

REGULAR MEETING MINUTES OF THE TOWN COUNCIL
Southwest Ranches, Florida

Thursday 7:00 PM

May 8, 2014

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

Martin Sherwood, Town Financial Administrator

Russell Muñiz, Town Clerk

Jeff Katims, Assistant Town Planner

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 Vice Mayor Jablonski at 7:07 PM. Attendance was noted by roll call and was followed by the Pledge of Allegiance.

Representative Richard Stark gave an update on the legislative session that recently concluded in Tallahassee.

3. Presentation – Rolling Oaks Barn Design - East Coast Builders

Frank Anzalone of East Coast Builders gave an overview of the progress of the Rolling Oaks Barn project.

The Town Clerk read the quasi-judicial procedures. The Town Clerk swore-in the Petitioners and members in the audience giving testimony on the following matters.

4. Waiver of Plat – Consideration of waiver of plat application WP-006-14. Yosef Martin, Patricia Martin, and Rola Elannan, owners; Pulice Land Surveyors, Inc., petitioner, to subdivide a 4.6 acre lot to create 2 lots of 2.3 acres each. Property generally located on the east side of SW 148th Avenue (Volunteer Road), approximately 0.4 of a mile north of Stirling Road, within the Rural Ranches Zoning District, which allows one dwelling unit per 2 net acres. Legally described as Lot 20 of MEADOWVIEW ESTATES, according to the Plat thereof, as recorded in Plat Book 152, Page 17, of the Public Records of Broward County, Florida.

Jane Storms, representing the petitioner Pulice Land Surveyors, was present. Assistant Town Planner Jeff Katims summarized the staff report.

The Town Attorney asked if any members of the Town Council needed to disclose any ex parte communication with the petitioners. No disclosures were made.

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

MOTION: TO APPROVE THE REQUEST.

5. Site Plan - Consideration of Site Plan application number SP-055-13. Santa Fe at Southwest Ranches Holdings, LLC., Luis Rodriguez, and Rosa Rodriguez, owners; OH2 Consulting, LLC., petitioner. Applicants are seeking re-approval of an expired Site Plan to develop six lots of one acre each within a Rural Estates Zoning District, which allows one dwelling unit per 1 net acre. Property is generally located on the east side of I-75, between Griffin and Stirling Roads, with access off SW 148th Avenue (Volunteer Road), half a mile north of Stirling Road.

Tony Gestido, representing the petitioner Southwest Ranches Holdings, LLC was present. Assistant Town Planner Jeff Katims summarized the staff report.

The Town Attorney asked if any members of the Town Council needed to disclose any ex parte communication with the petitioners. Council Member Fisikelli disclosed that he had spoken with a resident in the area.

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

MOTION: TO APPROVE THE REQUEST SUBJECT TO STAFF CONDITIONS, SUBJECT TO THE ADDITIONAL STIPULATION THAT THE ROADWAY WILL REMAIN PUBLIC BUT THE MAINTAINENCE OBLIGATION WILL BE THAT OF THE HOA, AND SUBJECT TO RESOLUTION TO THE SATISFACTION OF THE TOWN ENGINEER OF THE DRAINAGE ISSUES AND NEW DRAINAGE ISSUES WILL NOT OCCUR AS A RESULT OF THE DEVELOPMENT. IN THE EVENT THE DRAINAGE ISSUES CANNOT BE RESOLVED TO THE SATISFACTION OF THE TOWN ENGINEER THE ENTIRE PLAN WILL COME BACK TO THE TOWN COUNCIL FOR FURTHER REVIEW AND DELIBERATION.

6. Public Comment – The following member of the public addressed the Town Council: Vince Falletta, Barry Neunzig, Tracy Swait, Jose Bermudez, Lauren Montgomery, Charles Dachton, John Eastman, and Adriana Rodriguez.

7. Board Reports – None.

8. Council Member Comments

Vice Mayor Jablonski asked if the Town Engineer could look into the issue raised concerning canal damage during bulk trash pick-up. Spoke about the Chili Cookoff competition and congratulated Council Member Breitzkreuz on his effort.

