

REGULAR MEETING MINUTES OF THE TOWN COUNCIL
Southwest Ranches, Florida

Thursday 7:00 PM

March 14, 2024

13400 Griffin Road

Present:

Mayor Steve Breitreuz
Vice Mayor David S. Kuczenski
Council Member Jim Allbritton
Council Member Bob Hartmann
Council Member Gary Jablonski

Russell Muñiz, Town Administrator
Debra M. Ruesga, Town Clerk
Emil C. Lopez, Town Financial Administrator
Keith Poliakoff, Town Attorney

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 7:02 PM. Attendance was noted by roll call and was followed by the Pledge of Allegiance.

3. Proclamation - Child Abuse Prevention Month

The Town presented a proclamation that recognized the month of April 2024, as Child Abuse Prevention Month.

4. Public Comment

The following members of the public addressed the Town Council: Mary Gay Chaples, Doug McKay, Lori Parrish, John Garate, Jim Laskey, and Marianne Allen.

Mayor Breitreuz, Council Member Jablonski, and Town Attorney Poliakoff addressed the question brought up by a resident regarding the amount of time for public comments.

5. Board Reports

Debbie Green spoke on behalf of the Schools and Education Advisory Board. She discussed the Sikh Youth Association 5k and stated the proceeds from the run raised \$13,000 for the Town Scholarship Fund.

Debbie Green addressed the Town Council on behalf of the Zero-Waste Broward Task Force. She said the Task Force has created door hangers to help educate residents on the negative aspects of incineration and on methods to help divert trash from going to incinerators or landfills. She spoke about the contributions of Mayor Breitreuz during the Executive Committee Meetings of the Broward Solid Waste Authority and stated that his presence has had a positive impact on the Board.

Council Member Comments

Council Member Jablonski spoke about upcoming events within the Town such as the Mayor's Open Chess Play on the 30th, the ROCA Easter Egg Hunt event on the 23rd, and the Hazmat at the Barn on April 27th. He discussed the zero-waste initiative of placing decals on recycling bins that would inform residents of the materials allowed in the bins. He stated no set dates have been arranged but would inform everyone once more information was available. He also said that student volunteers may be assisting with placing the decals on the bins around Town.

Council Member Hartmann discussed the Water Matters Day event and praised PROS Manager Lauretano-Haines and Christina Brownlow on the display they create each year and the education they provide to everyone. He spoke about the "Unity in Diversity 5k" and how it is becoming a bigger and better event each year. He said the event raised \$13,000, had over 400 participants, and had over 100 volunteers. He thanked the Sikh Youth Association for their efforts in putting the event together every year and thanked "Uncle" Louie Gregory for hosting the event. He discussed visiting the Palm Beach County Solid Waste Authority facility with Council Members Allbritton and Jablonski. He described the facility's functions and capabilities and said that the staff there were professional and responsive to all questions asked of them. He stated that even though the facility does everything properly, the dangers presented by incinerators still present a threat to the environment and that the Town should continue the fight against having an incinerator being built near the Town. He spoke about an article written in the Palm Beach Post regarding the EPA changing the regulations on incinerators and how that may help stop the incinerators in the future. He discussed the dangers of using Round Up and other types of pesticides around pets and encouraged residents to research and find less harmful methods for weed control. He stated that he has spoken to Town Attorney Poliakoff and Code Enforcement Director Medina about possibly banning those types of chemicals from being used in the Town and will be placing a discussion item on an upcoming agenda for input from Town residents.

Vice Mayor Kuczynski discussed the relation of the pesticide Round Up to Agent Orange. He discussed the article from the Palm Beach Post regarding incinerators and said he was encouraged by it and hoped it would help stop the incinerator. He stated he would like to have the Town look into assisting resident Richard Ramcharitar with his travel expenses incurred with the stopping the incinerator initiative. He spoke about March 21st being World Down Syndrome Day and that the Town is having a "Wacky Sock Day" event to raise funds on behalf of the Broward Gold Coast Down Syndrome Organization. He discussed the issue of mail theft in the Town and commended the Davie Police Department on the recent arrest of a suspect that had mail from approximately one hundred different residences. He provided the latest traffic citation statistics in the Town and thanked the Town of Davie Police Department for all their hard work. Lastly, he addressed the issue of the railroad ties at the Equestrian Park brought up during Public Comments and stated that he wants to have the work done on replacing them.

