

**REGULAR MEETING MINUTES OF THE TOWN COUNCIL**  
**Southwest Ranches, Florida**

Thursday 7:30 PM

September 14, 2023

13400 Griffin Road

Present:

Mayor Steve Breitreuz	Andrew Berns, Town Administrator
Vice Mayor Jim Allbritton	Russell Muniz, Assistant Town Administrator/Town Clerk
Council Member Bob Hartmann	Emil C. Lopez, Town Financial Administrator
Council Member Gary Jablonski	Keith Poliakoff, Town Attorney
Council Member David S. 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 Breitreuz at 7:35 PM. Attendance was noted by roll call and was followed by the Pledge of Allegiance.

**3. Public Comment**

The following members of the public addressed the Town Council: Marianne Allen, Wes Clark, Tim Wilder, John Steven Garate, Kenneth Farkas, Iris Siple, Newell Hollingsworth.

**4. Board Reports**

Marianne Allen and Richard Ramcharitar spoke on behalf of the Zero-Waste Task Force. They advised Council about attending several meetings regarding incinerators in both Broward and Miami-Dade Counties. They attended a meeting in Pembroke Pines and stated the residents in attendance were strongly opposed to the incinerator. They attended a meeting in Doral and stated the residents there were opposed to having an incinerator in the area, and they also planned on working with the groups in Miami Dade County to try and prevent the incinerator there. Lastly, they attended the Miami-Dade County Commission meeting. The Miami-Dade County Commission informed attendees that Miami-Dade County would be working with Broward County on a regional plan for incinerators.

Debbie Green also spoke on behalf of the Zero-Waste task force. She stated one of the main ideas of the task force was to educate the public on zero waste. She provided the email [zerowastebrowardtf@gmail.com](mailto:zerowastebrowardtf@gmail.com) for anyone interested in supporting the group and/or wanting more information on zero-waste.

Mayor Breitreuz responded to the public comments regarding zero waste. He explained Council is one hundred percent behind zero waste, and that is the path the Town is trying to take for the future. He stated that anything the Town does regarding the ILA is to remove the incinerator as an option. He appreciated the comments from Iris Siple and said he was pleased with Council and Town residents for their efforts regarding zero waste. He said the Town has been working on zero-waste for several months and believes the Town is leading the initiative, and that he is proud of that. He stated that installing an incinerator is a disservice to future generations. He said the Town is staying in the ILA and believes that having that vote as part of the ILA is the way to change their goals towards zero-waste. He stated the people having the argument of "being in the ILA" or "not in the ILA" is a distraction and the focus should be on working together for a

solution that is zero-waste. He spoke about the importance of the committees that exist, or are being created, that are focused on zero-waste and people should be getting involved with the committees. Council Member Kuczenski asked Mayor Breitzkreuz what the consequences would be if the ILA disbanded. Mayor Breitzkreuz responded that he was not sure, but he believed the County would automatically build the incinerator with no regard as to what the neighboring municipalities want to happen.

## **5. Council Member Comments**

Council Member Kuczenski thanked everyone for attending the meeting and wished everyone a Happy Rosh Hashanah. He provided information about upcoming events for the Town including the Town Halloween party at Rolling Oaks Barn on October 28<sup>th</sup> and about the hay bale decorating contest. He also discussed the December Holiday Lights Contest with the entry deadline being December 1<sup>st</sup>, the judging beginning December 5<sup>th</sup>, and the awards given out December 7<sup>th</sup>. He also provided Council with the traffic citation statistics throughout the Town for the month of August.

Council Member Jablonski spoke about upcoming events within the Town such as Hazmat at the Barn on September 23<sup>rd</sup>, the DMV FLOW Mobile on September 27<sup>th</sup> at Town Hall. He also verified the next Zero Waste Task Force meeting was scheduled for October 11<sup>th</sup> at Town Hall.

