

REGULAR MEETING MINUTES OF THE TOWN COUNCIL
Southwest Ranches, Florida

Thursday 7:00 PM

August 25, 2016

13400 Griffin Road

Present:

Mayor Jeff Nelson

Vice Mayor Doug McKay

Council Member Steve Breitzkreuz

Council Member Freddy Fisikelli

Council Member Gary Jablonski

Andrew D. Berns, Town Administrator

Russell Muñiz, Assistant Town Administrator/Town Clerk

Martin D. Sherwood, Town Financial Administrator

Richard DeWitt, Deputy 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 Nelson at 7:10 PM. Attendance was noted by roll call and was followed by the Pledge of Allegiance.

Quasi-Judicial Hearing

3. Variance

A RESOLUTION AND FINAL ORDER OF THE BOARD OF ADJUSTMENT OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING VARIANCE APPLICATION NO. VA-072-16 BY THE ARCHDIOCESE OF MIAMI, FOR ARCHBISHOP MCCARTHY HIGH SCHOOL; GRANTING A VARIANCE FROM THE UNIFIED LAND DEVELOPMENT CODE OF THE TOWN OF SOUTHWEST RANCHES, SUBSECTION 060-080 PERTAINING TO MAXIMUM PERMITTED HEIGHT IN THE COMMUNITY FACILITY DISTRICT; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO PROPERLY EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR RECORDATION; AND PROVIDING AN EFFECTIVE DATE. **{TABLED FROM JUNE 23, 2016}**

The following motion was made by Council Member Jablonski, seconded by Council Member Breitzkreuz and passed by 5-0 roll call vote. The vote was as follows: Council Members Breitzkreuz, Fisikelli, Jablonski and Mayor Nelson voting Yes.

MOTION: TO APPROVE SUBJECT TO THE CONDITIONS AGREED TO BY THE APPLICANT. {1. VARIANCE FOR THE MAXIMUM HEIGHT IS ONLY FOR THE THEATER AND CLASSROOM. 2. ALL PORTABLES SHALL BE REMOVED FROM THE PROPERTY PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY. 3. THE THEATER SHALL HAVE A MAXIMUM OF 1900 SEATS. 4. THEATRE SHALL ONLY BE USED FOR SCHOOL PERFORMANCES. 5. THE TOWN SHALL HAVE USE RIGHTS. 6. THEATER CANNOT BE UTILIZED IS ANOTHER EVENT IS SCHEDULED TO BE HELD ON THE ADJACENT ST. MARK'S PROPERTY. 7. VARIANCE WILL EXPIRE IF APPLICANT DOES NOT OBTAIN A PERMIT OR DEVELOPMENT ORDER WITHIN 6 MONTHS. 8. APPLICANT TO PAY ALL COST RECOVERY FEES PRIOR TO ISSUANCE OF THE BUILDING PERMIT FOR THE WALL.}

4. Public Comment

The following members of the public addressed the Town Council: Newell Hollingsworth, David Kuczenski, Mike Hanley, and Dee Schroeder.

5. Board Reports

No board reports were presented.

6. Council Member Comments

Council Member Breitzkreuz reminded everyone about the CERT Team classes offered by the Town of Davie that begin on September 13th. He advised that it was important for members of the community to receive this training in the event of a storm or other natural disaster. He spoke of the tropical storm that was being monitored in the Atlantic and asked that residents ensure they were prepared for any impacts. He asked that residents contact he or Town Administrator Berns if they experienced any adverse impacts from the opening of the Franklin Academy School out west. He further advised that a workshop on Recovery Residences was scheduled for September 13th at Town Hall. He responded to comments made during public comments regarding the millage, and clarified that while the millage had been held steady for many years, roads that needed to be maintained were not being addressed. Commenting on the previous Budget Workshop held on August 23, 2016, he voiced his disappointment with the lack of resident turnout. He was hopeful that more people would attend the first public hearing on the budget on September 14th.

7. Legal Comments

Town Attorney Poliakoff spoke of settlement negotiations with New Testament Baptist Church and indicated that a settlement agreement will be considered by the Town Council in the near future. He spoke of the Town's methods for the imposition and collection of Code Enforcement fines. He spoke of a recent instance in which a bank foreclosed on a property and attempted to refrain from ensuring that the Town's Code Enforcement lien was satisfied. After a lawsuit was filed a judge ruled in the Town's favor ruling that the Town's lien was not extinguished because of the forfeiture action.

