

REGULAR MEETING MINUTES OF THE TOWN COUNCIL
Southwest Ranches, Florida

Thursday 7:00 PM

February 22, 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

Richard Dewitt, Assistant 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 7:01 PM. Attendance was noted by roll call and was followed by the Pledge of Allegiance.

3. Proclamation - George Morris Day

The Town presented a proclamation that recognized February 29th as George Morris Day.

4. Public Comment

The following members of the public addressed the Town Council: Sikh Youth Association, Newell Hollingsworth, Kathy Cox, John Garate, Jim Laskey, Hisham Mohammad, Mary Michel, Alexis Dager, Debbie Green, and Lori Parrish.

5. Board Reports

Debbie Green addressed the Town Council on behalf of the Schools and Education Advisory Board. She spoke about the Sikh Unity in Diversity 5k event happening on March 9th, and encouraged everyone to register for the event because all the proceeds benefit the Town scholarship fund. George Morris spoke on behalf of the Aster Knight Parks Foundation and discussed the possibility of having the Country Fair Carnival and the Car Show at the Southwest Meadows Sanctuary. He stated the Board was concerned the upcoming projects of stabilization and restroom facilities would not be completed in time and encouraged the Town Council not to delay completing the project.

Debbie Green spoke on behalf of the Zero Waste Broward Task Force. She stated that public input is having a positive impact on the Solid Waste Authority Executive Committee regarding moving towards zero waste instead of incineration. She discussed that one of the members of the task force is attending an educational conference in California, and that the information will be brought back to the Solid Waste Authority for their edification. She advised that the next Zero-Waste Broward Task Force meeting would be held at Town Hall, Wednesday, March 13th, at 7:00 PM. She asked everyone to reach out to their friends in surrounding cities to encourage them to attend the meeting.

Mayor Breitkreuz thanked Debbie Green, Richard Ramcharitar, and Jim Laskey for their efforts with the zero-waste initiative. He stated he was proud of the Town's residents on how they have stepped up to deal with the issue.

6. Council Member Comments

Council Member Jablonski thanked everyone for attending the meeting and watching it on YouTube. He spoke about upcoming events within the Town such as Hazmat at the Barn on April 27th, the canal dedication for Vince Falletta on February 24th, the Fun Horse Show on February 24th, and the DMV FLOW event on February 28th. He also spoke about the Unity in Diversity 5k on March 9th, Water Matters Day on March 9th, the Barn Dance on March 16th, and the Open Chess Play event on March 30th.

Council Member Hartmann discussed the canal dedication ceremony for Vince Falletta occurring on February 24th at the southeast corner of Luray Road and Hancock Road. He spoke about the Clusia plant and the dangers it presents to animals. He said he would include some information on it in his next article in the Town Newsletter. He also discussed the dangers of using the pesticide Round Up around pets and encouraged everyone to speak to their veterinarians about the issue. He encouraged residents to research and find natural methods for weed control. Lastly, he discussed the Open Chess Play event happening on March 30th and invited everyone to attend.

Vice Mayor Kuczenski discussed the incinerator issue and gave a brief description of the Zero-Waste Broward Task Force and the Town's Zero Waste Advisory Board. He stated that board members are needed for the Town's Zero Waste Advisory Board, and thanked Debbie Green, Richard Ramcharitar, Jim Laskey for their efforts on the issue. He spoke about the Rural Public Arts and Design Board and their plans to have both a Halloween home decorating contest and the December Holiday Lights contest this year. He talked about the traffic speed signs being placed around Town and the location of their placements in Sunshine Ranches. He stated the signs were going to be placed on Mustang Trail facing west, Luray Road facing west, and Hancock Road facing south. He said his number one complaint from residents is speeding in Town and hoped these signs would help slow down traffic.

Council Member Allbritton spoke about the Zero Waste Advisory Board. He thanked the Town for creating it and Debbie Green for requesting its creation. He stated the Board would be the example that Broward County would follow to "reuse, recycle, and refurbish". He discussed the Broward County Water Board and the issues the County faces with groundwater intrusion. He talked about the South Florida Regional Planning Council Board and the issues they address such as transportation and low-income housing. He stated that he attends approximately sixteen meetings a month because he likes the Town and is dedicated to the best interests of the Town. He thanked the Comprehensive Plan Advisory Board for the items they are currently working on to keep the Town rural, and looked forward to what would be brought before the Town Council within the next few months. He discussed the Town ordinance on fireworks and the low decibel fireworks that will be used in the Town. He talked about the reconvening of the Public Safety and Traffic Committee and their recent meeting. He said the Town of Davie Police Department gave a presentation about the functions of the Motor Division, such as how, where, and why they set up certain locations to reduce speeding. He spoke about the twelve speed signs being placed around Town and the impact they should have on speeding. He stated the Town plans on purchasing more signs next fiscal year.

