

REGULAR MEETING MINUTES OF THE TOWN COUNCIL
Southwest Ranches, Florida

Thursday 7:00 PM

February 08, 2024

13400 Griffin Road

Present:

Mayor Steve Breitkreuz

Russell Muñiz, Town Administrator

Vice Mayor David S. Kuczenski

Debra M. Ruesga, Town Clerk

Council Member Jim Allbritton

Emil C. Lopez, Town Financial Administrator

Council Member Bob Hartmann

Keith Poliakoff, Town Attorney

Council Member Gary Jablonski

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 7:04 p.m. Attendance was noted by roll call and was followed by the Pledge of Allegiance.

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

MOTION: TO MOVE ITEM 15 OUT OF ORDER TO BE HEARD AFTER ADMINISTRATION COMMENTS.

3. The Cioli Group - '24 SWR Country Fair Presentation

This item was removed from the agenda at the request of Town Administration.

4. Public Comment

The following members of the public addressed the Town Council: Sikh Youth Association, Joseph Ansbaugh, Eduardo Flores, Elliot Safdie, Lissa Charron, Marianne Allen, Paul R. Stearns, Newell Hollingsworth, Jim Laskey, Romy Tschuni, John Steven Garate, Mae Rivenbark, Hermann Stubbe, Catalina Stubbe, Valentina Baiz, Susan Mahmoud, Mary Michel, and Luis Leal.

5. Board Reports

Debbie Green spoke on behalf of the Schools and Education Advisory Board. She urged everyone to register for the Unity in Diversity 5k event on March 9th, which benefits the Town's Scholarship fund.

Debbie Green also spoke on behalf of the Zero-Waste Broward Task Force. She stated the next Task Force meeting will be on February 14th at Town Hall. She said the Task Force is currently working on developing a website, hoped to have it ready within a couple of weeks, and asked for volunteers to help develop it. She discussed the meeting of the Executive Committee of the Broward Solid Waste Authority and said it was encouraging because many of the members are looking into sustainable methods for disposing of solid waste.

6. Council Member Comments

Council Member Jablonski spoke about upcoming events within the Town such as Hazmat at the Barn on April 27th, the Unity in Diversity 5k on March 9th, the Barn Dance on March 16th, and the Open Play Chess event on March 30th. He also talked about the Fun Horse Show on February 24th and Water Matters Day on March 9th happening at Tree Tops Park. He discussed the twelve speed signs that would be placed around the Town within the upcoming year. He stated there would be three signs per district and they would be used to collect data on traffic, such as speeding and traffic counts.

Council Member Hartmann spoke about the dedication ceremony for Vince Falletta on February 24th at the southeast corner of Luray Road and Hancock Road. He discussed speaking to Town Attorney Poliakoff about having Broward County Commissioners Steve Geller and Nan Rich, attend the Town Council meetings to reiterate the Town's opposition to incineration. He asked the Town Council for their consensus on having Town Attorney Poliakoff and Town Administrator Muñiz contact them on the matter, to which the Town Council agreed.

Vice Mayor Kuczenski provided Council with the traffic citation statistics throughout the Town for the month of January. He stated that he has noticed an increase in traffic enforcement on the Town's interior roads and thanked the Town of Davie Police Department for doing an outstanding job. He also spoke about possibly using Town funds budgeted for police overtime, to be used to increase traffic enforcement on the interior roads. He thanked Town resident Tommy Crivello for donating \$2,500 to the Town Scholarship Fund. He talked about the TSDOR projects for Green Meadows and Sunshine Ranches. He said the Comprehensive Plan Advisory Board is working on changing the dark skies ordinance. Lastly, he stated the Rural Public Arts and Design Board will be adding a Halloween home decorating contest this year.

Council Member Allbritton discussed the Broward League of Cities opposition to the State's bill to increase homestead exemption. He stated he had the privilege of attending the Davie Police and Fire Expo and said the Town of Davie has an exceptional public safety department. He talked about participating in a vehicle parade celebrating Town resident Bob Parker turning 90. He thanked everyone that participated, thanked the Town of Davie Police Department for their assistance, and thanked Town staff for their help as well. He discussed the upcoming Public Safety & Traffic Committee meeting happening on February 15th and asked residents to attend and speak upon the traffic issues. Lastly, he spoke about his re-election campaign and said that if anyone had any questions or concerns on any Town matters to contact him and he would discuss it with them.

Mayor Breitzkreuz asked for a moment of silence for the recent passing of Town residents Dennis Hugdahl and Don Vance. He discussed the South Florida Wildlife Center and the meeting he and Town Administrator Muñiz attended with the Broward County Public Schools Superintendent. He said the meeting about moving the Wildlife Center to the County owned property on Sheridan Street went very well and should be a great opportunity for all parties involved. He spoke about the Town's recreation programs for the Town's youth and seniors beginning in fall. He said as the

Town grows, it is important for the residents to come together more often to do things together and these programs will help the Town become a stronger community.

