

REGULAR MEETING MINUTES OF THE TOWN COUNCIL
Southwest Ranches, Florida

Thursday 7:00 PM

October 27, 2022

13400 Griffin Road

Present:

Mayor Steve Breitkreuz

Andrew Berns, Town Administrator

Vice Mayor Gary Jablonski

Russell Muniz, Assistant Town Administrator/Town Clerk

Council Member Jim Allbritton

Emil C. Lopez, Town Financial Administrator

Council Member Bob Hartmann

Keith Poliakoff, Town Attorney

Council Member Kuczenski

Regular Meeting of the Town Council of Southwest Ranches was held at 13400 Griffin Road in the Southwest Ranches Council Chambers. The meeting, having been properly noticed, was called to order by Mayor Breitkreuz at 7:01 PM.

3. Davie Police Chief Steve Kinsey – Public Safety Readiness

Chief Kinsey spoke about active killer training and every officer in the Davie Police Department is trained yearly. He advised that in the past year alone, every Monday night from February to June, active killer training was performed at a local church on Flamingo Road, as well as partnering with other entities such as local colleges and hospitals to assist with their public safety training. Chief Kinsey also provided crime statistics for Southwest Ranches, which are down 5 percent from 2021. He then spoke about a mail theft ring that was thwarted in Southwest Ranches and the suspects will be charged with state and federal charges. Lastly, he spoke about the speeding problems in Southwest Ranches and the action plans that have been put into place to relieve the issue.

4. Public Comment

The following members of the public addressed the Town Council: Gay Chaples, Newell Hollingsworth and Debbie Green.

5. Board Reports

George Morris, Chair of the Drainage and Infrastructure Advisory Board, provided an update on the business discussed at the last advisory board meeting. He also spoke on behalf of the Astor Knight Parks Foundation and advised about upcoming events, such as the second annual carnival happening from January 12th through January 16th, 2023 at the Southwest Ranches Preserve. Lastly, he spoke about the "Tree of Life" fundraising tree in the Council Chambers.

Gay Chaples provided an update on the Historical Society Pioneer Day held in Wilton Manors on October 15, 2022, she also advised Josh Dykes was recognized by the Broward County Historic Preservation Board, and asked Town Administrator Berns if the next meeting can be sponsored by the Town.

6. Council Member Comments

Vice Mayor Jablonski provided an update on upcoming events such as the Rolling Oaks Civic Association Halloween Event at the Rolling Oaks Barn on October 29th, the Broward County Property Appraiser will be at Town Hall on November 1st, the SEAB Book Drive is going on at Town

Hall until December 1st, the Hawkes Bluff/SEAB Food Truck event on November 5th, Town Hall closures for Veteran's Day on November 11th and for Thanksgiving on November 25th and 26th. November 17th will be the only Council Meeting for the month of November and there will only be one meeting for the month of December and January. The Flow-Mobile will not be back at Town Hall until further notice as they are assisting with recovery of documents for Hurricane Ian victims. Next, he spoke about the tour he took at the Waste Management Plant and provided pictures for the attendees and viewers. He also spoke about the map that was sent out for bulk pickup and advised it will be corrected to be more user friendly. He then advised which streets were in what zones. He spoke about the ride along he took with Waste Management and how impressed he was. He spoke about what the driver deals with daily when picking up garbage and advised the residents how to correctly place their trash bins out for pick up. He also advised the residents to not use their old bins that were purchased from Home Depot as the Waste Management truck is not equipped to pick them up. He spoke about the recycling portion of Waste Management and advised what can and cannot be recycled.

Council Member Hartmann spoke about what he learned from his tour of the Waste Management Plant and how fascinated he was. He learned he had to wash out all his cans and jars for them to be recycled. He also advised the residents to be aware of where they are placing their waste bins and to make sure there aren't any obstructions in the way of the truck. He attended the Green Meadows Civic Association meeting and received a lot of feedback regarding the length of time the drainage projects are taking in Green Meadows. He talked with Town Administrator Berns and Town Engineer Rod Ley about hiring a project manager to oversee the drainage projects and factoring in the cost into the procurement process. Vice Mayor Jablonski jumped in and stated the Town is looking into legal options regarding WastePro. Council member Hartmann spoke about the Fill Permit process and would like to streamline the process to make it more resident friendly. When he attended the Sunshine Ranches HOA meeting, the residents there suggested a tiered level three fill permit. Lastly, he recognized Detective Jeff Hobales for his 40 years in Law Enforcement.