Vice Mayor Allbritton stated he attended the Broward League of Cities meeting and they discussed the use of phosphogypsum being used to construct roads. He informed the League the Town would be presenting a Resolution against the use of phosphogypsum in the roads within Town limits and provided copies of it to members to be used as a template for their municipalities. He believes that the Town is the front runner on this topic and hopes other municipalities will use our efforts as an example. He spoke about the permanent traffic sign being installed on 186<sup>th</sup> Avenue, and its reporting capabilities. He said the information provided by the sign, and future signs planned to be installed around Town, could help the Davie Police Department slow traffic around Town. He also discussed the topics of the Broward County Water Board meeting that he attended. He said the County passed a resolution stating that realtors selling properties in Broward County must disclose if the property is on septic tank or connected to sewer. He said the Board conducted a study that the groundwater level is rising, and in response to the study submitted a proposal to Broward County that may require homes built in the future be at a higher elevation. He said this may have an effect on Town residents as current homeowners may need to build bigger berms around their properties to prevent the flooding of their properties. Lastly, he spoke about attending the City of Miramar's 22<sup>nd</sup> 9-11 dedication. He said the City was able to obtain two 12ft long steel beams from the World Trade Center and build a monument with them. He said it was attended by many dignitaries from local municipalities, as well as the State, and it was a very moving and enlightening ceremony. He encouraged everyone to visit Miramar's Regional Park to see the 9-11 dedication, as well as the dedication for veterans located next to it.

Council Member Hartmann discussed a meeting he attended with the Assistant Town Administrator and Waste Management (WM) regarding WM's recycling capabilities. He discussed

WM does a large amount of recycling around the country and the Town wants to work with them to increase its own recycling. He stated the one-year cycle with WM is approaching and a report will be available showing the percentage of garbage, recycling, and bulk trash done within the Town. He would like to work with WM on creating a program to increase the percentage of recycling done within the Town. He spoke about how the easiest way to not have an incinerator placed near the Town is to raise the percentage of recycling in the County to 75%, and that it could be done here as it has been done in Europe and in other parts of the country. He spoke about the Zero-Waste Task Force meeting held on September 13<sup>th</sup> at Town Hall. He said the meeting went well with residents from other municipalities attending and working towards not having an incinerator placed out west. He reminded everyone that the Zero-Waste Task Force meetings are held at Town Hall the second Wednesday of each month.

Mayor Breitkreuz spoke about a recent meeting with some of the leaders of local municipalities on various subjects including zero waste, and that it was a very productive meeting and that he was encouraged by the progress with everything. He said there was also discussion about having a multi-use trail going across I-75 along Stirling Road. He stated there was a strong endorsement of it from the Town of Davie, and that he asked Town Administration to pursue the creation of the trail. He said that there are many steps in the process including approval from the State but with the backing of local municipalities, the process would be easier. He distributed a letter addressed to the Mayor of Miami-Dade County, from the Town, to inform him the Town is in favor of a zero-waste solution not an incinerator solution. He also proposed the Town create a formal resolution opposing the incinerator in Miami-Dade County, and that it be sent to the Mayor of Miami-Dade County as well. He stated that he was proud of all of the work that everyone is doing in regards to the zero-waste issue and thanked them for all of their help.

## **6. Legal Comments**

Town Attorney Keith Poliakoff advised Council the Florida Department of Transportation District Four Representative Gerry O'Reilly retired and the district is now represented by Steve Braun.

## **7. Administration Comments**

Town Administrator Berns had no comments.

## **Ordinance – 2<sup>nd</sup> Reading**

**8. AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE TOWN OF SOUTHWEST RANCHES UNIFIED LAND DEVELOPMENT CODE ("ULDC"), ARTICLE 90, "SUBDIVISION DESIGN AND ACCESS STANDARDS," SECTION 090-080, "ACCESS TO DEVELOPMENT," TO MODIFY STANDARDS FOR CERTAIN INGRESS/EGRESS EASEMENTS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE. {Approved on First Reading – February 10, 2023}**

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

**MOTION: TO APPROVE THE ORDINANCE ON SECOND READING.**

**9.** AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE TOWN OF SOUTHWEST RANCHES CODE OF ORDINANCES TO PROVIDE A NEW SECTION PERTAINING TO THE USE OF FIREWORKS WITHIN THE TOWN; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE. **{Approved on First Reading – August 24, 2023}**

