

**TOWN COUNCIL
WORKSHOP MEETING
MAY 29, 2003**

The meeting was called to order at 6:34 p.m. Present were Mayor Truex, Vice-Mayor Starkey, Councilmembers Crowley, Hubert and Paul. Also present were Town Administrator Willi, Town Attorney Kiar, and Town Clerk Muniz recording the meeting.

Mayor Truex advised of the procedure to be followed and explained that Council would take no action at this meeting, as it was only a workshop.

1. Westridge Property - West Abiaca Circle

Planning and Zoning Manager Fernando Leiva provided a history of the 15-foot equestrian trail on the western side of the Forest Ridge subdivision.

Mayor Truex advised of the rules for the public to speak.

Lorraine Yeomans, 2621 West Abiaca Circle, stated that the residents did not want to dismantle the trail system, but felt the 15-foot piece behind the homes was not a vital link in the system. She requested clarification as to why it was referred to as an equestrian trail and not a recreational trail. Ms. Yeomans suggested that since there were 47 acres of open space, the recreational trail be relocated allowing residents to access the 15 feet within their lot lines.

Mr. Leiva stated that according to the records the Town had, it was referred to as a recreation trail, but the Comprehensive Plan had it listed as an equestrian trail. Recreational trails include bicycle, pedestrian, and/or equestrian trails.

Vice-Mayor Starkey indicated that the 15 feet was originally an easement buffer.

Jay McGrath, 2881 West Abiaca Circle, spoke of the existing conditions and how when he first purchased his home, there was no fence. He felt it was unfair to allow the developer to place the fence there since the residents owned the property and must maintain it. Mr. McGrath was also concerned about insurance liability should someone get hurt.

Susan Levinsohn, 2761 West Abiaca Circle, stated that the original trail that existed was beyond the current 15 feet.

Adam Yeomans, 2621 West Abiaca Circle, felt there was plenty of space for the homeowners and the horse riders to co-exist. He did not feel that the trail would be missed if it were removed or relocated.

David Howard, 2821 West Abiaca Circle, felt the trail was not a vital link. He indicated that he was paying property tax on property that he did not have access to and it was a possible safety hazard. He indicated that signage pointed the equestrian trail around the 15-foot easement and stressed that a recreational trail was different from an equestrian trail.

Shirley Munson, 3030 SW 121 Avenue, appreciated the trails from the perspective of a hiker and spoke of her understanding of the genesis of the trail system. She felt that the trail should not be changed at this time.

Donald Miller, 2741 West Abiaca Circle, was opposed to the trail and reiterated that he, as well as the other residents, maintained the trail; not the Town. He felt it was something that the residents purchased and were more entitled to than those who rode horses there. Mr. Miller asked the Town to help residents get their property back.

Jill Fiorentino, 4200 SW 95 Avenue, felt that the Town's vision was to preserve open space and eliminating the 15 feet would be in opposition to this goal.

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Jennifer McDonald, 6847 College Court, felt that removing the 15 feet would begin the decline of Davie's past as there were less and less places available to ride.

Martin Levine, 2601 West Abiaca Circle, felt that the easement was meant for FPL only and asked for a buffer zone to keep the horses out of resident's back yard.

Former Councilmember Kathy Cox provided a history of the trail and discussions with the developer that eliminated the planting of a ficus hedge, which was the original landscape buffer. She explained how the trail was created and pointed out where the South Florida Trailriders rode. Ms. Cox spoke of the proposed, paved recreational trail and how concern from the residents led to the relocation of the trail which was now unpaved. She indicated the necessity and purpose of the fence to prevent encroachment. Ms. Cox distributed pictures to Council that depicted current conditions along the trail easement where residents had planted trees and plants. She felt that giving away the 15-foot trail was the first step towards eliminating the Town's trail system.

Julie Aitken, 3801 Flamingo Road, spoke of the unique characteristics of the trail system. She indicated that in her service on the Site Plan Committee, she came across many residential communities that had easements for recreational trails.

Laurie Flebotte, 13801 SW 26 Street, spoke of natural characteristics of horses and of Florida Statutes that addressed liabilities.

Sandra Switzer, 13510 SW 29 Street, asked Council not to give up the easement.

Donald Maines, 17401 SW 48 Street, discussed South Florida Trailriders civic efforts and of their efforts to preserve the trail system. He spoke of his desire for the Town's trails to be linked to the Town of Southwest Ranches.

