

REGULAR MEETING MINUTES OF THE TOWN COUNCIL
Southwest Ranches, Florida

Thursday 7:00 PM

January 24, 2013

13400 Griffin Road

Present:

Mayor Jeff Nelson

Vice Mayor Steve Breitkreuz

Council Member Gary Jablonski

Council Member Doug McKay

Council Member Freddy Fisikelli

Andy Berns, Town Administrator

Keith Poliakoff, Town Attorney

Erika Santamaria, Town Clerk

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 7:15 PM. Attendance was noted by roll call and was followed by the Pledge of Allegiance.

3. Public Comment

The following members of the public addressed the Town Council: Vince Falletta, Dee Schroeder, and Mary Gay Chaples.

4. Board Reports – There were none at this time.

5. Council Member Comments

Council Member Jablonski gave his condolences to December Lauretano-Haines for her horse passing away. He warned the public that there has been mail stolen from mailboxes leading to identity theft. He also requested that the Town Attorney provide information as to how the Town can opt-out of the new Broward County Ethics law.

Council Member Fisikelli provided an update on Fishing Hole Park. He reported that he attended an I-75 meeting provided by FDOT and learned that the park and ride will not be built yet, but it is on the plan for the future.

Vice Mayor Breitkreuz advised the public that the road work out west on Griffin Road is a County project. He also looked for support from the Council as to possibly pursuing legislation that would protect the Town's water, since most of the Town is on well water. He stated that he would be interested in the Town opting out of the new Broward Ethics law.

Council Member McKay also agreed with options on opting out of the new Broward Ethics law. He also reported on the Pembroke Pines property purchase to construct a roadway for their residents. He mentioned that a charter school may go on that property as well.

Mayor Nelson reported that he met with the new Sheriff of BSO along with the Town Administrator and Town Attorney. He informed the public that Commander Haywood will be reassigned. The Town Council will be going through the process shortly in order to choose the

next commander for the Town. He stated that Officer Rosselli will be returning to the Town to assist BSO in various areas. The Mayor reported that contract negotiations for law enforcement services for the Town will commence within the next thirty days.

6. Legal Comments

The Town Attorney reported that the Chandler v. Town of Southwest Ranches was recently dismissed. He stated that Bill DiScipio has appealed both cases. He addressed the Council's request for possibly opting out of the new Broward County Ethics law. He stated if the Council wishes to pursue the option then it would have to go to referendum at the next municipal election in 2014.

7. Administration Comments

The Town Administrator reported that he recently met with the new Sheriff of BSO. He stated the meeting was positive and went very well. He reported that Town of Davie passed two resolutions one supporting the Equine Act and the other opposing the I-75 Interchange FDOT proposal. He stated that Pembroke Pines recently purchased property adjacent to the Town in order to install a roadway.

8. Ordinance – 1st Reading – AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING ARTICLE 70. ENTITLED "SIGNS" OF THE TOWN'S UNIFIED LAND DEVELOPMENT CODE (ULDC), SPECIFICALLY SECTION 070-030. ENTITLED "PROHIBITED SIGNS," TO CLASSIFY NON-PERMITTED SIDEWALK SIGNS, SANDWICH SIGNS, AND SNIPE SIGNS AS LITTER, AS DEFINED BY SECTION 020-020 OF THE TOWN'S CODE OF ORDINANCES; AUTHORIZING THE PROPER COLLECTION AND DISPOSAL OF THIS FORM OF LITTER IN THE TOWN; PROVIDING FOR INCLUSION IN THE TOWN'S CODE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

The Town Clerk read the item by title. The following motion was made by Council Member Jablonski, seconded by Council Member McKay and passed by 5-0 roll call vote. The vote was as follows: Council Members Jablonski, Fisikelli, McKay, Vice Mayor Breikreuz and Mayor Nelson voting Yes.

MOTION: TO AMEND THE ORDINANCE BY REMOVING THE LANGUAGE REFERENCING SIDEWALK AND SANDWICH SIGNS AND TO APPROVE AS AMENDED.

9. Ordinance – 2nd Reading – 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; REVISING THE LIST OF PERMITTED USES IN FUTURE LAND USE CATEGORIES AND SUPPORTING POLICIES; PROVIDING FOR TRANSMITTAL TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; REQUESTING RECERTIFICATION FROM THE BROWARD COUNTY PLANNING COUNCIL; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE.

