

REGULAR MEETING MINUTES OF THE TOWN COUNCIL
Southwest Ranches, Florida

Thursday 7:00 PM

December 12, 2013

13400 Griffin Road

Present:

Mayor Jeff Nelson

Vice Mayor Gary Jablonski

Council Member Doug McKay

Council Member Freddy Fisikelli

Council Member Steve Breitreuz

Andrew Berns, Town Administrator

Keith Poliakoff, Town Attorney

Erika Santamaria, Town Clerk

Martin Sherwood, Town Financial Administrator

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. Presentation** – Update from Mayor Sharief on Affordable Health Care Act
The Town Council welcomed Broward County Mayor Sharief, who provided a detailed presentation on the Affordable Health Care Act and how to access the services.
- 4. Presentation** – Rep. Rick Stark provided an update on legislative issues
The Town Council welcomed Representative Stark, who then discussed legislative updates.
- 5. Presentation** – Update from Florida Department of Transportation on upcoming projects
Members of the FDOT staff provided a descriptive depiction of future plans for I-75 and related ramp projects and express lanes.
- 6. Discussion** – Council Protocol
The following motion was made by Council Member Breitreuz, seconded by Council Member Fisikelli and passed by 5-0 roll call vote. The vote was as follows: Council Members Fisikelli, Breitreuz, McKay, Vice Mayor Jablonski and Mayor Nelson voting Yes.

MOTION: DIRECTING THE TOWN ATTORNEY TO DRAFT A RESOLUTION DEPICTING THE COUNCIL’S DESIRE FOR COUNCIL MEETING SEATING AND COUNCIL VOTING DECORUM.
- 7. Public Comment** – The following members of the public addressed the Town Council: Jo Ann Hollingsworth.
- 8. Board Reports** – There were none at this time.

9. Council Member Comments

Council Member Fisikelli gave an update on the upcoming projects at Fishing Hole Park which include the construction of restrooms. He also wished Willie Nabong, Town Engineer much luck and best wishes on his new position.

Council Member Breitkreuz requested a timeframe as to when Fishing Hole Park will have a grand opening. He provided a date for the next traffic meeting in reference to SW 186th Ave and SW 190th Ave which is scheduled for January 27th at 7:00 p.m. He also thanked Willie Nabong for his years of services and wished him luck.

Council Member McKay wished Willie much luck in his new position. He also wished the Council and public a happy holiday.

Vice Mayor Jablonski thanked Willie for his service and wished good luck. He also wished everyone a happy and safe holiday.

Mayor Nelson acknowledged Willie for his years of service and wanted to wish him much luck in his new position.

10. Legal Comments

The Town Attorney provided an update on the New Testament lawsuit. He thanked Willie for his service to the Town.

11. Administration Comments

The Town Administrator updated the Council on the recent mediation between the Town and The Landscape Company. He reported that there may be a reduction in cost with the Town of Davie's contract for police services. He reminded the public that the Fun Horse Show is set for December 14th.

12. Resolution – A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA REPEALING AND REPLACING RESOLUTION NO. 2013-062; APPROVING, UNDER DURESS AND WITHOUT A MEETING OF THE MINDS, AN AGREEMENT BETWEEN BROWARD COUNTY AND THE TOWN OF SOUTHWEST RANCHES FOR PARTICIPATION IN THE CONSOLIDATED REGIONAL E-911 SYSTEM; AUTHORIZING EXECUTION; TERMINATING THE CONFLICT RESOLUTION PROCEDURES INITIATED BY THE TOWN RELATING TO THIS MATTER; AND PROVIDING AN EFFECTIVE DATE.

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 Fisikelli, Breitkreuz, McKay, Vice Mayor Jablonski and Mayor Nelson voting Yes.

MOTION: TO APPROVE THE RESOLUTION.

13. Resolution - A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, ADOPTED PURSUANT TO SECTION 164.1052, FLORIDA STATUTES, DECLARING THE INTENT OF THE TOWN COUNCIL TO INITIATE THE CONFLICT RESOLUTION PROCEDURES SET FORTH IN CHAPTER 164, FLORIDA STATUTES; FINDING THAT A CONFLICT EXISTS WITH THE CITY OF PEMBROKE PINES (THE "CITY") AS IT RELATES TO THE CITY'S APPROVAL OF THE FRANKLIN ACADEMY 6-12 PLAT (CITY RESOLUTION NO. 2013-R-38); FINDING THAT THE PLAT, AS APPROVED, WILL HAVE A DELETERIOUS IMPACT ON THE TOWN; FINDING THAT THE CITY'S APPROVAL IMPROPERLY SEEKS TO VACATE PUBLIC RIGHT OF WAY, THAT IT VIOLATES THE CITY'S ZONING CODE, THAT IT VIOLATES TRAFFIC CONCURRENCY, AND THAT IT CONSTITUTES IMPROPER CONTRACT ZONING; AUTHORIZING THE APPROPRIATE TOWN OFFICIALS TO TAKE ALL STEPS NECESSARY TO EFFECTUATE THIS RESOLUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AND EFFECTIVE DATE.