Mayor Breitreuz addressed the Clusia plant issue that was brought up during public comments and said he would include some information on it in his article in the Newsletter. He discussed the right-of-ways along Stirling Road that the Town is requiring residents to give up in order to extend Stirling Road west of 166th Avenue. He stated the Town has no plans to extend Stirling Road further west and that he would be against any action to extend Stirling Road in the future. He said the Town should be returning those right-of-ways to the homeowners to try and make it more difficult in the future for anyone to extend Stirling Road. He asked the Town Council for a consensus to direct staff to return the right-of-ways to the property owners and not require residents to give the Town any right-of-ways along Stirling Road. He also asked the issue to be brought up for discussion at an upcoming Town Council Meeting. Town Council agreed it was a good idea and Council Member Jablonski stated he would like to review a map of the area showing the right-of ways. Mayor Breitreuz clarified that the right-of-ways were only along the north side of Stirling Road and not the south side which has a right-of-way for the horse trail. He stated that after addressing this issue, he would like to have the Drainage and Infrastructure Board review any right-of-ways that the Town may be acquiring from residents, to ensure it matches what the Town plans on doing with the roadways. He spoke about the creation of the Town Resident Academy and how it could help the new residents become familiar with the Town. Lastly, he talked about the Open Chess Play event being held March 30th and said it should be a lot of fun for everyone.

7. Legal Comments

Assistant Town Attorney Richard Dewitt had no legal comments.

8. Administration Comments

Town Administrator Muñiz advised Town Council that the Town of Davie's Civilian Police Academy starting in March was canceled due to lack of participation, and that there would be an academy scheduled in the fall for any interested residents. He discussed item number 9 on the agenda and informed the Town Council there was an arithmetical error in the amount of the purchase order and the correct amount was \$36,499.74. He spoke about the building services agreement with Cap Government and stated the company would like to renew for a two-year term as stipulated in the contract. He informed Council that he had spoken to the Town Attorney on the matter and there were no changes to the terms or conditions of the contract so the Town would be approving the renewal.

Resolutions

9. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING A PURCHASE ORDER IN THE AMOUNT OF THIRTY-SIX THOUSAND FOUR HUNDRED NINETY-NINE DOLLARS AND SEVENTY-FOUR CENTS (\$36,499.74) WITH HUURR HOMES, LLC FOR THE ROLLING OAKS PARK DRIVEWAY AND PARKING LOT IMPROVEMENTS; AUTHORIZING THE EXECUTION OF THE PURCHASE ORDER; 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 Breitzkreuz voting yes.

MOTION: TO APPROVE THE RESOLUTION WITH THE CORRECTED AMOUNT OF \$36,499.74.

Discussion

10. FY 2024-2025 Proposed Budget Calendar

Town Finance Administrator Lopez discussed the proposed budget calendar for fiscal year 2024-2025. He stated the calendar was essentially a guide to facilitate the budget process and to keep the public informed of the progression. He asked the Town Council for a consensus to approve the calendar. Town Council briefly discussed the item and approved the calendar.

11. Prohibition of Additional Proactive Code Enforcement Items - Council Member Kuczenski

Vice Mayor Kuczenski stated that he brought the discussion item to Council because of the reaction from residents that were opposed to proactive code enforcement. He said that in his discussion with residents on the issue, the topic of amending the Town Charter to prevent adding proactive items was brought up. He said would like to have input from the residents and the Town Council on the matter.

Mayor Breitzkreuz opened the floor to public comments with many of the public speaking against proactive code enforcement.

Vice Mayor Kuczenski stated that he initially wanted to amend the Town Charter to prevent adding additional proactive code enforcement items, but after speaking with residents and hearing the discussion he was no longer open to that idea. He explained that a majority vote of 3-2 was all that it took to add a proactive item and he did not agree with that. He said that he would like to make it more complicated to add proactive items to the Code and suggested the Town could set parameters that must be met to qualify an item as proactive, conduct a study before adding an item to the proactive list, or increase the required number of votes to pass the item. He said that adding more proactive issues would lead to a more aggressive code enforcement, a bloated bureaucracy, and more government intrusion on the residents' lives.