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

MOTION: TO TABLE THE ITEM TO THE FEBRUARY 28, 2013 COUNCIL MEETING AT 7:00 P.M.

10. Ordinance – 2nd Reading – AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, ADOPTING THE SCHEDULE OF CAPITAL IMPROVEMENTS FOR FY 2013-2017 PURSUANT TO CHAPTER 163, FLORIDA STATUTES; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE.

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

MOTION: TO APPROVE.

11. Ordinance – 2nd Reading – AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE TOWN OF SOUTHWEST RANCHES UNIFIED LAND DEVELOPMENT CODE (ULDC), SECTION 090-100, "ROADWAY CAPACITY, CONSTRUCTION AND DESIGN STANDARDS," TO PROVIDE FOR RURAL ROADS WITH REDUCED RIGHTS-OF-WAY SUBJECT TO MEETING ENUMERATED CRITERIA; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

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

MOTION: TO APPROVE.

12. Reconsideration – Motion by Council Member Fisikelli to reconsider the following item: A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE SECOND AMENDMENT TO THE TOWN'S AGREEMENT WITH KESSLER CONSULTING, INC. TO INCLUDE ADDITIONAL SERVICES FOR THE PROCUREMENT OF THE TOWN'S SOLID WASTE DISPOSAL AND RECYCLABLES PROCESSING SERVICES PROVIDER(S); AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO ENTER INTO AN AMENDED AGREEMENT, IN SUBSTANTIALLY THE SAME FORM AS EXHIBIT "A", WITH KESSLER CONSULTING INC., IN AN AMOUNT NOT TO EXCEED \$30,000; AND PROVIDING AN EFFECTIVE DATE.

The Town Clerk read the item by title. The following motion was made by Council Member Fisikelli, seconded by Council Member McKay and passed by 3-2 roll call vote. The vote was as follows: Council Members Fisikelli, McKay, and Vice Mayor Breitkreuz voting Yes; Council Member Jablonski and Mayor Nelson voting No.

MOTION: TO RECONSIDER THE ITEM.

The following motion was made by Council Member Fisikelli, seconded by Council Member McKay and failed by 2-3 roll call vote. The vote was as follows: Vice Mayor Breitkreuz and Mayor Nelson voting Yes; Council Members Fisikelli, Jablonski, and McKay voting No.

MOTION: TO APPROVE

The following motion was made by Council Member Jablonski, seconded by Council Member McKay and passed by 4-1 roll call vote. The vote was as follows: Council Members Jablonski, McKay, Vice Mayor Breitkreuz and Mayor Nelson voting Yes; Council Member Fisikelli voting No.

MOTION: TO APPROVE A NOT TO EXCEED AGREEMENT OF \$20,000.

13. Resolution – A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, ENCOURAGING ITS RESIDENTS TO PARTICIPATE IN THE ONE MILLION HOURS VOLUNTEER CHALLENGE; ENCOURAGING ALL CITIZENS TO SUPPORT AND TO TAKE PART IN INCREASING VOLUNTEER EFFORTS WITHIN OUR COMMUNITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

MOTION: TO APPROVE.

14. Resolution – A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA APPROVING AN AGREEMENT WITH KAILAS CORP. FOR \$51,718.00 (FIFTY-ONE THOUSAND SEVEN HUNDRED EIGHTEEN DOLLARS) TO COMPLETE THE PARKING LOT AT FISHING HOLE PARK; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO ENTER INTO AN AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

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

MOTION: TO APPROVE.**15. Approval of Minutes**

- a. Approval of Minutes – December 13, 2012 – Regular Council Meeting

The Town Clerk read the item by title. The following motion was made by Council Member Fisikelli, seconded by Vice Mayor Breitkreuz and passed by 5-0 roll call vote. The vote was as

follows: Council Members Jablonski, Fisikelli, McKay, Vice Mayor Breitzkreuz and Mayor Nelson voting Yes.

MOTION: TO APPROVE.

16. Adjournment – The meeting was adjourned at 9:15 p.m.

Respectfully submitted:

Erika Gonzalez-Santamaria, CMC, Town Clerk

*Adopted by the Town Council on
this 7th day of February, 2013.*

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.