

REGULAR MEETING MINUTES OF THE TOWN COUNCIL
Southwest Ranches, Florida

Thursday 7:00 PM

April 25, 2024

13400 Griffin Road

Present:

Mayor Steve Breitkreuz

Russell Muñiz, Town Administrator

Vice Mayor David S. Kuczenski

Dan Stewart, Deputy 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 7:01 PM. Attendance was noted by roll call and was followed by the Pledge of Allegiance.

3. Presentation – Senator Steve Geller

Senator Geller spoke on the ongoing issue of the potential incinerator, the Solid Waste Working Group (SWWG) and Monarch Hill Landfill. During his presentation Mayor Breitkreuz asked that a recently completed Public Service Announcement (PSA), produced in coordination with WM on the best ways to recycle, be shown in Chambers.

4. Proclamation – Municipal Clerk’s Week

The Town presented a proclamation that recognized May 5th, 2024 through May 11th, 2024 as the 55th Annual Professional Municipal Clerks Week.

5. Public Comment

The following members of the public addressed the Town Council: Mary Michel, Lonnie Bergeron, John Garate, Jim Laskey, Geoff Cohen, Richard Ramcharitar, and Gay Chaples.

6. Board Reports

Debbie Green spoke on behalf of the Schools and Education Advisory Board. She stated the Town Scholarship applications are due by May 31, 2024, and spoke about the requirements to be considered for the scholarship.

Debbie Green spoke on behalf of the Zero Waste Advisory Board. She talked about the Town’s PSA video regarding proper recycling practices and thanked the Town Council for putting it together. She discussed the Zero Waste Associates class she and other Board members have attended and how the knowledge they have gained from class can be used to benefit the Town move towards zero waste.

Debbie Green also spoke on behalf of the Zero Waste Task Force. She announced that the next Zero Waste Task Force meeting will be on May 8th at Town Hall, and they would be showing a short film called “The Burning Injustice”. She stated it was going to be a fun yet informative meeting and invited everyone to attend.

Richard Ramcharitar spoke on behalf of the Zero Waste Task Force. He advised the Task Force will also have a representative from the Cabotura company, Mr. Ed Minera, at the meeting and described the functions of the company as it pertains to converting solid waste to other materials that can be reused.

George Morris spoke on behalf of the Aster Knight Parks Foundation. He discussed the Bingo at the Barn event happening on May 11th and invited everyone to attend.

7. Council Member Comments

Council Member Jablonski spoke about upcoming events within the Town such as HAZMAT at the Barn occurring on April 27th and Bingo at the Barn on May 11th. He stated the Rural Public Arts and Design Board is starting the Annual Photo Contest for the Town Calendar and said the theme for this year's contest is "Proud of Our Town". He discussed touring the Palm Beach County incinerator plant and clarified that it came online in 2015 and that it was the newest incinerator in the state. He spoke about the recent increase in stolen vehicles in the Town and ways to prevent vehicle theft.

Council Member Hartmann discussed the presentation by Senator Gellar and commended the Town residents on their comments regarding zero waste. He reiterated the importance of the Town and residents remaining diligent in their efforts to stop the incinerator from being built. He said that educating and persuading County officials against the incinerator is key to that process.

Vice Mayor Kuczenski thanked resident Geoffrey Cohen for his statements made during public comments. He spoke about the Sunshine Ranches Homeowners Association requesting "Equestrian Area" signs for the neighborhoods and reminded everyone that the Town has a large equestrian presence and for everyone's safety to slow down when driving. He discussed the Town's list of invasive plants as compared to Broward County's list of invasive plants. He said the County has many more plants listed as invasive species and would like to have the Town review it's current list and have it more aligned to the County's. He stated he would like to have a Texas Hold 'Em poker tournament at the Barn to raise funds for the Town Scholarship Fund. Lastly, he spoke about the recent passing of Town resident, Mike Hanley, and said he would be missed by everyone.

Council Member Allbritton discussed the efforts that the Town Council and residents have made to stop the incinerator and move towards reducing waste in the Town. He stated that it is important for more residents to become involved in these efforts and that residents have a responsibility to inform their neighbors of what is occurring and to get them involved.

Mayor Breitzkreuz spoke about the "Public Comments" portion of the meeting and that his goal during the comments is to give everyone a fair platform to discuss their issues while also trying to ensure that it is not offensive to others and would continue to work on perfecting the balance. He discussed the recreation programs the Town is starting in the summer and in the fall of this

year. He stated he was excited to have the programs for the youth of the Town and said it will help the community grow closer together. He said he is looking forward to seeing the programs grow over the years.

8. Legal Comments

Town Attorney Poliakoff discussed a meeting between himself, Town Administrator Muñiz, and BBX Logistics, regarding the purchase of the former CCA property. He said they met with the company's new project manager and stated that the company is working diligently to have the purchase of the property completed by September 30th of this year.

