

REGULAR MEETING MINUTES OF THE TOWN COUNCIL
Southwest Ranches, Florida

Thursday 7:00 PM

May 9, 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 7:03 PM. Attendance was noted by roll call and was followed by the Pledge of Allegiance.

3. Proclamation – World Down Syndrome Day

The Town presented a proclamation that recognized May 9th, 2024 as World Down Syndrome Day in the Town of Southwest Ranches.

4. Presentation - Check Presentation - Wacky Sock Day Fundraiser

On behalf of the Town, Police Civilian Coordinator Cheryl Danner presented a check in the amount of \$200 to the Mary Beth of the Broward Gold Coast Down Syndrome Organization, raised by Town employees during their "Wacky Sock Day Fundraiser". Ms. Danner spoke about partnering with the organization for future events including a health walk in October. Ms. Beth thanked the Town for its donation and described the functions of the Broward Gold Coast Down Syndrome Organization. Vice Mayor Kuczenski donated an additional \$100, and Town resident Jim Laskey added \$200 to the donations.

5. Presentation – CPZ – Southwest Meadows Restroom Facility Update

Heidi Rodriguez of CPZ Architects presented updated renderings of the Southwest Meadows Restroom Facility Project including recommended changes from the Town Council and residents that were suggested at the April 11th Town Council meeting.

6. Presentation – Julio Medina - New Approach to Code Enforcement

Code Enforcement Director Julio Medina presented a plan for a new collaborative approach to the Code Enforcement Department. The proposal included the following changes:

- Changing the name to Code Compliance
- Revising procedures to initiating requests to include attempting to contact the property owner/contractor to provide them with information on the violation and methods to correct the violation before the issuance of a notice of violation
- The Director will pursue Code items consistent with the Town's policy of Reactive versus Proactive enforcement

- Ensuring all complaints are submitted in accordance with State Law regarding anonymous requests
- Enhancing the training of Code Officers by having the Town sponsor the training of officers at annual Florida Association of Code Enforcement (F.A.C.E.), to incentivize Code Officers to seek further training and education
- Working with the Town Planner and the Comprehensive Plan Advisory Board on amending the "Dark Skies" ordinance to ensure proper enforcement

He urged the Town Council and residents to support the new approach to Code Enforcement.

Mayor Breikreuz thanked Code Enforcement Director Medina for his work on the new approach to the Code Department. He stated that the Town's philosophy is really for people to comply with the Town Code with minimal enforcement and fines. He said this approach was a step in the right direction and supported the changes.

Council Member Jablonski spoke about attending the Special Magistrate meetings and said that the Code Department tries to give people an ample amount of time and opportunities to come into compliance before being fined. He commended the Code Department on their work and efforts.

Council Member Hartmann asked Code Enforcement Director Medina what specifically the new approach would be and how is it different than the current strategy.

Code Enforcement Director Medina stated that the main difference would be the initial contact with the resident before an issuance of a violation. He said that in most cases, many people do not understand the Code or how to rectify the problem. He stated this new approach would help educate the property owners and make it easier for them to be compliant with the Town Code.

Council Member Allbritton thanked Code Enforcement Director Medina for his work on the new approach to the Code Department. He said it was a wonderful idea that would settle many of the Town's code issues before they make it to the Special Magistrate Hearing. He thanked Code Enforcement Director Medina and the Code Department Staff for their commitment to the new approach and for their work.

Vice Mayor Kuczenski stated that this approach is more amicable, and it will reduce the number of violations that make it to the Special Magistrate Hearings while still helping keep the Town rural. He said that the new training aspect is imperative as the additional training for Code Officers will only benefit the Town.

Mayor Breikreuz opened the discussion to public comment with many of the speakers in favor of the new approach.

Mayor Breitkreuz stated that he agreed with many of the public comments and said the Code Enforcement Director Medina and the Code Department staff do an amazing job and that their job is one of the toughest in the Town. He said he appreciated the dedication of Code Enforcement Director Medina and the Code Department staff.

7. Public Comment

The following members of the public addressed the Town Council: Mike Rodriguez, John Garate, Maryan Rayo Amador, Mary Michel, Marianne Allen, Richard Ramcharitar, Gloria Murphy, and Debbie Green.