Council Member Kuczenski spoke about the upcoming elections, his endorsement of Council Member Hartmann for re-election. He spoke about the value of getting feedback from the residents which is why the Town Council attends the multiple HOA meetings throughout the Town. He inquired if the other members of the Town Council would be interested or would support directing the Town to send the fill permit process back to the Comprehensive Plan Advisory Board (CPAB) to come up with an ordinance or legislation to address the level three portion of the fill permit process. Mayor Breitreuz advised Council Member Kuczenski the Drainage and Infrastructure Advisory Board (DIAB) would be the entity that would review the process and he believed they have already started it. He would be open to the notion of having the DIAB and the CPAB having a joint meeting once the DIAB has worked on it. Council Member Kuczenski deferred to Mayor Breitreuz' suggestion. Vice Mayor Jablonski, Council Member Hartmann and Council Member Allbritton agreed with Mayor Breitreuz as well. He commended Town Administrator Berns on moving forward with the penalty phase regarding WastePro. Lastly, he spoke about the LPR's and how they are a strong law enforcement tool to the Town.

Council Member Allbritton advised he will schedule a ride along with Waste Management, once he is able to. He spoke about the new speed trailers that Town has obtained and implemented

throughout the Town. He thanked the Public Safety and Traffic Committee for their recommendation and the Town Council for approving the purchase of them. He spoke about attending the Farmer's Market and what a wonderful event it is turning out to be. He then spoke about the private road on SW 62 street and after three years the road will finally be repaved. He advised the residents if they live on a private road, the repaving is their responsibility and they may want to think about turning the road back over to the Town once the road has been repaved. Council Member Allbritton had been talking with the residents regarding the delay in completing the drainage projects, and he called Town Attorney Poliakoff for some suggestions in forcing the contractor to complete the projects. Town Attorney Poliakoff advised the contractor had been put on notice at the direction of the Town and the contractor's bond would be called in if he didn't finish the project. There was a 14-day waiting period, which has since expired and the Town is now waiting on the bonding company to meet with them in good faith, which they have 10 days to do so.

Mayor Breitreuz spoke about Waste Management and he thought everything was going well, except for the collection map that needs improvement. He also spoke about his ride along experience and echoed the Town Council's comments regarding using the cans from the previous waste company. He spoke with Town Administrator Berns and the map will be revised to be more precise. He touched on the issue regarding fireworks and animals and what the Town can do to protect the animals during those times. He advised there will be a presentation at upcoming Town Council Meeting with a veterinarian who can explain what happens to animals from her point of view. Mayor Breitreuz will also open the discussion to the public for any suggestions they may have as well. He congratulated Detective Jeff Hobales on his 40 years of Law Enforcement service. He touched on the vicious dog ordinance that is in the works and wanted to make sure dogs that are protecting their property are not vicious dogs. Lastly, he spoke about the fill permit ordinance, he wanted to make sure the yellow permit sign is in front of the property, he wanted to make sure the residents surrounding the property are properly notified. He is looking for feedback from the DIAB regarding a requirement where the engineer goes to the site for level three permit to view. He wondered if obtaining a topographical survey wouldn't be better than a site visit. He wanted to make the process quicker, not more bureaucratic. He also stated the Town needs to look at the number of levels in the fill permit process.

7. Legal Comments

Town Attorney Poliakoff congratulated Detective Jeff Hobales on his 40-year law enforcement career. He wanted to advise the public wetland determinations are dictated by the State of Florida then Broward County. The Town tried to get out of the requirement and Broward County turned the request down, due to the requirements by the State. He then addressed the comment made by the Mayor regarding topographical surveys, however, Town Attorney Poliakoff advised survey expiration dates should be added into the Town's Code. He also stated the topographical survey is only as good as the day it was created, and he still suggests a site visit. He also suggested language be added to the Town's Code regarding a mandatory remedy of illegal fill is removing the fill as well as a penalty scenario. Lastly, he wrote down the comments made by Mayor Breitreuz regarding the vicious dog ordinance and he also asked resident Debbie Green to email her comments on the issue as well, so he can incorporate them into the new ordinance.