Arthur Hurley, 3500 SW 121 Avenue, felt that the easement belonged to all the Town's residents and asked that the Town maintain this easement.

John Simpson, 4610 SW 164 Terrace, spoke on petitioning the Town to increase property size after purchase, even when the owner was aware of easements before purchase.

Hilda Testa, 13940 SW 24 Street, felt that the trail needed to be maintained by the Town in perpetuity. She felt a recreational trail included equestrian use and that the current easement was safer for the animals because it is a stabilized area.

Deborah Tam, 1540 SW 119 Street, felt that "snipping away at this link" would lead to the elimination of the trail system. She suggested that the affected homeowners research their home purchases better in the future. Ms. Tam felt that Davie's vision required the Town to preserve its natural resources.

Linda Baca, 3995 SW 56 Avenue, discussed the role the riders played in assisting the community in crime prevention, citing a recent assist in finding a stolen golf cart. She spoke of a citizen-mounted patrol that was to be started up again with the Davie Police Department. Ms. Baca felt the Town should be responsible to maintain the easement and indicated that her own personal insurance would cover any liability should a horse related accident occur.

Barbara Pierson, 11975 SW 15 Court, chose to move to her home because of the trail even though she did not own a horse.

Leigh Ann Monek, 3342 Ridge Trace, indicated that she also did not own a horse but felt that the horse trail offered a unique characteristic that other areas did not offer.

Shirley Duhaney, 3001 West Abiaca Circle, was concerned with the potential liability that

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may be present when riders use that portion of the trail.

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Cheri Aleman, 13673 SW 36 Court, disagreed with the previous speaker about the liability issue.

Matthew Stermer, 2980 SW 137 Terrace, indicated that he and his family rode horses. He advised that he had easements on his property and he knew that he could not build on them. Mr. Stermer spoke against any attempts by Council to diminish the trail.

Debra Breslauer, 1720 SW 120 Terrace, felt that diminishing the trail would set a precedent for other communities within the Town.

Don Vance, 4701 SW 188 Avenue, indicated that he had three easements on his property and he knew he could not build on them.

John Bambis, 9981 North Abiaca Circle, asked Council why the developer was allowed to purchase the easement and place it on the lots when the easement was there prior to the development. He asked Council to right "a wrong."

Fred Cox, 4940 Thoroughbred Lane, felt that it would be improper for the Town to give the residents an easement that was dedicated to the Town.

Ben Theisen, 5101 SW 199 Avenue, spoke in favor of the trail and asked Council to continue to support it.

Heather Finney, 2781 West Abiaca Circle, indicated that she owned one of the first houses to be built in this area. She felt that the residents were the ones who made the area nice.

Julie Bambis, 9981 North Abiaca Circle, advised that she appreciated the horses; however, she was concerned that homeowners might be liable if someone was injured on her property.

Lisa Edmonson, 4311 SW 93 Avenue, felt that equestrians from all over were a significant part of the economic base of the Town.

John Finney, 2781 West Abiaca Circle, was not against open space, but felt it was unfair for the Town to designate private citizen's property as open space. He felt the residents were not asking to remove the easement, they were asking to have the fence moved to give them use of their property. Mr. Finney indicated that there would still be plenty of room for the riders.

Ken DeArmas, 14490 SW 23 Street, spoke regarding his previous dealing with Council and how it was affected due to Council's view on open space.

Ms. Yeomans rebutted some of the statements made by Ms. Cox concerning the 15-foot buffer. She said that the land was dedicated to the Town as a road right-of-way, not a recreational open space area. Ms. Yeomans indicated that this was a special case that would not set a precedent.

Seeing no others, Mayor Truex closed the public hearing.

Councilmember Paul indicated that equestrians were an integral part of the Town's history. Historically, all the riding trails were on easements and she felt strongly that staff had made the right determination. She stated that this was an issue at site plan and felt it should remain as it was.

Councilmember Crowley spoke of his experiences in dealing with residents and easements and indicated that he would be opposed to giving the easements back to the residents.

Councilmember Hubert indicated that an easement was listed on the literature that the residents received and questioned how the residents could now expect the Town to give it up.

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Mayor Truex agreed with Councilmember Crowley pertaining to easements. He was in not in favor of surrendering the easement back to the residents.