8. Administration Comments

Town Administrator Berns responding to comments made during public comments regarding the grand opening of the Segadores Church on SW 210th Avenue, indicated that Davie Police has been contracted by the church to have a duty detail during normal services. He was hopeful that any traffic impacts would be relegated to their parking lot. He also advised that a late e-mail received from Broward County Emergency Management has indicated the impending storm has been downgraded.

Ordinance – 1st Reading

9. AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE TEXT OF THE FUTURE LAND USE ELEMENT OF THE TOWN OF SOUTHWEST RANCHES COMPREHENSIVE PLAN ESTABLISHING A NEW LAND USE DESIGNATION ENTITLED, "US HIGHWAY 27 BUSINESS" WITH SUPPORTING OBJECTIVES AND POLICIES; REVISING THE LISTS OF PERMITTED USES WITHIN NONRESIDENTIAL LAND USE DESIGNATIONS AND SUPPORTING OBJECTIVES AND POLICIES; MAKING REVISIONS OF A HOUSEKEEPING NATURE; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY; PROVIDING FOR RECERTIFICATION BY THE BROWARD COUNTY PLANNING COUNCIL; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE. {REQUIRES A SUPERMAJORITY VOTE - TABLED FROM JULY 28, 2016}

The following motion was made by Vice Chair McKay, seconded by Board Member Jablonski and passed by 5-0 roll call vote. The vote was as follows: Board Members Breitkreuz, Jablonski, Fisikelli, Vice Chair McKay and Chair Nelson voting Yes.

MOTION: TO APPROVE THE ORDINANCE SUBJECT TO THE RECOMMENDATIONS MADE BY THE LOCAL PLANNING AGENCY (LPA).

Resolutions

10. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING A CHANGE ORDER TO THE AGREEMENT WITH AMROAD, LLC IN THE AMOUNT OF FOURTEENTHOUSAND FIVE HUNDRED SIXTY DOLLARS (\$14,560), TO COMPLETE THE SW 172ND AVENUE EDGE LINE STRIPING PROJECT; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO ENTER INTO AN AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

The following motion was made by Vice Mayor McKay, seconded by Council Member Breitkreuz and passed by 5-0 roll call vote. The vote was as follows: Council Members Breitkreuz, Fisikelli, Jablonski, Vice Mayor McKay, and Mayor Nelson voting Yes.

MOTION: TO APPROVE THE RESOLUTION.

At 7:42 PM the following motion was made by Vice Mayor McKay, seconded by Council Member Jablonski and passed by 5-0 roll call vote. The vote was as follows: Council Members Breitkreuz, Fisikelli, Jablonski, Vice Mayor McKay, and Mayor Nelson voting Yes.

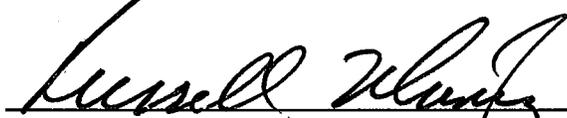
MOTION: TO TEMPORARILY SUSPEND THE REGULAR TOWN COUNCIL MEETING AND RECONVENE THE LPA MEETING.

At 9:09 PM the following motion was made by Vice Mayor McKay, seconded by Council Member Fisikelli and passed by 5-0 roll call vote. The vote was as follows: Council Members Breitreuz, Fisikelli, Jablonski, Vice Mayor McKay, and Mayor Nelson voting Yes.

MOTION: TO ADJOURN THE LPA MEETING AND RECONVENE THE REGULAR TOWN COUNCIL MEETING.

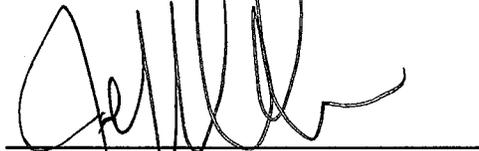
11. Adjournment – Meeting was adjourned at 9:19 p.m.

Respectfully submitted:



Russell Muñiz, MMC, Assistant Town Administrator/Town Clerk

*Adopted by the Town Council on
this 29th day of September, 2016.*



Jeff Nelson, 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.