

REGULAR MEETING MINUTES OF THE TOWN COUNCIL
Southwest Ranches, Florida

Thursday 7:00 PM

October 23, 2014

13400 Griffin Road

Present:

Mayor Jeff Nelson

Vice Mayor Gary Jablonski

Council Member Steve Breitzkreuz

Council Member Fisikelli

Council Member Doug McKay

Andrew Berns, Town Administrator

Keith Poliakoff, Town Attorney

Russell Muñiz, 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 7:05 PM. Attendance was noted by roll call and was followed by the Pledge of Allegiance.

3. Public Comment – The following member of the public addressed the Town Council: Bob Hartmann, Vince Falletta, Barry Neunzig, Dee Schroeder, and Bob Busch.

4. Board Reports - Dee Schroeder representing the Southwest Ranches Historical Society, provided a rendering of the display that will be created to illustrate the history of the Town.

5. Council Member Comments

Council Member Breitzkreuz spoke of a recent discussion he had with Scott Brunner of Broward County Traffic Engineering and the improvements made at the Griffin Road and I-75 interchange to address concerns. He also indicated that Mr. Brunner advised funding was being allocated for a 4 lane road on 184th Avenue. He asked Council to provide direction on whether or not they supported a two lane roadway. The consensus of Council was to eliminate the four lane roadway option from the trafficways plan, and support a two lane roadway with no entrances to the east with appropriate buffers to protect the adjoining community.

Vice Mayor Jablonski reminded everyone that the School Education Advisory Board was hosting the Food Truck Event at the Equestrian Park on Saturday October 25th. He also reminded everyone that Halloween Night there would be a great event hosted by the Rolling Oaks Civic Association.

Council Member Fisikelli provided an update on Fishing Hole Park. He spoke about the fill that the Town acquires from other projects. He felt the fill should be used at Calusa Corners, and the Town should pursue a farmers market at Calusa Corners.

Mayor Nelson advised that the trial between CCA and Pembroke Pines would begin on Monday October 27th. He invited interested parties to attend.

Council Member McKay announced the winners of the Rural Public Arts and Design Advisory Board Amateur Photo Contest and announced that awards and ribbons would be presented to winners at the meeting on November 13th. He also asked Council to consider the inconsistencies of the application of the Town's fire fee. He illustrated examples of instances where substantial accessory structures were built on the property and felt the fee was too high based on the use of the property and other instances in which the fee was too low, or not charged at all. He felt that the Town was charging fire fees differently based on if there is a business on the property. He felt if that was the intent of the Town, then a business tax should be charged instead. He asked that until a new fire study is completed, any properties in a residential neighborhood should only be charged a fire fee using the residential classification.

Discussion ensued among the Town Council on what entity determined the property classification to be applied to properties within the Town. Town Administrator Berns explained that as the fire fee is concerned, the Town determines the classification that is applied to the property, not the Broward County Property Appraiser. He further advised that the Town could undergo a new fire study, but would need to gain clear direction from Council as to what the methodology should be.

Council Member Breitzkreuz agreed that a policy decision needs to be made in this case, and felt that the issues presented could be considered in the methodology for a new study. He cautioned against just making a decision in this case as it would leave the Town short in other areas. Council Member Fisikelli gave examples of conflicts he was aware of as well. He supported a new fire study.

Town Attorney Poliakoff provided some background on the history of Mr. Calabrese's fire fee designation. He opined that a new fire study was prudent since additional categories would be required to fit the exceptions to the current classifications the Town utilizes. He recommended that staff contact the provider of the previous study and get a quote to update the study, have the quote reported back to Council, and then workshop the issue with the Town Council. Council supported this recommendation.

6. Legal Comments

Town Attorney Poliakoff gave an update on the CCA case against Pembroke Pines.

7. Administration Comments

Town Administrator Berns advised that he received a letter from Broward County indicating their support for the Town's request to have a bike trail on the north side of Griffin Road from Bonaventure Boulevard to US 27. He further advised that the County would be making an application to the Metropolitan Planning Organization (MPO) for funding of this project. Lastly, he advised that the Town Wide Garage Sale would be held on November 8th at Equestrian Park only since there was low response from the western portions of the Town.