Vice-Mayor Starkey indicated this was one of the most difficult issues that she had faced as a Councilmember and felt that the land was never the Town's; that it belonged to the residents. She stated that the Town and the rider's could work out a compromise to stabilize the area beyond the 15-foot buffer and allow the homeowners the use of their land. She asked for a mutual respect between the homeowners and the Trailriders.

Mayor Truex asked if Council was now in favor of giving the easement back to the residents. It was the consensus of Council that they were not in favor. Mayor Truex suggested that Mr. Willi create a resolution highlighting the points that expressed the majority opinion of Council.

Vice-Mayor Starkey asked if her suggestions could be incorporated into the resolution. Council indicated in the negative.

Mayor Truex suggested that perhaps Vice-Mayor Starkey could pursue these ideas with the residents and bring a proposal back to Council as a separate issue in the future and perhaps Public Works could present the maintenance policy in regards to this property.

Mayor Truex recessed the meeting at 9:25 p.m. and the meeting reconvened at 9:32 p.m.

2. Police Athletic League (PAL) Program

Councilmember Hubert spoke on a special program in her district and indicated that because PAL was collecting money from parents, it must follow Department of Children and Families (DCF) guidelines. She indicated that parents were concerned that children or perhaps others could walk in and out without staff supervision.

Officer Bob Spence explained that the purpose of the program was to provide affordable summer camp and advised that he informed every parent that it was a summer camp not a day care center. He indicated that PAL was attempting to get one staff member for every 10 children, which was well within DCF guidelines. Officer Spence explained that children who signed in received an armband for identification. However, the building needed to remain open for neighborhood children to use the facility.

Councilmember Hubert indicated that she had made the suggestion to allow the Parks and Recreation Department to administer the program; however, the PAL Board was not in favor of this idea. Officer Spence explained that the PAL program was different from other summer programs. He advised of directives that he was trying to implement that would help allay the fears of the residents including camp T-shirts for children, increased staffing, and background checks for staff.

Councilmember Hubert advised of meals that could be provided by Memorial Hospital and asked how many people he had in the center. Officer Spence advised that 400 people were members and 150 people attended on any given day.

Vice-Mayor Starkey felt that the PAL board and Council needed to develop a strategy to alleviate some of the problems and spoke of the background check on the individual that was being considered for employment. She stated that the PAL program needed to be more self-sufficient and acknowledged her amazement at the number of things PAL was able accomplish.

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Officer Spence indicated his appreciation to Council for their continued support. He spoke of the computer lab, fundraising efforts, and other programs that were advancing the efforts of PAL.

Police Chief John George spoke of some changes and recommendations that would eliminate some of the reporting and chain of custodies that existed. He had assigned Police Lieutenant William Bamford to conduct a comprehensive audit of PAL that would list the accomplishments and weaknesses of the program. Chief George noted that the PAL program was moving to align their practices with the Town's practices and standards. He suggested meeting in a month to review these recommendations.

Councilmember Hubert indicated that something needed to be done, as June 16th was approaching. Officer Spence assured Councilmember Hubert that PAL was adequately staffed for the number of kids anticipated in the program.

Mayor Truex asked Mr. Willi if the Town could accommodate overflow should more children show up than PAL had staffing for. Mr. Willi indicated that the Town would not be able to accommodate them on short notice.

Chief George indicated that he would meet with Officer Spence and get back to Council on the programs and staffing of PAL to ensure that the needs of the community were addressed.

Councilmember Hubert suggested PAL seek the aid of the Memorial Hospital volunteer program. Chief George agreed to have Officer Spence look into it and bring an answer back to Council.

Stephanie Scott voiced a concern that her children were on the waiting list to get into a summer program, but were never called to attend even though she knew there were vacancies.

Ron Nelson, past president of PAL, spoke of the explosive growth of the PAL program and any money taken away from the program would affect the children. He distributed a memo that outlined some of the problems along with a memo from PAL that outlined how these problems were going to be dealt with.

Councilmember Paul commended Chief George for his involvement and PAL for their successes and indicated that she wanted to see PAL become more self-sufficient financially. She added that the Council just wanted the program to become more effective and efficient.

There being no further business to discuss, Mayor Truex adjourned the meeting at 10:26 p.m.

Approved _____

Mayor/Councilmember

Town Clerk