

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

Tuesday 7:00 PM

September 29, 2015

13400 Griffin Road

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**Present:**

Mayor Jeff Nelson

Vice Mayor Freddy Fisikelli

Council Member Steve Breitzkreuz

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 7:20 p.m. Attendance was noted by roll call and was followed by the Pledge of Allegiance.

**3. Delegation Request** - Consideration of Delegation Request Application No. DE-19-15 to amend or eliminate various conditions of approval of the Tara Plat, as recorded in Plat Book 162, Page 20 of the Broward County, Florida Public Records. The requested amendments include modification of the non-vehicular access lines, and deletion of requirements to pave a portion of SW 184th Avenue, construct turn lanes, construct sidewalks, provide financial surety for a traffic signal, and related requirements. Akai Estates, LLC, owner; Schwebke-Shiskin & Associates, Inc., petitioner. Property generally located at the southwest corner of Griffin Road and unimproved 184th Avenue. **{Tabled from August 27, 2015}**

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

**MOTION:** TO APPROVE THE DELEGATION REQUEST.

**4. Public Comment** – The following members of the public addressed the Town Council: Barry Neunzig, John Eastman, Jim Laskey, Gay Chaples.

**5. Board Reports**

Newell Hollingsworth, Chair of the Comprehensive Planning Advisory Board, expressed his disagreement with the Local Planning Agency tabling the "Employment Center" text amendment until October 22, 2015. He felt that it was imperative that it be passed tonight because Mr. Bergeron's request was only going to serve to create uses that were incompatible with the Board's vision for this area. He believed that this text amendment should have been approved and a zoning in progress instituted to prevent Mr. Bergeron's application for any uses that would be incompatible with the Town's vision for this area.

## **6. Council Member Comments**

Council Member Breitkreuz spoke about his efforts, along with Town Administrator Berns, to discuss with the Broward County School Board the need to increase the number of school bus stops out west. The School Board responded that they would consider making changes after October 1<sup>st</sup>. He also responded to comments made during public comments about the Volunteer Fire Rescue Department and stated that they have provided Advanced Life Support (ALS) in some cases in the past, but he also did not want to minimize the importance of the Basic Life Support (BLS) that they can provide.

Vice Mayor Fisikelli wished to clarify comments he made during a prior meeting about the Volunteer Fire Rescue Department's request to purchase a truck. He wanted to clarify that he was not in favor of buying an additional truck, but rather he was questioning why the request to purchase a commercial chassis was being made when it was his understanding that the primary objective of the Volunteer Fire Department was to fight brush fires.

Council Member Jablonski spoke about the Drivers License FLOW program that will be at Town Hall on October 22<sup>nd</sup>. He also spoke about the Household Hazardous Waste and Shred A Thon event that will take place on October 10<sup>th</sup>. He encouraged everyone to attend the Country Roads Craft Fair on October 17<sup>th</sup>, and a Poker Night Fundraiser at Landlubbers on the 15<sup>th</sup> which is being organized by the Schools and Education Advisory Board. He also indicated that the Rolling Oaks Civic Association will have a Halloween event on October 31<sup>st</sup> at the Rolling Oaks Barn. In addition, he mentioned the Town's Birthday Party that will take place on November 7<sup>th</sup> and the Aster Knight Parks Foundation Car Show that will take place on November 14<sup>th</sup> at the Rolling Oaks Barn. Lastly, he addressed some comments regarding the Volunteer Fire Department. He cited the Fire Study that was commissioned by the Town Council and stated that the study identified that there was not sufficient coverage in the western portion of the Town. He felt the Volunteers help provide that coverage. He believed that once a permanent station was built, a new study could be performed, but until that point he was not in favor of gambling with the lives of residents.