Council Member Hartmann spoke about how he is one hundred percent behind keeping the Town rural but explained that putting the proactive items in the Town Charter would be a challenge and essentially tie the Town's hands. He discussed how the State and County are forcing municipalities to stop using wells and septic tanks. He said this was an example of how the State or County can mandate the Town on an issue they don't agree with, and this example would be an issue where the Town would need proactive code enforcement to enforce the change. He said that if people refused to change over from septic to sewer and the Town had to wait for a Charter Amendment to make it a proactive item, the Town could face lawsuits from the State. He said that he liked Vice Mayor Kuczenski's idea of having a study to ensure an item should be proactive. He also agreed with Vice Mayor Kuczenski that the 3-2 vote should be changed and suggested that it should be at least a 4-1 vote to add a proactive item. He discussed how the Town Council

represents the residents of the Town and if they did not like how the Council Members were voting on issues then they should vote them out.

Council Member Allbritton addressed the resident's issue directed towards him during the public comment portion of the item. He discussed that when the Town was founded there were no proactive code enforcement items but now there are five items. He said these items were changed because they became a widespread nuisance to the Town and the only way to stop them was to make them proactive. He said it would be a huge mistake to prevent the Town Council from designating items as proactive because no one knows what the future holds for the Town and what issues may need to be changed to proactive. He spoke about RVs and mobile homes being parked on properties in Town and that people paying rent to stay there and said this is not in alignment with the rural lifestyle. He stated people should not be concerned with Code Enforcement if they have nothing wrong with their property. Lastly, he spoke about working with Code Enforcement on educating residents on violations and how to correct them and how that would improve the relationship of the residents with Code Enforcement.

Council Member Jablonski stated that no one can predict the future needs of the Town and that the five items that are proactive now came about because they became necessary for the Town. He spoke about how rarely proactive items are added to the Code and said the last item was added seven years ago. He agreed that the Town could use the option of changing the votes required to pass proactive items to at least 4-1, but stated putting into the Charter would be equivalent to handcuffing the Council. He used the Town's fill permit policy as an example of why proactive items are needed and stated that without that policy many residents' properties would be flooded. He commended the Code Enforcement department for the work they do and explained that they work with the resident to reach compliance before it goes any further. He described a program that Code Enforcement has for residents to conduct a courtesy inspection on the property and if any violations are found they will help the resident fix them. He said the program is open for everyone and that he uses it almost every other year to prevent small items, such as a broken fence, from becoming major issues later.

Mayor Breitzkreuz thanked everyone for attending the meeting. He discussed an incident in the past involving illegal fill affecting his home. He said this type of situation was the reason illegal fill was put on the proactive enforcement list, because it destroyed the lifestyle of the neighbors around them when not done properly. He stated this was an example of why proactive items are needed for the Town but felt no additional proactive items needed to be added at this time. He said he would support a change in the number of votes required to pass the item to at least a 4-1 vote and would be happy with a 5-0 vote. He discussed the plan of having Code Enforcement systematically check the entire Town for compliance with the "Dark Skies" ordinance. He stated he was no longer comfortable with the plan and said it was not right for the Town to go forward with it. He said it could be an issue discussed by Council at another meeting. He commended the Code Enforcement department for the work that they do and reiterated that their main goal is compliance, and that they are always willing to work with residents to get them into compliance. He discussed the issue of Code Enforcement being weaponized with residents using it to harass their neighbors. He said he has thought of some ideas of having monetary penalties for repeated false reports but wanted feedback from the residents before presenting the idea further.

Council discussed the options of changing the Town Charter or number of required votes as a solution to the proactive enforcement issue and agreed changing the Town Charter was not the right choice for the Town. The Town Council decided to change the required number of votes to add a proactive item to 4-1 or 5-0 vote was the best option. Town Council directed Town Administration to create an ordinance to change the number of required votes to pass a proactive item and to bring the ordinance before Town Council at an upcoming meeting.

12. Approval of Minutes

- a. January 11, 2024 Special Meeting Minutes
- b. January 25, 2024 Regular Meeting Minutes

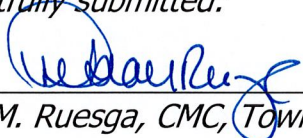
The following motion was made by Council Member Jablonski, seconded by Council Member Hartmann, and passed by a 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Hartmann, Jablonski, Vice Mayor Kuczenski, and Mayor Breitzkreuz voting yes.

MOTION: TO APPROVE THE JANUARY 11, 2024 SPECIAL MEETING MINUTES AND JANUARY 25, 2024 REGULAR MEETING MINUTES.

Adjournment

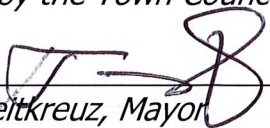
Meeting adjourned at 9:05 p.m.

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.