7. Legal Comments

Town Attorney Keith Poliakoff addressed the concerns of a resident regarding the outdoor assembly ordinance and explained what is allowed under the ordinance.

8. Administration Comments

Town Administrator Muñiz advised the Town Council on upcoming events being held by the Town of Davie, such as the catalytic converter etching program on February 17th and the Town of Davie's upcoming Citizen's Police Academy starting on March 5th. He announced there are vacancies on the Zero Waste Advisory Board and Public Safety and Traffic Committee and instructed any residents that are interested in serving on the boards to contact the Town Clerk's Office.

Discussion

15. Proactive Code Enforcement Categories

Council Member Jablonski thanked everyone for attending and said the reason for the discussion was to get input from the residents on the proactive code issue. He explained the reasons he is asking for more proactive enforcement and the difference between proactive and reactive enforcement. He recapped the five items that are now proactive under the current code; the dark skies, fill and grading without a permit, overgrown lots, bulk trash placed out in advance, and potholes on private roads. He suggested two new items to be added to the proactive list: vegetation planted in the right of ways and the horse trail, and the rental of properties for storage of commercial vehicles. He stated that none of these items would apply to agricultural property.

Mayor Breitzkreuz opened the floor to public comments on the item, with the majority of public speakers speaking against adding the additional proactive items.

Mayor Breitzkreuz expressed his gratitude for everyone attending the meeting and voicing their opinions, and said he appreciated how everyone communicated in a positive way. He said he received a lot of emails over the last few days and out of all of them he only received two that were for proactive enforcement. He stated that the residents have strongly expressed that they are against proactive enforcement and that as Mayor of the Town he was a representative of the residents, and he would not be willing to add any additional items to the proactive enforcement list. He spoke about the need for residents to speak to their neighbors regarding code issues before reporting them to code. He also talked about how code enforcement is sometimes used as a weapon by residents against their neighbors, and that this was becoming a very concerning issue. He said that he is working on some ideas that may alleviate the problem and asked the Town Council to think about ways to fix this dilemma so it can be worked on at a later meeting. He reiterated that the Town Council was not discussing changing any of the Town Code, the discussion was only regarding proactive or reactive enforcement. Lastly, he recognized there are some issues with the Town using reactive enforcement, however, he said there are also issues with proactive enforcement and he is fine staying with reactive enforcement.

Vice Mayor Kuczenski explained the difference between reactive enforcement and proactive enforcement. He stated that he has received numerous phone calls from residents that were against proactive enforcement. He said the Town was established with reactive enforcement and even though it is not a perfect system he believed changing to proactive enforcement would result in dire consequences. He spoke about his fear of the Town going further into proactive enforcement and asked the Town Council to think about amending the Town Charter to not allow any further items to become proactive. He said it was something that could be discussed at a future meeting.

Council Member Hartmann spoke about dealing with new residents that have issues when trying to adjust to the Town's rural lifestyle. He stated he ran twice for Town Council on the platform to keep the Town rural and he would continue to do that.

Council Member Allbritton spoke about receiving phone calls from residents regarding code complaints and how he engages with the individuals that have complaints against them. He discussed a resident that is dealing with a neighbor using his property as a rental storage lot for boats and vehicles and how that is becoming more of a problem around the Town. He spoke about how proactive enforcement is sometimes needed for certain issues and used fill permits as an example. He said the issues of work without permits and unauthorized use of property are most of the code issues at the magistrate hearings. He talked about how the Town will stay with reactive enforcement but felt that something needs to be changed to handle the ongoing code matters. He stated that before these items become widespread, everyone in the Town needs to think of ways to address these code enforcement issues, while at the same time remaining neighborly.

Mayor Breitzkreuz thanked Council Member Jablonski for bringing the topic before the Town Council for discussion. He said it was a great opportunity for the Town Council to hear from the residents and for everyone to have their voices heard.

Council Member Jablonski explained how some residents have a fear of retaliation when there is a code issue and that some people are not approachable. He stated that it may become more common to see code complaints filed by Council Members and staff members to protect a resident. He stated it was obvious that no one wants more proactive enforcement issues based on the discussion and that no proactive items have been added to the Code for years. He spoke about the issues becoming more prevalent in the Town and that more people are moving into the Town that don't respect their neighbors and they are harder to deal with on code issues. Lastly, he discussed the issues that he and other Council members have dealt with in the past such as vandalism of their homes, in retaliation for decisions they have made as Council Members.

Mayor Breitzkreuz agreed with Council Member Jablonski and said that sometimes there are people who cannot be dealt with in a reasonable manner and that is when code should be contacted. He stated that Code Enforcement is designed for compliance and that is the goal for everyone

involved. He said that at the end of the day people in the Town want to just live in the "peaceful enjoyment" of their property and everyone should treat their neighbors with respect.