Council Member Allbritton discussed the risks of Agent Orange that he and other Vietnam Veterans still face in the present day. He gave a brief description of the time he spent involved with Town Advisory Boards and homeowner associations before being elected in 2020. He spoke about the Town events that he has attended within the last few weeks, such as the Canal Dedication Ceremony for Vincent Falletta and the Town of Davie Fire Rescue Transfer of Command Ceremony. He discussed the Public Safety and Traffic Committee and the ideas they are contemplating to control traffic and make the Town safer. He talked about the Broward League of Cities and that their main goal currently is to prevent public school closures in the County which he said would be detrimental to the communities. He spoke about the site visit to the Palm Beach County Solid Waste Authority facility and said that even with the latest technology they had at the facility it still could not prevent all the pollution from escaping the smokestacks when burning. He

discussed the first meeting of the Zero Waste Advisory Board, and congratulated the officers elected to serve on the Board. He stated the Board is going to do good things for the Town and used the decals for the recycling bins as an example. He recognized Schools and Education Advisory Board Chair Kathy Sullivan for her dedication to the Board and her efforts in raising funds for the Town Scholarship Fund. He said he will be attending the C-51 Reservoir phase 1 completion in Loxahatchee and spoke about the capabilities of the reservoir. He stated that if he is re-elected in November, he will continue serving the Town as he does now.

Mayor Breitzkreuz said that he appreciated all the work that has been done on the zero-waste initiative and thanked Debbie Green and Maggie Yeshua for the creation of the zero waste "door hangers". He addressed the issue of the railroad ties at the Equestrian Park and said the funds should be available to have the railroad ties replaced and the Council should work on getting that corrected. He stated that he was not able to go to Water Matters Day this year but said he was pleased to hear from everyone that attended that PROS Manager Lauretano-Haines did an outstanding job as always.

Mayor Breitzkreuz discussed the water service to the light industrial complex located on US 27 and the restrictions in place restricting the service provider to only the City of Sunrise. He said he would like to remove those restrictions so the industrial complex could obtain water service from the City of Pembroke Pines which would be easier and more cost effective for the complex. He stated he believed that is the fair and right thing to do and said he was concerned the Town may lose control of the property due to de-annexation. He disclosed that he has had conversations with Ron Bergeron on the matter. He talked about how water service will eventually be needed Townwide and that the Town Council is starting to work on the issue, even having Council Member Jablonski meet with the City of Sunrise on the matter. He asked the Town Council for their thoughts on the matter.

Council Member Hartmann stated that he has not had conversations with Ron Bergeron or his company but has thought a lot about the matter. He stated it would be unfair to have Ron Bergeron pay millions of dollars in fees to have pipe run from Sunrise when there were connections available along Stirling Road in that area. He said that he was fine with the industrial complex using the City of Pembroke Pines water service and connecting to the pipeline at the foot of his property but would not approve of the City of Pembroke Pines running additional pipe along US 27 and Griffin Road to complete the loop they have spoken about in the past. He stated the Town has obligations to the City of Sunrise regarding water service and said if the loop is completed, Town residents may have no other options in the future for water, except the City of Pembroke Pines. He also spoke about the properties in the Town across US 27 needing water service and said he would be okay with them connecting to the City of Pembroke Pines water service, but it should stop at Griffin Road.

Council Member Jablonski stated that if the Town were to allow the complex to connect to the City of Pembroke Pines water service it would essentially end the idea of having the City of Sunrise as the main provider for the rest of the Town. He said the City of Sunrise sees the complex as

having the highest amount of water consumption in the Town and that it would not be economically feasible to provide Townwide service if the complex was not included. He talked about how the City of Sunrise discussed possibly helping the Town with infrastructure costs for water service whereas the City of Pembroke Pines has not demonstrated they would be willing to help with any associated costs. He said the City of Sunrise has not fully committed to providing assistance with the infrastructure cost, and the matter was still under consideration. He stated that the City of Pembroke Pines has indicated their water service would stop at 184th Avenue and he recommended using the City of Sunrise as the sole provider for the entirety of the west side of the Town. He spoke about how the Town Council voted for the City of Sunrise to be the primary supplier to the Town in the future.

Mayor Breitzkreuz raised the concern that tying the complex into a Townwide negotiation would not be resolved within the next six months and that if the Town did not have an answer in place within that timeframe the property would be lost to the Town. He spoke about his confidence in the capabilities of the City of Sunrise providing water service to the Town and stated that in an ideal situation the City of Sunrise would commit to providing service to the west side of the Town and build the infrastructure to the properties in question but felt that it would not happen in the timeframe needed.

Council Member Hartmann stated he believed it was a negotiating tactic on the part of the City of Sunrise regarding the industrial complex being necessary to provide water service to the western part of the Town.

Vice Mayor Kuczynski stated that he has never spoken to Ron Bergeron or anyone with the Bergeron Company on the issue. He said that he has no issue with the City of Pembroke Pines providing water to the industrial complex if it did not deal with a special exception or adversely affect residents west of I-75 by forcing them to connect to the City of Pembroke Pines water service in the future.

Council Member Allbritton stated that he had not spoken to anyone in the Bergeron family regarding the matter. He stated the City of Sunrise is the only municipality that currently has the capability to provide the water service to the entire Town and that it was his understanding that the City of Sunrise may be purchasing the Town of Davie's water and sewer service. He spoke about the possibility of the property de-annexing from the Town. He stated he was okay with making the exception for the industrial complex because he did not believe the City of Sunrise could complete the infrastructure within the next 6 months to a year. He said his concern was that the City of Pembroke Pines would try to force residents west of I-75 to connect to their service.