## **7. Legal Comments**

Town Attorney Poliakoff indicated that he and Town Administrator Berns participated in Conflict Resolution proceedings with the City Manager of Pembroke Pines recently regarding their impending lawsuit against the Town regarding the Franklin Academy School. They are requesting \$600,000. The Town can choose to pay this amount or proceed to a joint meeting between the Town Council and Pembroke Pines Commission wherein both the parties can discuss this matter. He advised that Pembroke Pines scheduled the meeting for October 13<sup>th</sup> at 5 p.m. and advised that it was a public meeting. He further advised that he sought a meeting with Council prior to the meeting on the 13<sup>th</sup> to discuss preparations for the joint meeting. Further, he was advised by Pembroke Pines legal counsel that the concrete barriers along SW 54<sup>th</sup> Place were being removed by the end of the week as Pembroke Pines sought to build a new 54<sup>th</sup> Place. This new roadway would contain an additional lane that will have bollards which will prevent Southwest Ranches residents from driving on their new 54<sup>th</sup> Place. He spoke of a recent meeting with the Town's Lobbyist, Southern Strategy Group, to discuss legislative priorities for the upcoming legislative

session. Lastly, he discussed a meeting he, Town Administrator Berns, and Town Engineer Saunier attended with Broward County Department of Environmental Protection concerning fill permits. The outcome of the meeting was that if the Town were to acquire a Geographic Information System (GIS) compatible with the County's system, they would allow the Town to exercise "home rule" over those residents who were seeking to place fill on their lots, and not require a County wetlands determination letter.

## **8. Administration Comments**

Town Administrator Berns advised that Town staff has begun to evaluate a GIS system and this information provided by the County may provide further justification for the purchase. He advised that the meeting dates for September had been altered due to state law concerning budget hearings. He reminded Council and the public that the meetings in October would return to the normal schedule of the second and fourth Thursday of each month. He advised that prior to the October 8<sup>th</sup> meeting a representative from the Broward Sheriff's Office would be on hand at 6 p.m. to provide a presentation on Flakka and other synthetic drugs. Lastly, he invited everyone to the Town's birthday party on November 7<sup>th</sup> from 11 a.m. to 3 p.m. at the Rolling Oaks Barn.

## **9. Ordinance – 2<sup>nd</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. {Approved on First Reading September 15, 2015}**

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, 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 OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE TEXT OF THE FUTURE LAND USE ELEMENT OF THE TOWN OF SOUTHWEST RANCHES COMPREHENSIVE PLAN, ESTABLISHING 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, AND 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. {Second Reading to be held at a later date}**

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

**MOTION:** TO TABLE THE ORDINANCE TO OCTOBER 22, 2015 at 7 p.m.

- 11. Resolution** - A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA APPROVING AN AGREEMENT WITH WEEKLEY ASPHALT PAVING FOR CONSTRUCTION OF PHASE ONE OF THE TRANSPORTATION SURFACE AND DRAINAGE ONGOING REHABILITATION (TSDOR) ROADWAY IMPROVEMENTS FOR SW 205TH AVENUE; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO EXECUTE THE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

The following motion was made by Council Member Breitkreuz, seconded by Council Member Jablonski 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. Resolution** - A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA APPROVING AN AGREEMENT WITH WEEKLEY ASPHALT PAVING FOR CONSTRUCTION OF PHASE ONE OF THE TRANSPORTATION SURFACE AND DRAINAGE ONGOING REHABILITATION (TSDOR) ROADWAY IMPROVEMENTS FOR SW 209TH AVENUE; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO EXECUTE THE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

The following motion was made by Council Member Breitkreuz, seconded by Council Member Jablonski 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.

- 13. Resolution** - A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING AN AGREEMENT WITH WEEKLEY ASPHALT PAVING, INC. TO COMPLETE THE STIRLING ROAD GUARDRAIL IMPROVEMENTS PROJECT AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO ENTER INTO AN AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

The following motion was made by Council Member McKay, seconded by Vice Mayor Fisikelli 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.

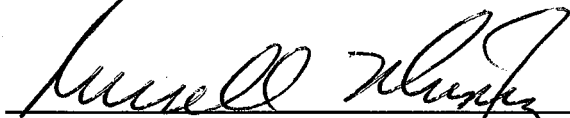
- 14. Approval of Minutes**  
**a. August 13, 2015, Special Town Council Meeting**  
**b. August 13, 2015, Regular Town Council Meeting**

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

**MOTION:** TO APPROVE THE MINUTES.

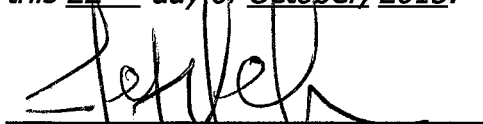
**15. Adjournment** – Meeting was adjourned at 8:11 p.m.

*Respectfully submitted:*



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

*Adopted by the Town Council on  
this 22<sup>ND</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.