8. Board Reports

Rose Allbritton spoke on behalf of the Rural Public Arts and Design Board. She discussed the Annual Photo Contest for the Town Calendar and said the theme for this year's contest is "Proud of Our Town", with the deadline being September 9th for all photo submissions. She talked about the Halloween House Decorating Contest and said the deadline for registration is October 18th. She also discussed the Arts Board working with the Parks, Recreation, Forestry, and Natural Resources Board on installing new soundproofing panels at the Rolling Oaks Barn and thanked the Board and Staff Liaisons December Lauretano-Haines and Susan Kutz for their hard work.

9. Council Member Comments

Council Member Jablonski spoke about upcoming events within the Town such as Bingo at the Barn on May 11th, the Annual Photo Contest, the Open Play Chess event on May 18th, and Hazmat at the Barn on July 27th.

Council Member Hartmann spoke about the discussion item regarding the impact of glyphosate scheduled for the upcoming May 23rd Town Council Regular Meeting. He said that the discussion will be about alternative methods of weed control instead of using glyphosate and potentially banning Town vendors from using glyphosate around the Town. He updated Town residents on the status of the Town's Public Safety Building. He stated that the original planned property to be purchased was no longer a viable option, so the Town is planning on using a portion of Country Estates Fishing Hole Park for the building. He talked about working with the Town of Davie to ensure that their response times would not be affected by moving the Public Safety building to a different location and thanked Town Administrator Muñiz and Mayor Breitkreuz for their hard work on resolving the matter.

Vice Mayor Kuczenski discussed the Annual Photo Contest and reminded residents that even if their photos were not selected to appear in the Town Calendar, they may be published as part of the Town Newsletter or other Town media. He addressed an issue that was spoken about during Public Comment and stated that the Town should investigate establishing a department or committee to protect the agricultural properties in the Town. He provided the traffic citation statistics for the month of April for the Town and stated that mail theft was occurring again. He discussed the benefits of residents installing locking mailboxes at their homes.

Council Member Allbritton discussed school closures occurring in Broward County and said that there may be an estimated 70 schools that may be closing around the County. He spoke about attending the Town of Davie Fire Rescue Awards Ceremony and talked about the awards received by Southwest Ranches Volunteer Firefighters Lieutenant Romeu and Paramedic Vollman. He stated that the Town of Davie Fire Department has one of the highest rated departments in the country. He discussed attending the Broward County Police Benevolent's Association where three police officers were recognized for their actions in rescuing a family. He thanked the Town of Davie Police Department for keeping the Town safe and for everything they do to protect the residents. He said that he will be attending the Broward County and Palm Beach County Water Advisory Board meeting next week, and the Board will be discussing the ten-year program regarding sea levels rising, ground water, and water storage. He discussed his history of being a part of the Town and promised that he, the residents of the Town, Town staff, and the Town Council were doing everything they could to keep the Town rural and unique.

Mayor Breitzkreuz discussed the Super Tots Program registration event happening on June 1st and that it was for the youngest residents of the Town. He addressed a statement made during Public Comment and said that there were no funds associated with the Town's Resolution denouncing the Hamas attacks against Israel in 2023. He addressed the agriculture department comment that was brought up during Public Comment and thanked Marianne Allen for discussing the topic. He stated he would like to have the Town Administration research the topic.

Town Administrator Muñiz advised Town Council that the Broward County Property Appraiser's Office visits Town Hall the first Tuesday of each month to assist residents with questions regarding their properties including agricultural classifications for their properties. He said that he spoke to Broward County Property Appraiser Marty Kiar regarding setting up a community event to meet with residents regarding agricultural classifications in the near future.

Mayor Breitzkreuz discussed the recent rise in mail thefts and agreed that having locking mailboxes was a good idea boxes but recommended that residents establish a routine to get their mail before dark, as that seems to be when most thefts occur.

10. Legal Comments

Town Attorney Poliakoff provided an update on getting approval from Broward County and the State to build the Public Safety Building at Country Estates Park. He stated that the County was awaiting an opinion from their Bond Council, and once that was approved the Town would bring the matter to the State Agency for approval. He advised the Town Council the P3 property was going through the finalization process and that he and Town Administrator Muñiz would be meeting staff regarding the mitigation of wetlands in a Town Park. He addressed a question brought up during Public Comment and stated that he is happy to speak to residents at any time, but he was not legally allowed to speak to residents that are represented by legal counsel.