Mayor Breitzkreuz agreed that this would be a one-time restriction just for the property in question and reiterated that the City of Sunrise was the best option for the Town's future needs for water service.

Mayor Breitkreuz spoke about the Open Chess Play event happening on March 30th and that it was the unofficial “kickoff” to the recreation programs the Town is starting. He commended PROS Manager Lauretano-Haines for the work she has done so far on the program development and said he was excited how these events will help the Town grow as a community.

6. Legal Comments

Town Attorney Keith Poliakoff had no legal comments.

7. Administration Comments

Town Administrator Muñiz had no comments.

Discussion

9. Right of Way Master Plan

Mayor Breitkreuz stated he wanted to review the policy of the Town that was obtaining rights-of-way along Stirling Road west of 166th Avenue. He said that he does not want the Town to have those rights-of-way because he does not want Stirling Road to ever be expanded and if the property owners have the rights-of-way, it will be more difficult to expand the road in the future. He said there was a possibility that other areas in the Town have this same issue but his focus for this discussion was to give back the rights-of-way to the two property owners affected on Stirling Road and to have the Townwide policy discussed at a meeting in the future.

Council Member Jablonski recommended sending the issue to the Comprehensive Plan Advisory Board and the Drainage Infrastructure Board for review before taking any action on the item. He advised that is best interest of the Town to keep rights-of-way unless necessary, and he felt he did not have enough information on the two properties to make the decision.

Council Member Allbritton spoke about the entire section of Stirling Road between SW 166 Avenue and SW 172 Avenue being affected by the rights-of-way.

Mayor Breitkreuz agreed that the entire area is affected but wanted to help the two property owners that recently dedicated rights-of-way to the Town while building homes on their properties. He reiterated that he wanted to limit the discussion to only those two properties and agreed with Council Member Jablonski that more information may be needed before making the decision. He requested Town Administrator Muñiz have more detailed information on the properties provided to the Town Council so that the issue could be resolved at the next Council meeting.

Council Member Hartmann spoke about the issue of vacating roads and the effect of that on TSDOR projects. He discussed finding the correct balance between keeping certain rights-of-ways while vacating others and protecting the horse trails.

Mayor Breitkreuz agreed that the issue needs to be discussed by the Advisory Boards and provide their feedback to the Town Council.

Town Attorney Poliakoff advised Town Council that vacating a property is a quasi-judicial item that is required to come before the Town Council for two readings and that when vacating a property, the vacated area is considered new property on the tax rolls. He stated that this would not affect the two properties in question but may affect other properties in the future.

Town Administrator Muñiz informed the Town Council that because of the issue with the right-of-way, one of the properties could not obtain a Certificate of Occupancy for the home because it could not pass the zoning inspection with trees in the right-of-way. He stated that Town Administration was seeking approval for either a temporary Certificate of Occupancy or permanent Certificate of Occupancy pending approval of the right-of-way issue.

Town Attorney Poliakoff advised that Town Council for these two specific properties they could vote to allow the trees in the right-of-way to solve the issue. The Town Council discussed allowing an exception to be for the trees to remain in the right-of-way for the two specified properties.

The following motion was made by Council Member Jablonski, seconded by Council Member Hartmann, and passed by a 4-1 roll call vote. The vote was as follows: Council Members Hartmann, Jablonski, Vice Mayor Kuczenski, and Mayor Breitkreuz voting yes, and Council Member Allbritton voting no.

MOTION: TO ALLOW THE TREES TO REMAIN IN THE SWALE SO THE HOMEOWNERS AT 5960 SW 172 AVE AND 5970 SW 172 AVENUE CAN OBTAIN THEIR CERTIFICATES OF OCCUPANCY.

10. Approval of Minutes

- a. February 8, 2024 Regular Meeting Minutes
- b. February 22, 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 Breitkreuz voting yes.

MOTION: TO APPROVE THE FEBRUARY 8, 2024 REGULAR MEETING MINUTES AND FEBRUARY 22, 2024 REGULAR MEETING MINUTES.

11. Appointments

- a. **Broward League of Cities Board of Directors Appointment, Alternate, and Second Alternate**

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 APPOINT COUNCIL MEMBER ALLBRITTON AS THE DIRECTOR, COUNCIL MEMBER JABLONSKI AS THE ALTERNATE, AND COUNCIL MEMBER HARTMANN AS THE SECOND ALTERNATE.

Adjournment

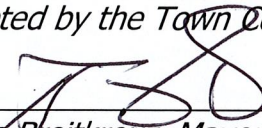
Meeting adjourned at 8:32 p.m.

Respectfully submitted:



Debra M. Ruesga, CMC, Town Clerk

Adopted by the Town Council on this 28th day of March, 2024.



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.