

**REGULAR MEETING MINUTES OF THE TOWN COUNCIL**  
**Southwest Ranches, Florida**

Tuesday 7:30 PM

September 15, 2015

13400 Griffin Road

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Present:

Mayor Jeff Nelson

Vice Mayor Freddy Fisikelli

Council Member Steve Breitreuz

Council Member Jablonski

Council Member Doug McKay

Andy Berns, Town Administrator

Keith Poliakoff, Town Attorney

Russell Muñiz, Assistant Town Administrator

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 7:33 PM. Attendance was noted by roll call and was followed by the Pledge of Allegiance.

**3. Presentation** – Yellow Dot Program – Martin Kiar, Broward County Vice Mayor  
Broward County Vice Mayor Martin Kiar, spoke about the Yellow Dot Program which has been approved by the Florida Legislature. The program would seek to place a yellow decal on motorists' vehicles, and would alert first responders to pertinent medical information that could be found in the vehicle's glove box. He asked that the Town contribute \$122 to participate in the program. Council expressed unanimous support for participating in the program.

**4. Public Comment** – The following members of the public addressed the Town Council: Vince Falletta, John Eastman, and Barry Neunzig.

**5. Board Reports**

Newell Hollingsworth, Chair of the Comprehensive Planning Advisory Board, asked for clarification from Town Attorney Poliakoff regarding an instance that recently occurred with the Board. He wished to know if the Chair of a Board may ask a staff liaison to poll other members of the board about whether they wished to table an item or not. This had occurred recently and Town Administrator Berns advised that it could be a violation of the Sunshine Law and therefore Chair Hollingsworth sought clarification from the Town Attorney.

**6. Council Member Comments**

Council Member Breitreuz thanked the Council and Administration for their individual efforts in getting support for guardrails on Griffin Road. He addressed concerns raised by a members of the public concerning grinding at a nursery, and indicated that the County ordinance states they can operate seven days a week. He felt it was a good idea to reexamine this and possibly come back with a recommendation to modify this. He addressed another concern raised by a member of the public concerning door to door sales. He indicated that Davie's ordinance does not address this and therefore there was not an easy fix, but indicated he would look into this again.

Lastly, he spoke about an interaction he had with residents with Pembroke Pines who expressed gratitude for the gates being installed which reduced traffic in their neighborhood.

Council Member Jablonski spoke about the Shred A Thon event that will take place on October 10<sup>th</sup>.

Council Member McKay spoke about the Aster Knight Parks Foundation Car Show that will take place on November 14<sup>th</sup> at the Rolling Oaks Barn. He indicated that he and several other Council Members will be participating in a "dunk tank" to raise funds. He asked that the Mayor and Town Attorney participate as well.

Vice Mayor Fisikelli spoke about the City of Sunrise's opposition to the elimination of the I-595 Express Bus as was discussed at the most recent Broward Metropolitan Planning Organization (MPO) meeting. He asked for support in passing a resolution to support the City of Sunrise. Council expressed support. Town Administrator Berns clarified that this issue was raised by Broward County Vice Mayor Kiar earlier in the meeting and a workshop would be held by the County on Thursday September 17<sup>th</sup> and indicated a resolution may not be received by the County in time. Council Member Breikreuz suggested that a letter be drafted by Town Administrator Berns for the Mayor's signature expressing the Town's opposition.

Mayor Nelson thanked Town staff, the Town Attorney, and County Commissioners for their help with securing the needed funding for guardrails along Griffin Road. He also thanked Vice Chair Kevin Powers of the South Florida Water Management District for his efforts regarding the guardrails.

## **7. Legal Comments**

Town Attorney Poliakoff addressed comments raised by a member of the public regarding concealed weapons in government meetings, and indicated that state law trumped local law and therefore they were prohibited. He spoke about the parties instrumental in securing the funding for guardrails along Griffin Road and in particular recognized the Homeowners' Associations. He spoke about some developments that arose regarding the Town's lawsuit against Pembroke Pines regarding the barrier on SW 54<sup>th</sup> Place. The Court had previously decided that it would be illegal to close SW 54<sup>th</sup> Place. As such, he has amended the complaint to seek summary judgement since this item had been previously litigated.

## **8. Administration Comments**

Town Administrator Berns advised that he was pleasantly surprised by how quickly the County has moved on the guardrails. He spoke of the guardrails proposed along Stirling Road and advised that the "weathered look" guardrails that were available previously are no longer available and what will be brought forward was the conventional looking guardrails.

- 9. Ordinance – 2<sup>nd</sup> Reading** - AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE TOWN'S UNIFIED LAND DEVELOPMENT CODE TO REFLECT CHANGES IN THE FLORIDA STATUTES GOVERNING MUNICIPAL REGULATION OF FARMS; AMENDING ARTICLE 155 ENTITLED, "NONCOMMERCIAL FARM SPECIAL EXCEPTIONS", TO MODIFY CONDITIONS APPLICABLE TO SUCH SPECIAL EXCEPTIONS AND TO THE CONTINUED USE OF EXISTING NONRESIDENTIAL, AGRICULTURAL STRUCTURES ON NONCOMMERCIAL FARMS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE. **{Approved on 1<sup>st</sup> Reading August 27, 2015}**

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

**MOTION:** TO APPROVE THE ORDINANCE.

- 10. Ordinance – 1<sup>st</sup> Reading** – AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA AMENDING ARTICLE 40, TELECOMMUNICATIONS TOWERS AND ANTENNAS, OF THE LAND DEVELOPMENT CODE, PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE. **{Second reading to be held on September 29, 2015}**

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

**MOTION:** TO APPROVE THE ORDINANCE.

- 11. Resolution** - A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA APPROVING AN UNANTICIPATED EXPENSE NOT TO EXCEED \$15,000.00 (FIFTEEN THOUSAND DOLLARS AND ZERO CENTS) FOR PLANNING; APPROVING A FY 2014-2015 BUDGETARY APPROPRIATION BETWEEN GENERAL FUND ACCOUNTS; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, TOWN FINANCIAL ADMINISTRATOR, AND TOWN ATTORNEY TO EXECUTE THE WORK AUTHORIZATION; AND PROVIDING 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, Jablonski, McKay, Vice Mayor Fisikelli, and Mayor Nelson voting Yes.

**MOTION:** TO APPROVE THE RESOLUTION.

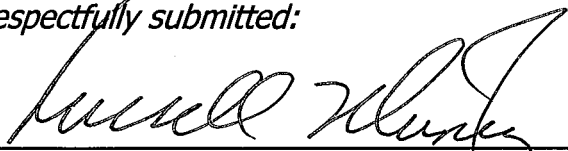
- 12. Approval of Minutes**
  - a. August 13, 2015, Special Town Council Meeting**
  - b. August 13, 2015, Regular Town Council Meeting**

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

**MOTION:** TO APPROVE THE MINUTES.

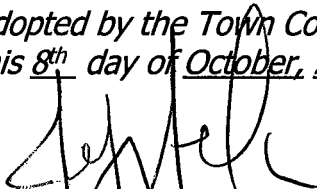
- 13. Adjournment** – Meeting was adjourned at 8:29 p.m.

*Respectfully submitted:*



*Russell Muñiz, MMC, Assistant Town Administrator/Town Clerk*

*Adopted by the Town Council on this 8<sup>th</sup> day of October, 2015.*



*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.