8. Ordinance – 2nd Reading - AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE TEXT OF THE FUTURE LAND USE AND UTILITIES ELEMENTS OF THE TOWN OF SOUTHWEST RANCHES COMPREHENSIVE PLAN TO ESTABLISH AN EMPLOYMENT CENTER LAND USE DESIGNATION WITH SUPPORTING OBJECTIVES AND POLICIES; REVISING

THE LISTS OF PERMITTED USES WITHIN NONRESIDENTIAL LAND USE DESIGNATIONS AND SUPPORTING OBJECTIVES AND POLICIES; ESTABLISHING CRITERIA FOR THE EXTENSION OF CENTRALIZED POTABLE WATER AND SANITARY SEWER SERVICE WITHIN THE TOWN; 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. **{Tabled from October 9, 2014 - Approved on first reading on July 10, 2014 – Requires Super Majority Vote}**

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

MOTION: TO TABLE THE ORDINANCE.

9. Ordinance – 1st Reading - AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, REPEALING ARTICLE 155 ENTITLED "ADMINISTRATIVE FARM CLAIM DETERMINATIONS", OF THE TOWN'S UNIFIED LAND DEVELOPMENT CODE IN ITS ENTIRETY, AND REPLACING IT WITH A NEW ARTICLE 155 ENTITLED "NON-COMMERCIAL FARM SPECIAL EXCEPTIONS"; AMENDING ARTICLE 10 "DEFINITION OF TERMS", SECTION 010-030 TO CREATE A NEW DEFINITION FOR "FARM" AND TO PROVIDE A DEFINITION FOR A "NON-COMMERCIAL FARM"; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE ORDINANCE SUBJECT TO REVISING THE DATE IN SECTION 155.070 SECTION B FROM DECEMBER 30, 2014 TO JUNE 30, 2015.

10. Ordinance – 1st Reading - AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE TOWN'S UNIFIED LAND DEVELOPMENT CODE TO DISTINGUISH BETWEEN FARMS AND NONCOMMERCIAL FARMS AND APPLICABLE REGULATIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; 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 Breitkreuz, Fisikelli, McKay, Vice Mayor Jablonski, and Mayor Nelson voting Yes.

MOTION: TO APPROVE THE ORDINANCE SUBJECT TO REVISING THE DATE IN SECTION 015.80 (B) FROM 12 MONTHS TO JUNE 30, 2015.

11. Resolution - A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA RATIFYING A QUOTE WITH PHI CONSTRUCTION, INC. FOR \$11,156.25 TO REMOVE AND REPLACE APPROXIMATELY EIGHTY-FIVE SECTIONS OF SIDEWALK ALONG SW 148TH AVENUE ALONG IVANHOE ESTATES; AND PROVIDING FOR AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE RESOLUTION

12. Resolution - A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE TOWN COUNCIL MEETING SCHEDULE FOR THE CALENDAR YEAR 2015; 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 Breitkreuz, Fisikelli, 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, APPROVING THE TOWN HOLIDAY SCHEDULE FOR THE CALENDAR YEAR 2015; 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 Breitkreuz, Fisikelli, McKay, Vice Mayor Jablonski, and Mayor Nelson voting Yes.

MOTION: TO APPROVE THE RESOLUTION

14. Discussion – Update on Strategic Plan

Town Clerk Russell Muñiz provided an update on the draft version of the full strategic plan. Council acknowledged and supported the plan.

15. Discussion – TSDOR Schedule

Town Engineer Clete Saunier provided an update on the schedule for the Transportation Surface Drainage and Ongoing Rehabilitation (TSDOR) program. Council gave unanimous consent and accepted the plan.

16. Approval of Minutes

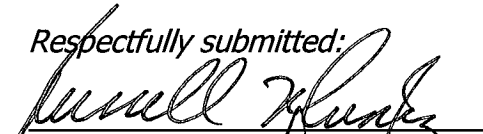
- a. Minutes for September 30, 2014 – Regular Council Meeting
- b. Minutes for September 30, 2014 – 2nd Budget Hearing

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

MOTION: TO APPROVE THE MINUTES

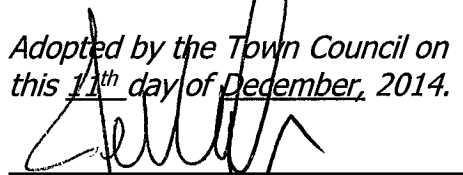
17. Adjournment – Meeting was adjourned at 10:17 p.m.

Respectfully submitted:



Russell Muñiz, MMC, Town Clerk

*Adopted by the Town Council on
this 11th day of December, 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.