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

MOTION: TO APPROVE THE RESOLUTION.

14. Resolution – A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AUTHORIZING ITS TOWN COUNSEL TO FILE A WRIT OF CERTIORARI AGAINST THE CITY OF PEMBROKE PINES TO APPEAL THE CITY'S DECISION AS IT RELATES TO THE CITY'S IMPROPER APPROVAL OF THE FRANKLIN ACADEMY 6-12 PLAT (CITY RESOLUTION NO. 2013-R-38); AUTHORIZING THE APPROPRIATE TOWN OFFICIALS TO TAKE ALL STEPS NECESSARY TO EFFECTUATE THIS RESOLUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AND EFFECTIVE DATE.

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

MOTION: TO APPROVE THE RESOLUTION.

15. Consideration of Settlement with The Landscape Company (TLC)

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

MOTION: TO APPROVE THE SETTLEMENT WHERE TLC WOULD PROVIDE MOWING AND MAINTENANCE SERVICES AT FISHING HOLE PARK AND TOWN HALL FOR TWO YEARS.

16. Resolution – A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, EXTENDING THE TERM OF THE COMPREHENSIVE PLAN ADVISORY BOARD (CPAB); RESTATING THE BOARD'S SCOPE; APPOINTING OR RE-APPOINTING THE BOARD MEMBERS; AND PROVIDING AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE RESOLUTION.

17. Resolution – A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, EXTENDING THE TERM OF THE DRAINAGE AND INFRASTRUCTURE ADVISORY BOARD (DIAB); RESTATING THE BOARD'S PURPOSE AND OBJECTIVES; APPOINTING OR RE-APPOINTING THE BOARD MEMBERS; AND PROVIDING AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE RESOLUTION.

18. Resolution – A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, EXTENDING THE TERM OF FIRE ADVISORY BOARD (FAB); RESTATING THE BOARD'S SCOPE; APPOINTING OR RE-APPOINTING THE BOARD MEMBERS; AND PROVIDING FOR AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE RESOLUTION.

19. Resolution – A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, EXTENDING THE TERM OF THE RECREATION, FORESTRY, AND NATURAL RESOURCES ADVISORY BOARD (RFNRAB); RATIFYING THE BOARD'S PURPOSE AND OBJECTIVES; APPOINTING OR RE-APPOINTING THE BOARD MEMBERS; AND PROVIDING AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE RESOLUTION.

20. Resolution – A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, EXTENDING THE TERM OF THE RURAL PUBLIC ARTS AND DESIGN ADVISORY BOARD (RPADAB); RESTATING THE BOARD'S SCOPE; APPOINTING OR RE-APPOINTING THE BOARD MEMBERS; AND PROVIDING AN EFFECTIVE DATE.

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 Fisikelli, Breitkreuz, McKay, Vice Mayor Jablonski and Mayor Nelson voting Yes.

MOTION: TO APPROVE THE RESOLUTION.

21. Resolution - A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, EXTENDING THE TERM OF THE SCHOOLS AND EDUCATION ADVISORY BOARD (SEAB); RESTATING THE BOARD'S SCOPE; APPOINTING OR RE-APPOINTING THE BOARD MEMBERS; AND PROVIDING AN EFFECTIVE DATE.

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 Fisikelli, Breitkreuz, McKay, Vice Mayor Jablonski and Mayor Nelson voting Yes.

MOTION: TO APPROVE THE RESOLUTION.

22. Discussion – Town Administrator/Town Financial Administrator Annual Review

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 Fisikelli, Breitkreuz, McKay, Vice Mayor Jablonski and Mayor Nelson voting Yes.

MOTION: TO SET A DATE OF JANUARY 13, 2014 AT 6:30 P.M. FOR THE TOWN ADMINISTRATOR AND TOWN FINANCIAL ADMINISTRATOR'S REVIEW AND COMPENSATION, AND THE TOWN CLERK'S COMPENSATION.

23. Approval of Minutes

- a. Minutes for November 14, 2013 – Regular Council Meeting

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

MOTION: TO APPROVE THE MINUTES.

- b. Minutes for November 19, 2013 – Special Council Meeting

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

MOTION: TO APPROVE THE MINUTES.

17. Adjournment – Meeting was adjourned at 9:25 p.m.

Respectfully submitted:

Erika Gonzalez-Santamaria, CMC, Town Clerk

*Adopted by the Town Council on
this 23rd day of January, 2014.*

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.