9. Administration Comments

Town Administrator Muñiz spoke about the renderings of the Southwest Meadows restroom facility and said the Town is working with CPZ Architects and Town staff to make changes to the design. He said another presentation should be ready for the Town Council at the May 9th Town Council meeting. He discussed completing the purchase order for the new Town of Davie Fire Rescue vehicle, ensuring the cost of the vehicle, and that the vehicle is expected to be delivered in 2026. He talked about the Town's PSA regarding proper recycling. Lastly, he spoke about the Town's Open Play Chess matches occurring every third Saturday of the month, with the next event happening on May 18th at Town Hall.

Ordinance – 2nd Reading

10. AN ORDINANCE BY THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AN ORDINANCE BY THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE TOWN OF SOUTHWEST RANCHES CODE OF ORDINANCES AND ORDINANCE NO. 2014-003 TO SPECIFY THE ELEVATION OF MANUFACTURED HOMES IN FLOOD HAZARD AREAS; PROVIDING FOR AN EFFECTIVE DATE. **{Approved on First Reading April 11, 2024}**

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 ORDINANCE ON SECOND READING.

Ordinance – 1st Reading

11. AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA; AMENDING THE TOWN OF SOUTHWEST RANCHES CODE OF ORDINANCES TO REQUIRE (THE SUPER MAJORITY OR UNANIMOUS VOTE) OF THE TOWN COUNCIL BEFORE DIRECTING THE TOWN'S CODE ENFORCEMENT DEPARTMENT TO PROACTIVELY ENFORCE ADDITIONAL CODE VIOLATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE TOWN'S CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

Vice Mayor Kuczenski addressed Mayor Breitkreuz and advised that he would like to make a motion to table the item due to a potential legal issue and entertain public comment. Mayor Breitkreuz

advised the Town Council must first make a motion and second and then the item can go for discussion and a new motion can be made to table the item.

A motion was made by Vice Mayor Kuczenski, seconded by Council Member Hartmann to approve the item. Mayor Breitkreuz opened the floor for Council discussion and no vote was taken at that time. Before the item was opened to the public, Council Member Allbritton voiced his support of Vice Mayor Kuczenski's initial request to table the item and asked if the Town can request a legal opinion from the Attorney General as to the legality of the ordinance. He stated he would accept whatever opinion was received.

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

MOTION: TO TABLE THE ORDINANCE PENDING A LEGAL OPINION FROM THE ATTORNEY GENERAL'S OFFICE.

Discussion

12. Discussion - Municipal Water Sources - Mayor Breitkreuz

Mayor Breitkreuz introduced the item as a discussion item about municipal water sources and how it affects the set of properties along US 27. He described how residential properties in the Town can use wells as their water source or connect to other water sources from other municipalities. He stated that because the properties in question were zoned differently, they would fall under a specific provision that restricts them to only being able to use their own well or connect to the City of Sunrise as water sources. He stated that this provision excluding the City of Pembroke Pines from providing water to the properties was in reaction to a political disagreement between the Town and the City of Pembroke Pines and believed it was not fair to the property owners. He talked about the issues the City of Sunrise may have in providing water to the properties, including laying pipes over the City of Pembroke Pines water pipes along Sheridan Street, and referenced a letter from the Mayor of Sunrise describing other issues that may occur. He stated that he would like a consensus from the Town Council to have the text of the provision reviewed by the Comprehensive Plan Advisory Board to see if it can be changed.

Mayor Breitkreuz opened the discussion to public comment with many speakers in favor of changing the text to allow the properties to be connected to municipal water sources.

Council Member Hartmann spoke about the infrastructure of the pipes being placed 30 years ago around the County. He stated that he was in favor of having the text reviewed by the Comprehensive Plan Advisory Board and that it the fair thing to do for the Bergeron family, the owners of the properties.

Vice Mayor Kuczenski agreed that it was the fair thing to do and supported sending the item to the Comprehensive Plan Advisory Board.

Council Member Allbritton discussed serving on the Comprehensive Plan Advisory Board during the original discussions on the restrictions. He said with what has been approved to be built on the properties he supported sending the item to the advisory board for review and to be changed.

Council Member Jablonski stated that he would prefer that the incinerator issue be resolved before deciding on the municipal water sources issue. He clarified that he could see the properties being used for an auxiliary site for staging construction equipment or debris from the construction of the incinerator. He said that a simple variance change could allow that to happen on the properties.

Mayor Breitkreuz discussed that the Town is planning for the future and looking into municipal water sources for all parts of the Town. He said that as things change in the County the Town will adjust and the Town Council will do what they believe is best for the Town.

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 INSTRUCT THE COMPREHENSIVE PLAN BOARD TO CONSIDER THE ZONING TEXT REGARDING THE PROPERTIES ON US 27 AND REMOVE THE ZONING RESTRICTION OF MUNICIPAL WATER USAGE.

13. APPROVAL OF MINUTES
a. March 28, 2024 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 Breitkreuz voting yes.

MOTION: TO APPROVE THE MARCH 28, 2024 REGULAR MEETING MINUTES.

Adjournment

Meeting adjourned at 9:19 p.m.

Respectfully submitted:



Debra M. Ruesga, CMC, Town Clerk

Adopted by the Town Council on this 13th day of June, 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.