11. Administration Comments

Town Administrator Muñiz discussed the funding for the Southwest Meadows Restroom Facility and advised Town Council that there was a projected shortfall of approximately seven hundred thousand dollars (\$700,000). He asked Town Council to reallocate funds to cover the cost with three hundred thousand dollars (\$300,000) coming from unassigned AARPA funds, two hundred thousand dollars (\$200,000) from a FRDAP grant, and two hundred thousand dollars (\$200,000) from unassigned funds. He stated having these funds allocated for the project allowed the Town to begin the bid process for construction of the project.

Mayor Breitzkreuz expressed concern that allocating that much money may hinder the bid process and that vendors may bid higher knowing that amount of money is set for the project. He stated that he preferred to keep the unassigned funds from the project unless needed.

Town Administrator Muñiz stated that to move forward with the project he would need a consensus from the Town Council to allocate the funds needed and the Town Council agreed that they would support allocating the monies for the project.

Town Administrator Muñiz advised Town Council that Town staff conducted a Hurricane Training scenario earlier in the day to prepare for hurricane season. He spoke about the "Recycling Right" project the Town and Waste Management are currently working on involving residents affixing decals to their recycling bins showing what can and cannot be recycled in the Town. He talked about receiving a grant for a Comprehensive Vulnerability and Sea Level Rise Assessment in the amount of \$200,000, to develop a plan for future impacts of sea level rise and for future drainage projects.

Resolutions

12. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, ACCEPTING THE RESIGNATION OF EUGENE STEINFELD, ESQ., OF EUGENE M. STEINFELD, ATTORNEY AT LAW, PA, AS THE TOWN'S SPECIAL MAGISTRATE; AMENDED APPOINTING MICHAEL GARCIA, ESQ., OF MICHAEL GARCIA, PA, AS THE TOWN'S SPECIAL MAGISTRATE; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO ENTER INTO AN AGREEMENT WITH MICHAEL GARCIA, PA; AND PROVIDING AN EFFECTIVE DATE.

A motion was made by Council Member Jablonski and seconded by Vice Mayor Kuczenski to approve the item. Town Attorney Poliakoff discussed the reasons for needing a new Special Magistrate and the selection process of the new magistrate, but no vote was taken at the time. Mayor Breitzkreuz stated that he would have preferred that Mr. Garcia had attended the meeting to answer questions of the Town Council and suggested that he would like to table the item so the Town Council could address Mr. Garcia directly.

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

MOTION: TO APPROVE TABLE THE ITEM TO THE MAY 23, 2024 TOWN COUNCIL REGULAR MEETING.

Discussion

13. Discussion - Potential Charter Amendments - Council Member Jablonski

a) Shall non-property owners be allowed to hold Town office?

b) Shall candidates for office be required to be current on their SWR property taxes?

Council Member Jablonski introduced the discussion items stating that the two charter amendments would protect the Town now and in the future. He discussed the first charter amendment and said that it was in reference to properties owned by corporations. He said it was too easy to manipulate the registration paperwork and anyone working for the corporation could be designated as the resident, whereas a private owner is listed on the deed. He spoke about the second charter amendment and stated that he did not believe it was ethical for a Council Member to be able to write policies to tax residents while the Council Member was delinquent on their property taxes, which are used to fund the Town's budget. He said he would like Town Attorney Poliakoff to ask the State Attorney's Office or State Elections Office on the matter and report back to the Town Council if it is feasible to pass these charter amendments. He stated that these amendments would not affect the upcoming election but would be for future elections.

Vice Mayor Kuczenski raised the issue that a resident living with their parents and not listed as a property owner would be unable to run for office if this was passed.

Council Member Jablonski stated that this is intended only for properties owned by a corporation.

Council Member Allbritton stated that he would be willing to have the item researched and would agree with the ruling of the Attorney General. He also spoke about people wanting more information on the candidates running for office and advised everyone to do their research and the easiest way to accomplish that was through web searches.

Council Member Hartmann stated he was interested in hearing an Attorney General opinion on the matter because of the difference between a resident and a corporation being listed as the homeowner.

Mayor Breitkreuz stated that he was interested in hearing an opinion from the Attorney General and elements of the amendments made sense to him, but he did not like the timing of the issue.

Mayor Breitkreuz opened the discussion to public comments. The majority of public speakers were against the proposed charter amendments.

Mayor Breitkreuz stated that he was fine with the matter being presented to the State Attorney's Office.

Adjournment

Meeting adjourned at 9:31 p.m.

Respectfully submitted:



Debra M. Ruesga, CMC, Town Clerk

Adopted by the Town Council on this 27th day of June, 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.