8. Administration Comments

Town Administrator Berns advised the continuing services contracts for other professional services were rescheduled to the November 17th meeting. He also advised the Town will work on a rotation schedule around Town for the two new speed trailers. He informed the Town Council WastePro was assessed liquidated damages, but cannot recall the amount right then, but it was a substantial penalty. He talked about the Waste Management maps and stated Assistant Town Administrator Muniz was working with the Town's GIS Consultants to create a layer that will be able to tell a resident their exact collection day.

Assistant Town Administrator Muniz provided an update on the GIS mapping layer that will show the different zones for recycling, solid waste and bulk waste. He hopes to have that done and on the Town's website, no later than the following week. He also updated the Town Council on the LPR installation progress. There are nine locations that have all the equipment and are waiting for FPL to complete their inspection. He hopes by the end of the following week those nine locations will be fully operational. There are four locations that are still in the process of obtaining County agreements as well as some other issues that need to be worked out, but he is hoping to have it all worked out by the middle of November.

Ordinance – 1st Reading

9. AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE TOWN OF SOUTHWEST RANCHES CODE OF ORDINANCES TO REGULATE RUN AWAY DOGS AND DANGEROUS DOGS; PROVIDING FOR INCLUSION IN THE TOWN'S CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; AND, PROVIDING FOR AN EFFECTIVE DATE.

The following motion was made by Council Member Kuczenski, 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: ITEM TABLED.

Resolutions

10. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, ACCEPTING AND APPROVING AN AGREEMENT WITH THE STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) TO RECEIVE FOUR HUNDRED SEVENTY-NINE THOUSAND THREE HUNDRED SIX DOLLARS AND ZERO CENTS (\$479,306.00) FOR THE SOUTHWEST RANCHES SW 63RD STREET AND SW 185TH WAY DRAINAGE IMPROVEMENT, AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY, TO ENTER INTO AN AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

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 APPROVE THE RESOLUTION.

11. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE FIRST AMENDMENT TO THE AGREEMENT WITH J.A. MEDINA, LLC; APPROVING A BUDGET AMENDMENT TO THE FISCAL YEAR 2022-2023 TOWN BUDGET; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO EXECUTE THE AMENDMENT; AND PROVIDING AN EFFECTIVE DATE.

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 APPROVE THE RESOLUTION.

12. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, URGING THE BROWARD COUNTY ANIMAL CARE AND ADOPTION DIVISION TO RECONSIDER THE INTAKE POLICY REQUIRING MUNICIPALITIES AND LAW ENFORCEMENT TO HOLD STRAY ANIMALS FOR A TIME PERIOD OF 72-HOURS PRIOR TO ACCEPTANCE BY THE COUNTY; PROVIDING FOR DISTRIBUTION; AND PROVIDING AN EFFECTIVE DATE.

The following motion was made by Council Member Kuczenski, 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 Breitkreuz voting yes.

MOTION: TO APPROVE THE RESOLUTION.

13. Approval of Minutes

a. July 28, 2022 Regular Meeting Minutes

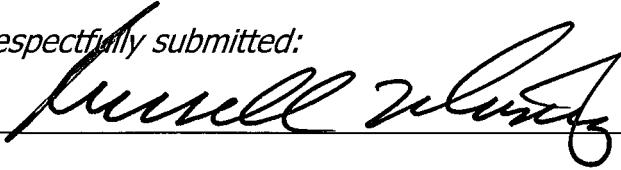
The following motion was made by Vice Mayor Jablonski, seconded by Council Member Hartmann and passed by a 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Hartmann, Kuczenski, Vice Mayor Jablonski and Mayor Breitkreuz voting yes.

MOTION: TO APPROVE THE JULY 28, 2022 REGULAR MEETING MINUTES.

Adjournment

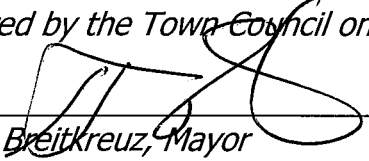
Meeting was adjourned at 8:59 p.m.

Respectfully submitted:



Russell Muñiz, Assistant Town Administrator/Town Clerk

Adopted by the Town Council on this 8th day of December, 2022.



Steve Breitkreuz, 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.