

REGULAR MEETING MINUTES OF THE TOWN COUNCIL
Southwest Ranches, Florida

Thursday 7:00 PM

March 10, 2022

13400 Griffin Road

Present:

Mayor Steve Breitkreuz	Andrew Berns, Town Administrator
Vice Mayor Gary Jablonski	Russell Muñiz, Assistant Town Administrator/Town Clerk
Council Member Jim Allbritton	Martin D. Sherwood, Town Financial Administrator
Council Member Bob Hartmann	Keith Poliakoff, Town Attorney
Council Member David S. Kuczenski	

Regular Meeting of the Town Council of Southwest Ranches was held 13400 Griffin Road in the Southwest Ranches Council Chambers. The meeting, having been properly noticed, was called to order by Mayor Breitkreuz at 7:06 PM. Attendance was noted by roll call and was followed by the Pledge of Allegiance.

3. Presentation – Waste Pro Update – Russell Mackie and Tim Mooney

Waste Pro President Russell Mackie gave an update on conditions in the waste industry and some of the challenges Waste Pro is facing.

4. Public Comment

The following members of the public addressed the Town Council: Pavitpaul Makkar, Joseph Altschul, Newell Hollingsworth, Ruben Alen, Marianne Allen and Jason Halberg.

5. Board Reports

Joseph Altschul Chair of the Comprehensive Plan Advisory Board spoke about the Rural Ranches Plus item that was sent back the advisory board by the Town Council.

George Morris, Chair of the Drainage and Infrastructure Advisory Board and Southwest Ranches Parks Foundation board member, spoke about losing a member of the board and advised the Town Council the results of the election of officers. He also spoke of the upcoming Farmer's Market and other events planned to take place.

6. Council Member Comments

Vice Mayor Jablonski spoke about the upcoming events happening in Southwest Ranches such as, the Easter Egg Hunt at Rolling Oaks Park and the Unity in Diversity 5k. He also reminded the public the Southwest Ranches scholarship application is on the website to be downloaded and submitted. The Parks, Recreation, Forestry and Natural Resources advisory board met on March 8th and discussed naming the Town's 5-acre parcel, "The Green Meadows Preserve" as suggested by Vice Mayor Jablonski. Town Administrator Berns clarified the name that was discussed and settled on was, "The Southwest Meadows Preserve". Lastly, he indicated that Marie Nix had moved away from the Town and had to resign from the Parks, Recreation, Forestry and Natural Resources advisory board (PRFNAB). She recently moved back into Town and expressed her desire to be placed back on the PRFNAB. Vice Mayor Jablonski recommended she be placed back on the advisory board as an at-large member.

The following motion was made by Vice Mayor Jablonski, seconded by Council Member Kuczenski and passed by a 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Jablonski, Kuczenski, Vice Mayor Hartmann and Mayor Breitreuz voting yes.

MOTION: TO PLACE MARIE NIX BACK ON THE PARKS, RECREATION, FORESTRY AND NATURAL RESOURCES ADVISORY BOARD (PRFNAB) AS AN AT-LARGE MEMBER.

Council Member Hartmann spoke about Quasi-Judicial proceedings, the Town Council's role within the process and who they can and cannot speak with prior to the hearing. He spoke about his attendance at the Broward County Metropolitan Planning (MPO) meeting earlier in the day and the items that were discussed.

Council Member Kuczenski spoke about the Bonaventure Bridge on Griffin Road that crosses the C-11 canal that he would like to see a designated equestrian path crossing. He stated he's making headway with the Town of Weston for a favorable outcome. He spoke about the drainage projects throughout the Town that are funded by the Transportation, Surface, Drainage & Ongoing Rehabilitation (TSDOR) program and how well they are going. He spoke about the dangers of selling items online and to never complete the transaction at personal residences. Council Member Kuczenski also advised if a resident is going out of Town, notify Davie Police and request a vacation extra watch and they will drive by the place of residence extra times per day. Last, he advised the residents to log onto the Broward Supervisor of Elections website every so often to make sure their personal information and voting status are correct.

Council Member Allbritton advised the Public Safety and Traffic Committee meetings are the first Tuesday of every month and he encouraged people to attend. He also advised he is making headway in reforming the Green Meadows HOA. He spoke about the Broward League of Cities and the funding that is available for needed projects around the Town. He spoke about the legislative bills that are up for vote in Tallahassee that could threaten Home Rule for municipalities. Last he spoke about the Gary Poliakoff Founders Trailside Park and the mural that is being painted along the wall behind the park. The artist was chosen by the Rural Public Arts Advisory Board to paint six (6) panels and he is excited to see the finished product.