Resolutions

9. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, ENTERING INTO AN INTERLOCAL AGREEMENT WITH BROWARD COUNTY FOR FILM PERMITTING, ATTACHED HERETO AS EXHIBIT "A"; AUTHORIZING THE PROPER TOWN OFFICIALS TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE RESOLUTION.

10. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, REPEALING RESOLUTION 2024-012 AND AUTHORIZING THE ISSUANCE OF A NEW PURCHASE ORDER BY PIGGYBACKING OFF OF THE FLORIDA SHERIFFS ASSOCIATION CONTRACT # FSA23-VEL31.0, AUTHORIZING THE ISSUANCE OF A PURCHASE ORDER TO GARBER FORD, INC. IN AN AMOUNT NOT TO EXCEED FIFTY-FIVE THOUSAND DOLLARS AND ZERO CENTS \$55,000.00 TO PURCHASE A NEW MULTI-PURPOSE VEHICLE FOR THE TOWN; AND PROVIDING FOR AN EFFECTIVE DATE.

The following motion was made by Council Member Hartmann, seconded by Vice Mayor Kuczenski, and passed by a 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Hartmann, Jablonski, Vice Mayor Kuczenski, 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 A PIGGYBACK OF GSA CONTRACT (US # GSA-GS-35F-0592S) FOR THE ISSUANCE OF A PURCHASE ORDER IN AN AMOUNT NOT TO EXCEED THIRTY THOUSAND SEVEN HUNDRED FIFTY DOLLARS AND ZERO CENTS (\$30,750.00) TO LENOVO (UNITED STATES) INC. FOR LENOVO LAPTOPS; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER 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 Allbritton, Hartmann, Jablonski, Vice Mayor Kuczenski, and Mayor Breitkreuz voting yes.

MOTION: TO APPROVE THE RESOLUTION.

12. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, CONSENTING TO THE CITY OF SUNRISE PROVIDING WATER SERVICE TO 14251 MUSTANG TRAIL, REAL PROPERTY LYING WITHIN THE TOWN OF SOUTHWEST RANCHES, FLORIDA; PROVIDING THAT NO FURTHER EXPANSION OF SERVICE SHALL BE PERMITTED WITHOUT THE EXPLICIT WRITTEN CONSENT OF THE TOWN; PROVIDING FOR A CERTIFIED COPY OF THIS RESOLUTION TO BE FURNISHED TO THE CITY OF SUNRISE; AND PROVIDING AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE RESOLUTION.

13. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, CONSENTING TO THE CITY OF SUNRISE PROVIDING WATER SERVICE TO 13201 LURAY ROAD, REAL PROPERTY LYING WITHIN THE TOWN OF SOUTHWEST RANCHES, FLORIDA; PROVIDING THAT NO FURTHER EXPANSION OF SERVICE SHALL BE PERMITTED WITHOUT THE EXPLICIT WRITTEN CONSENT OF THE TOWN; PROVIDING FOR A CERTIFIED COPY OF THIS RESOLUTION TO BE FURNISHED TO THE CITY OF SUNRISE; AND PROVIDING AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE RESOLUTION.**Discussion****14. Settlement Agreement: Vidal/Luigi's**

Town Administrator Muñiz advised the Town Council the item being discussed was a settlement agreement in response to a code case involving commercial vehicles on the property. He said the issue went before the Special Magistrate, was appealed to a certified mediator, and the result was the settlement agreement brought before Council for approval. Council Member Jablonski discussed the issue as an example of proactive and reactive code enforcement and described the lengths needed for the Code Department and the Town Attorney's Office to resolve the matter. The Town Council discussed the issue, and a consensus was reached to approve the settlement agreement.

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

MOTION: TO APPROVE THE SETTLEMENT AGREEMENT.

16. Approval of Minutes

- a. October 12, 2023 Regular Meeting Minutes
- b. October 26, 2023 Regular Meeting Minutes
- c. November 16, 2023 Regular Meeting Minutes
- d. December 12, 2023 Ethics Training Meeting Minutes
- e. December 14, 2023 Regular Meeting Minutes

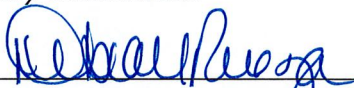
The following motion was made by Council Member Jablonski, seconded by Vice Mayor Kuczenski, and passed by a 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Hartmann, Jablonski, Vice Mayor Kuczenski, and Mayor Breitzkreuz voting yes.

MOTION: TO APPROVE THE OCTOBER 12, 2023 REGULAR MEETING MINUTES, OCTOBER 26, 2023 REGULAR MEETING MINUTES, NOVEMBER 16, 2023 REGULAR MEETING MINUTES, DECEMBER 12, 2023 ETHICS TRAINING MEETING MINUTES, AND DECEMBER 14, 2023 REGULAR MEETING MINUTES, PROVIDED CORRECTIONS ARE MADE.

Adjournment

Meeting adjourned at 10:05 p.m.

Respectfully submitted:



Debra M. Ruesga, CMC, Town Clerk

Adopted by the Town Council on this 14th day of March, 2024.



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.