Council Member Fisikelli gave an update on Fishing Hole Park. Spoke about the recent MPO meeting and issues that the Fort Lauderdale Hollywood Airport runway expansion was causing with traffic.

Council Member Breitzkreuz relayed what a great time was had at the Chili Cookoff. He thanked the residents who were in attendance at the meeting who spoke regarding the Franklin Academy Charter School. He felt it was important for residents to be aware of the impacts and to speak to their neighbors about it. He spoke about a recent meeting he had with Scott Brunner of Broward County Public Works regarding the new traffic light on the Griffin Road I-75 overpass. He remained hopeful that some improvements to the traffic situation there could be improved.

Council Member McKay asked Council Member Fisikelli if there were any new developments on the proposed Park and Ride. Council Member Fisikelli reported that the project is not funded. Council Member McKay reiterated the Town's opposition to that project.

Mayor Nelson agreed with the comments mentioned by Council Member McKay and Council Member Breitzkreuz.

9. Legal Comments

Town Attorney Poliakoff provided a chronological summary of the proposed Franklin Academy Charter School project and ensuing litigation with Pembroke Pines.

10. Administration Comments

The Town Administrator advised that he, along with the Town Engineer, will look into the issue raised concerning canal damage caused during bulk pick up and will submit a summary report to Council. He advised that the Davie Police and Fire Departments will be having an Expo on May 17th. He presented Vice Mayor Jablonski the "Council Cup" for winning the challenge issued by Council Member Breitzkreuz during the Chili Cookoff.

11. Ordinance – First Reading – AN ORDINANCE BY THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES AMENDING THE TOWN OF SOUTHWEST RANCHES CODE OF ORDINANCES TO REPEAL ORDINANCE NO. 2004-11 AND TOWN OF SOUTHWEST RANCHES, CODE OF ORDINANCES, PART II, CHAPTER 4, - BUILDINGS AND BUILDING REGULATIONS, ARTICLE II – FLOOD DAMAGE PREVENTION IN ITS ENTIRETY; TO ADOPT A NEW ORDINANCE 2014-____; TO ADOPT FLOOD HAZARD MAPS, TO DESIGNATE A FLOODPLAIN ADMINISTRATOR, TO ADOPT PROCEDURES AND CRITERIA FOR DEVELOPMENT IN FLOOD HAZARD AREAS, AND FOR OTHER PURPOSES; PROVIDING FOR APPLICABILITY; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE ORDINANCE.

12. Ordinance – First Reading - AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, DIRECTING THE TOWN ADMINISTRATOR AND THE TOWN ATTORNEY TO PREPARE A NON-BINDING STRAW POLL REFERENDUM QUESTION CONCERNING HOW TO FUND THE TOWN'S TRANSPORTATION SURFACE AND DRAINAGE, ONGOING REHABILITATION PROGRAM ("TSDOR"); PROVIDING BALLOT LANGUAGE AS DELINEATED IN EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE; DIRECTING THE TOWN ADMINISTRATOR TO REQUEST THAT THIS NON-BINDING STRAW POLL QUESTION BE PLACED ON THE NOVEMBER 4, 2014 GENERAL ELECTION BALLOT, TO ENABLE THE TOWN'S ELECTORATE TO CAST A STRAW VOTE ON THIS MATTER; DIRECTING THE TOWN CLERK TO PROVIDE PROPER NOTICE FOR THIS STRAW BALLOT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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 Breitzkreuz, Fisikelli, McKay, Jablonski, and Mayor Nelson voting Yes.

MOTION: TO APPROVE THE ORDINANCE SUBJECT TO MODIFYING THE BALLOT LANGUAGE AND COMBINING THE TWO QUESTIONS INTO ONE.

13. Resolution - A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA AUTHORIZING THE ENGAGEMENT OF G.W. BULLDOZING, INC. FOR AN AMOUNT NOT TO EXCEED \$12,000 TO COMPLETE THE EARTHWORK AND TREE CLEARING IN COUNTRY ESTATES FISHING HOLE PARK; 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 Breitzkreuz, Fisikelli, McKay, Jablonski, and Mayor Nelson voting Yes.