Mayor Breitreuz also spoke about Home Rule and how it is being obliterated by Tallahassee. Next, he asked Town Administrator Berns to intervene in an issue between a Town Contractor and resident. He spoke about the things he learned at the solid waste community workshop concerning solid waste that was held on February 26th. He spoke about getting a consensus from the Town Council regarding bulk pick up collection and what is and is not being picked up such as landscaping and construction debris and have it placed directly in the new contract. He then asked the Town Council what they thought, and a discussion ensued. Town Administrator Berns suggested surveying the surrounding municipalities regarding landscape debris removal services to get an idea of how they are handling the issue. After the discussion, Mayor Breitreuz felt looking into the landscape debris issue was a good idea and to keep discussing the construction debris issue to see if they can come up with a solution. Last, he announced the opening of the very first Farmer's Market on March 19th.

7. Legal Comments

Town Attorney Poliakoff addressed the landscape and construction debris issue and he suggested that once all the data is in from the survey, then he would like to sit down with Mayor Breitzkreuz and work on drafting language. Next, he clarified for the public what Rural Ranches Plus was meant to accomplish. It was to create a new zoning category, it was never linked directly to a specific property and to date, there are no pending applications. He addressed questions and statements that were stated during the public comment portion of the meeting. Town Attorney Poliakoff attended Birdie Knight's memorial service and stated it was an honor to attend and credited December Lauretano-Haines and the Town on the phenomenal job putting it together. Last, he spoke about the development of the former CCA property. Two applicants that came forward were reviewed by the selection committee and negotiations have begun with the first ranked applicant.

8. Administration Comments

Town Administrator Berns spoke about tires that have been dumped throughout the Town and Code Enforcement Director Medina did a sweep and collected 26 tires of various sizes. He then read an email that was sent earlier in the evening by Russell Mackie of WastePro to his employees as well as himself which detailed the issues the Town had been having with WastePro. Last, Town Administrator Berns spoke about three drainage project requests in the amount of \$1.5 million that are pending approval by the Governor's Office.

Town Attorney Poliakoff then asked the Council if they would consider moving item 12 to be discussed prior to item 9.

The following motion was made by Vice Mayor Jablonski, seconded by Council Member Hartmann and passed by a 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Hartmann, Kuczenski, Vice Mayor Jablonski and Mayor Breitzkreuz voting yes.

MOTION: TO MOVE DISCUSSION ITEM 12 PRIOR TO ITEM 9.

12. Proposed Charter Review Amendments Discussion

Assistant Town Administrator Muñiz reviewed the recommended modifications to the Town Charter that the Charter Review Committee identified which were as follows:

- Section 9 was moved from the end to the beginning to create section 1.01, Creation and Establishment of Town.
- Section 1.01 became section 1.02 and the proposed changes within to convey the essence of the Town.
- Section 2.04, proposed language changes, Mayors residency requirements.
- Subsection b of section 2.04, proposed language changes, Town Council residency requirements. A discussion ensued and the consensus was, "prior to serving on the Town Council, the candidate must live in the Town for at least two (2) years and prior to becoming Mayor, the candidate must serve on the Town Council for at least one (1) term".
- Section 3.03a, proposed language changes regarding nepotism.

- Section 3.06, proposed language regarding who establishes the duties of the Town Clerk.
- Section 3.07, proposed language changes regarding the Town Attorney representing the Town Council on outside matters not having to do with the Town.
- Section 6.01, proposed language changes regarding removing unnecessary language about elections, which prompted an in-depth discussion.
- Section 6.01(h), proposed language changes regarding the oath of office.
- Section 7.02c, proposed language changes regarding election results.
- Section 7.03, proposed language change, appointment of the Charter Review Committee and changing the frequency of the Charter Review from once every four years to once every ten years following the results of the census have been released.
- Section 8.08b, proposed language changes to Board and Committees to include, "All appointees shall be qualified electors of the Town".
- Section 9.01 suggested to be relocated to the beginning of the Charter and changed to Section 1.01.
- The remaining sections of the Charter were suggested to be stricken because it no longer applies. Town Attorney Poliakoff suggested to wait until the 2024 election to place one question on the ballot to remove antiquated language in the Charter.