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

**MOTION: TO APPROVE THE ORDINANCE ON SECOND READING.**

**10.** AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA; AMENDING THE TOWN OF SOUTHWEST RANCHES UNIFIED LAND DEVELOPMENT CODE ("ULDC"), "ARTICLE 45, "AGRICULTURAL AND RURAL DISTRICTS," 045-030, "VACATION RENTALS" BY CREATING SUBSECTION (X) TO PROMULGATE RULES CONCERNING THE UTILIZATION OF SINGLE-FAMILY RESIDENCES AS VACATION RENTALS; PROVIDING FOR LICENSURE; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE. **{Approved on First Reading – August 24, 2023}**

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

**MOTION: TO APPROVE THE ORDINANCE ON SECOND READING.**

**11.** AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA; AMENDING THE TOWN OF SOUTHWEST RANCHES UNIFIED LAND DEVELOPMENT CODE ("ULDC"), "SECTION 010-030, "TERMS DEFINED," SECTION 035-030, "HOME OFFICES," SECTION 045-050, "PERMITTED AND PROHIBITED USES," AND SECTION 070-120, "PROMOTIONAL SIGNS," PERTAINING TO HOME-BASED BUSINESSES; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE. **{Approved on First Reading – August 24, 2023}**

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

**MOTION: TO APPROVE THE ORDINANCE ON SECOND READING.**

**Ordinance – 1<sup>st</sup> Reading**

**12.** AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA AMENDING SECTION 090-100 OF THE UNIFIED LAND DEVELOPMENT CODE (ULDC) ENTITLED ROADWAY CAPACITY, CONSTRUCTION AND DESIGN STANDARDS; PROHIBITING THE USE OF PHOSPHOGYPSUM TO CREATE OR REPAIR TOWN OR PRIVATE ROADS; PROVIDING FOR CODIFICATION, PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; 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 Hartmann, Jablonski, Kuczenski, Vice Mayor Allbritton and Mayor Breitzkreuz voting yes.

**MOTION: TO APPROVE THE ORDINANCE ON FIRST READING.**

**Resolutions**

**13.** A RESOLUTION OF THE TOWN COUNCIL OF SOUTHWEST RANCHES, FLORIDA, AUTHORIZING THE TOWN ADMINISTRATOR TO PREPARE AND TO SUBMIT A GRANT APPLICATION TO THE RESILIENT FLORIDA PROGRAM TO HELP FUND A VULNERABILITY AND SEA LEVEL RISE ASSESSMENT IN THE AMOUNT OF TWO HUNDRED THOUSAND DOLLARS AND ZERO CENTS (\$200,000.00); AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO ENTER INTO ANY ALL AGREEMENTS NECESSARY AND PROPER TO EFFECTUATE THE INTENT OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

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

**MOTION: TO APPROVE THE RESOLUTION.**

**14.** A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING AN AGREEMENT WITH HUURR HOMES LLC IN THE AMOUNT OF SEVEN HUNDRED FORTY-SEVEN THOUSAND SEVEN HUNDRED SIX DOLLARS AND NINETY-FIVE CENTS (\$747,706.95) TO COMPLETE THE SW 63RD STREET AND SW 185TH WAY DRAINAGE IMPROVEMENT PROJECT; APPROVING A BUDGET AMENDMENT TO THE FISCAL YEAR 2022-2023

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

**MOTION: TO APPROVE THE RESOLUTION.**

**15.** A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA APPROVING THE SELECTION OF ASSISTANT TOWN ADMINISTRATOR RUSSELL MUÑIZ FOR THE POSITION OF TOWN ADMINISTRATOR; DIRECTING THE TOWN ATTORNEY TO NEGOTIATE AN AGREEMENT WITH ASSISTANT TOWN ADMINISTRATOR RUSSELL MUÑIZ FOR THE POSITION OF TOWN ADMINISTRATOR, WHICH ESTABLISHES THE SCOPE, COMPENSATION AND BENEFITS FOR HIS SERVICES; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO ENTER INTO THE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