MOTION: TO APPROVE THE RESOLUTION.

14. Approval of Minutes

- a. Minutes for April 10, 2014 – Regular Council Meeting

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

MOTION: TO APPROVE THE MINUTES.

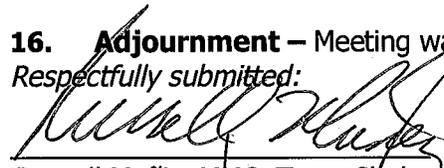
15. Ordinance – First Reading - AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, SUBMITTING TO REFERENDUM AMENDMENTS TO THE CHARTER OF THE TOWN OF SOUTHWEST RANCHES; PROPOSING TO AMEND ARTICLE II, ENTITLED "TOWN COUNCIL; MAYOR", AND IN PARTICULAR SECTION 2.07 ENTITLED "COMPENSATION; REIMBURSEMENT FOR EXPENSES" BY CREATING SECTION 2.07(c) TO RECOGNIZE THAT THE OFFICES OF MAYOR AND COUNCIL MEMBER ARE PART-TIME POSITIONS AND AS SUCH THE MAYOR AND COUNCIL MEMBER SHALL BE PERMITTED TO ENGAGE IN OUTSIDE/CONCURRENT EMPLOYMENT CONSISTENT WITH CHAPTER 112, F.S.; AMENDING ARTICLE VIII, "ENTITLED GENERAL PROVISIONS" BY CREATING SECTION 8.08 ENTITLED "BOARDS AND COMMITTEES" TO ESTABLISH BOARDS AND COMMITTEES AND TO RECOGNIZE THAT MEMBERS OF TOWN BOARDS AND COMMITTEES SHALL BE PERMITTED TO ENGAGE IN OUTSIDE/CONCURRENT EMPLOYMENT CONSISTENT WITH CHAPTER 112, F.S; PROVIDING THAT ANY DISCLOSURES ASSOCIATED WITH SUCH OUTSIDE/CONCURRENT EMPLOYMENT SHALL BE CONSISTENT WITH AND LIMITED TO THE REQUIREMENTS OF CHAPTER 112, F.S., AMENDING ARTICLE VIII, "ENTITLED GENERAL PROVISIONS" BY CREATING SECTION 8.09 ENTITLED "LOBBY OR LOBBYIST" TO CLARIFY THAT THESE TERMS DO NOT INCLUDE UNCOMPENSATED RESIDENTS WHO ARE ADVOCATING ON BEHALF OF THEMSELVES OR FOR OTHER TOWN RESIDENTS; DIRECTING THE TOWN CLERK TO PROVIDE FOR A NOTICE OF ADVERTISEMENT OF THE REFERENDUM ELECTION TO BE PUBLISHED IN ACCORDANCE WITH THE STATE OF FLORIDA ELECTION CODE; PROVIDING THAT THIS ORDINANCE WHEN ADOPTED, SHALL BE SUBMITTED TO THE QUALIFIED VOTERS OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AT THE NEXT ELECTION OF NOVEMBER 4, 2014; PROVIDING THAT SUCH REFERENDUM, IF ADOPTED, SHALL BECOME EFFECTIVE AS PROVIDED BY LAW; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY, PROVIDING FOR CONFLICTS, AND PROVIDING FOR AN EFFECTIVE DATE. (Second Reading – June 12, 2014)

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

MOTION: TO APPROVE THE ORDINANCE.

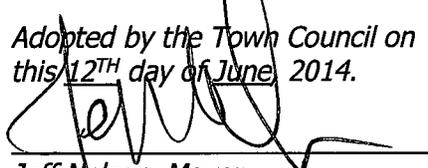
16. Adjournment – Meeting was adjourned at 9:37 p.m.

Respectfully submitted:



Russell Muñiz, MMC, Town Clerk

Adopted by the Town Council on
this 12TH day of June, 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 A 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.