Assistant Town Administrator Muñiz thanked the Charter Review Committee for their efforts in reviewing the Charter. Mayor Breitreuz then suggested another change regarding the filling of a vacancy in an emergency situation. Town Attorney Poliakoff recommended the following Charter changes be placed on the 2024 ballot: a) language cleanup, b) 60% election certification and c) removing remaining sections of the Charter as they no longer apply. He then clarified with the Mayor and Town Council the three (3) items to be placed on the 2022 ballot will be: a) the charter review will occur every ten (10) years following the results of the Census, b) changing language to allow the Town Council to fill a vacancy in an emergency situation, and c) residency requirements for both the Mayor (possibly 4-5 years) and Town Council (2 years) as well as possibly having to serve a term as a council member before being able to run for Mayor. The Mayor and the Town Council agreed.

Ordinance – 2nd Reading

9. AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE TOWN OF SOUTHWEST RANCHES UNIFIED LAND DEVELOPMENT CODE ("ULDC"), ARTICLE 10, ENTITLED, "DEFINITION OF TERMS" TO REVISE THE DEFINITION OF THE TERM, "NET ACRE" TO EXCLUDE CERTAIN SURFACE WATER MANAGEMENT AREAS AND DRAINAGE EASEMENTS; AMENDING ARTICLE 45 ENTITLED, "AGRICULTURAL AND RURAL DISTRICTS," SECTION 045-070 "MINIMUM PLOT SIZE AND DIMENSIONS" TO PROVIDE FOR LOTS MADE NONCONFORMING BY THIS ORDINANCE; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE. **{Approved on First Reading February 24, 2022} STAFF REQUESTING A TABLING TO MARCH 24, 2022**

THIS ITEM WAS WITHDRAWN.

Resolutions

10. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING AN AGREEMENT WITH HUURR HOMES, LLC FOR ROADWAY REPAIRS AND TRAFFIC SIGN MAINTENANCE SERVICES; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO ENTER INTO AN AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

The following motion was made by Vice Mayor Jablonski, seconded by Council Member Kuczenski and passed by a 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Hartmann, Kuczenski, Vice Mayor Jablonski and Mayor Breitkreuz voting yes.

MOTION: TO APPROVE THE RESOLUTION.

11. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, SUPPORTING THE PEOPLE OF UKRAINE'S CONTINUING QUEST FOR A FREE AND DEMOCRATIC STATE, PROVIDE HUMANITARIAN RELIEF TO THOSE SUFFERING IN UKRAINE, DENOUNCING THE ACTIONS OF THE MILITARY OF THE RUSSIAN FEDERATION AND THEIR PRESIDENT VLADIMIR PUTIN, AND URGING THE UNITED STATES FEDERAL GOVERNMENT AND ITS ALLIES TO TAKE SUBSTANTIVE ACTION TO PUNISH THE RUSSIAN FEDERATION; AND PROVIDING AN EFFECTIVE DATE.

The following motion was made by Council Member Kuczenski, seconded by Council Member Allbritton and passed by a 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Hartmann, Kuczenski, Vice Mayor Jablonski and Mayor Breitkreuz voting yes.

MOTION: TO APPROVE THE RESOLUTION.

13. American Rescue Plan Act (ARPA) Funding – Project Priority List Discussion

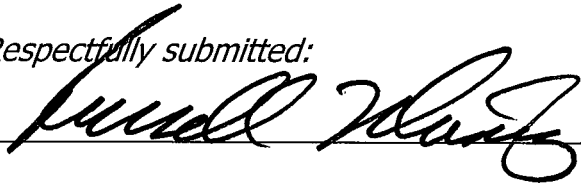
The following motion was made by Council Member Hartmann, seconded by Vice Mayor Jablonski and passed by a 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Hartmann, Kuczenski, Vice Mayor Jablonski and Mayor Breitkreuz voting Yes.

MOTION: TO TABLE ITEM TO THE MARCH 24, 2022 TOWN COUNCIL REGULAR MEETING.

14. Adjournment

Meeting was adjourned at 10:54 p.m.

Respectfully submitted:



Russell Muñiz, Assistant Town Administrator/Town Clerk

Adopted by the Town Council on this 14th day of April 2022.



Steve Breitzkreuz, Mayor

PURSUANT TO FLORIDA STATUTES 286.0105, THE TOWN HEREBY ADVISES THE PUBLIC THAT IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT FOR SUCH PURPOSE, THE AFFECTED PERSON MAY NEED TO ENSURE THAT VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE TOWN FOR THE INTRODUCTION OR ADMISSION OF OTHERWISE INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.