would need to factor in if the design concept was going to be encouraged. She stated that staff did not intend to redefine "E" districting. Ms. Nolan explained that the open space design concept was intended as site design and was not to be prescriptive as the "E" district was. She stated that staff was proposing that there be no less than 50% open space in any development and added that open space would drive the design. In order for this to work, the lots would have to be flexible. She stated that the open space was what was regulated, not the design of the houses so that developers could have the power to meet their profit margins. The open space was to be usable by the community.

Councilmember Starkey expressed her concerns about open spaces in "guarded" developments as she felt they were not true open spaces because they were not open to the public. Councilmember Paul asked if the Town could require the developer of land to appropriate open space. Mr. Maurodis indicated that any forced appropriation could lead to litigation.

Vice-Mayor Clark felt that the report was well done. She felt that staff's task was daunting, as Council wanted open space and it appeared that the only way this could be truly accomplished was to either use the open space design concept or buy the land. Mr. Kutney felt that Council needed to look at a development pattern. He agreed that since Council was dealing with finite landmasses, there were limitations on what could be done to preserve open

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space, unless the large parcels were purchased by the Town. Ms. Nolan indicated that there was a list of various owners for the open space areas which included the Town, a non-profit

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organization such as a land trust, or a corporation or trust set up by the homeowner's association. She stated there were caveats that insured that the open space was properly maintained.

Councilmember Truex was skeptical about the clustering concept because he felt that there was a potential for the designated open space to be converted to non-open space in the future. He stated that the only way to insure the open space was protected in the future was that if bigger lots were required now. Mayor Venis stated that the developer could deed the open space to the Town, which would protect future development.

Mayor Venis referred to "E" zoning and asked what the open space percentage was with Ms. Nolan responding that it was 40% and added that water was included in the open space. She stated that staff was trying to increase "dry" open space and that including "true" retention areas would increase the proposed 50%. Mr. Kutney clarified that the "true" acre lots would give the rural character atmosphere, more so than the builder's acre lots.

Councilmember Starkey distributed a schedule of estimated tax rates based on lot size. The document showed the tax base for various lots sizes around the Town, specifically that builder's acre lots generated approximately \$10,000 per year in taxes. She cautioned that this needed to be strongly considered because the tax base could be adversely affected if smaller houses were encouraged. Councilmember Starkey stated that the residents had made it very clear that they wanted larger lot sizes.

Mr. Leiva asked Council to direct staff to take this to the next level so that it could be further clarified. Councilmember Starkey recommended that the minimum lot size should be 35,000 square feet. Councilmember Paul felt that 35,000 square foot lots would not promote open space.

Julie Aitken reiterated that the residents of the community wanted the equestrian lifestyle and rural character to be a priority and she felt that 35,000 square foot lots did not preserve this character. She cautioned Council that if they approved this lot size, they would be setting themselves up for lawsuits because developers would be angry that their developments were delayed for no reason, as nothing would be changed.

Vice-Mayor Clark was concerned because staff followed Council's direction and now members of Council were telling staff "they did not ask for" what staff had presented.

Ms. Nolan stated that staff had to rewrite the Land Development Code and they needed direction from Council so that they could move forward with it. She sensed that Council did not want staff to move forward on open space design and cautioned that time was of the essence.

Councilmember Truex reiterated that he was against the clustering concept. Councilmember Paul felt that if true open space could be realized, then she would not mind seeing the clustering design. She stated that the larger lot size would leave no room for common open space.

Mayor Venis felt it was Council's responsibility to advise residents surrounding proposed developments of the options and get feedback from them. Councilmember Starkey felt that this should be moved forward with a minimum lot size and the rural ranch designation. She stated that residents had already indicated that they were opposed to small lot sizes. Councilmember Starkey also stated that open space needed to be more clearly defined.

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Mr. Kutney advocated trying to fulfill the desires of the voters. He stated that A-1 was suburban and did not characterize the rural lifestyle. Councilmember Paul wanted staff to come up with additional options for open space.

Council gave direction for staff to continue to develop the positive issues discussed.

There being no further business to discuss and no objections, the meeting was adjourned at 10:37 p.m.

Approved _____

Mayor/Councilmember

Town Clerk