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

**MOTION: TO APPROVE THE RESOLUTION.**

**16.** A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING A PIGGYBACK OF FLORIDA NASPO VALUEPOINT CONTRACT (FL # 43220000-NASPO-19-ACS) FOR THE ISSUANCE OF A PURCHASE ORDER IN AN AMOUNT NOT TO EXCEED THIRTY-FIVE THOUSAND FOUR HUNDRED SEVENTY-FOUR DOLLARS AND FIFTY CENTS (\$35,474.50) TO PRESIDIO, INC. FOR CISCO NETWORK SWITCHES; APPROVING A FY 2022-2023 BUDGET AMENDMENT FROM THE GENERAL FUND; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

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

**MOTION: TO APPROVE THE RESOLUTION.**

**Discussion**

**17. Code Enforcement: Enhanced Proactive Items**

Mayor Breitkreuz advised that Council had requested the discussion with Code Director Julio Medina regarding changing code enforcement items to proactive. He stated that historically the

Town has been focused more on reactive than proactive enforcement but because of changes to the laws, this has become difficult. He said that by moving certain items to proactive enforcement may prevent issues of neighbors reporting on one another and causing issues between them. He asked Code Director Julio Medina to discuss the code issues that are proactive in the Town now, and which issues may be best if moved to proactive in the future.

Code Director Julio Medina discussed that the following items were enforced proactively: Bulk trash (over the size limits or placed out too early); overgrown vacant lots; fill/grading, dark sky lighting; and potholes on private roads. He then described the issues that Code Enforcement sees frequently during their normal work; or items that Code Enforcement receives calls about, but residents do not file a formal complaint because they want to maintain an amicable relationship with their neighbors. The following issues were suggested by Code Enforcement to Council as items that could be changed to proactive enforcement: work done without a permit; commercial vehicles (too many or not registered to the property); tree removal without a permit; open burning without a permit; previously addressed complaints that are corrected but then become violations again at a later date. He then informed Council that some Council Members suggested other items for discussion once provided the Code Enforcement Department's list. The suggested issues were clearing of property without a permit; leniency on vegetable bulk placed out too early following a significant wind event; and shipping containers (too many on property or placed in setbacks). Council discussed the issues listed by Code Enforcement in order of the list provided and agreed that all the items should be moved to proactive enforcement. The issue of work done without permit was further defined as construction work being done without permit. At the recommendation of Council Member Jablonski, the enforcement of commercial signage was added to the list of proactive issues.

Mayor Breitzkreuz asked Code Enforcement Director Julio Medina to provide feedback on what would be needed from a staffing stance to be able to enforce all these issues proactively. He suggested Code Enforcement Director Julio Medina work with Town Administrator Berns and Assistant Administrator Muñiz to develop a plan and present it to Council.

## **18. Approval of Minutes**

**a. July 13, 2023 Regular Meeting Minutes**

**b. July 27, 2023 Regular Meeting Minutes**

**c. August 10, 2023 Regular Meeting Minutes**

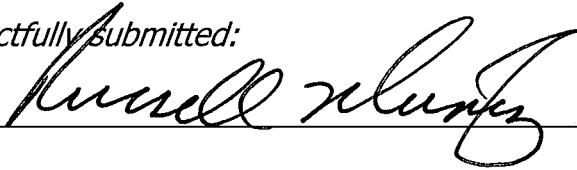
The following motion was made by Council Member Jablonski, seconded by Council Member Kuczenski, and passed by a 5-0 roll call vote. The vote as follows: Council Members Hartmann, Jablonski, Kuczenski, Vice Mayor Allbritton, and Mayor Breitzkreuz voting Yes.

**MOTION: TO APPROVE THE JULY 13, 2023 REGULAR MEETING MINUTES, WITH THE CHANGE OF THE ROLL CALL REFLECTING MAYOR BREITKREUZ AS PRESENT AND COUNCIL MEMBER JABLONSKI AS ABSENT; AND JULY 27, 2023 REGULAR MEETING MINUTES, AND AUGUST 10, 2023 REGULAR MEETING MINUTES.**

## **19. Adjournment**

Meeting was adjourned at 10:52 p.m.

*Respectfully submitted:*



*Russell Muñiz, Assistant Town Administrator/Town Clerk*

*Adopted by the Town Council on this 14th day of December, 2023.*



*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.