

REGULAR MEETING MINUTES OF THE TOWN COUNCIL
Southwest Ranches, Florida

Thursday 7:00 PM

October 22, 2015

13400 Griffin Road

Present:

Mayor Jeff Nelson

Vice Mayor Freddy Fisikelli

Council Member Steve Breitkreuz

Council Member Doug McKay

Andy Berns, Town Administrator

Keith Poliakoff, Town Attorney

Russell Muñiz, Assistant Town 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 7:10 PM. Attendance was noted by roll call and was followed by the Pledge of Allegiance.

The following motion was made by Council Member McKay, seconded by Vice Mayor Fisikelli and passed by 4-0 roll call vote. The vote was as follows: Council Members Breitkreuz, McKay, Vice Mayor Fisikelli, and Mayor Nelson voting Yes.

MOTION: TO EXCUSE THE ABSENCE OF COUNCIL MEMBER JABLONSKI.

3. Public Comment – The following members of the public addressed the Town Council: Barry Neunzig, John Eastman, Debbie Green, and Mary Gay Chaples.

4. Board Reports

Newell Hollingsworth, Chair of the Comprehensive Planning Advisory Board advised that the property owner most affected by the Employment Center land use designation met with the board and presented other issues that needed to be considered which necessitated the tabling of the item. He felt the item would be brought back to the Town Council next year.

5. Council Member Comments

Council Member Breitkreuz, responding to criticism of Chief Bennett during the public comment section, felt that the comments were without merit and "out of order." He spoke of the progress with the shades over the water equipment at Country Estates Park. He provided an update on the resident survey regarding the speed humps on 199th Avenue. Based on these results he advised that two speed humps would be removed. He asked that progress be made on having a farmers market on the Calusa Corners property.

Vice Mayor Fisikelli, speaking about the possible farmers market, believed that there was an opportunity to get fill brought to the site and have a pad built. He offered to use his own equipment to spread the fill as long as it was surveyed and staked out. The Town Council discussed different possibilities that had been proposed for the site over the years. Council Member Breitkreuz opined that the farmers market was a logical proposal for the site.

Mayor Nelson echoed the sentiments of Council Member Breitkreuz as it related to Chief Bennett. He advised that while he welcomed public input, he warned that he will find speakers "out of order" and removed from Chambers if they make inappropriate or unacceptable comments. He asked that Captain Dale Engle make an announcement regarding a missing person.

Captain Engle advised that the personal vehicle of a person who was missing from Osceola County was found off of 172nd Avenue and SW 68th Street. He asked for the public's assistance in helping to locate the gentleman.

6. Legal Comments

Town Attorney Pollakoff advised what transpired at the Conflict Resolution meeting with Pembroke Pines regarding the development of the Franklin Academy Charter School on Tuesday October 13th. He advised that the next step would be mediation and further advised that November 14th is the target date. He spoke of Pines demand for damages in this case and the Town's request for documentation of the damages. To date, none had been provided and therefore the Town is unable to determine what the damage claim is for. Lastly, he advised that he, Town Administrator Berns, and Town Financial Administrator Sherwood met with an Ad Valorem expert to prepare for the CCA trial against Pembroke Pines.

7. Administration Comments

Town Administrator Berns congratulated Robert and Ivette Solera on 23 years of marriage.

- 8. Ordinance - First 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. {Tabled from the September 29, 2015 Town Council Meeting. Second Reading to be held at a later date – See accompanying LPA Resolution}**

The following motion was made by Council Member Breitkreuz, seconded by Council Member McKay and passed by 4-0 roll call vote. The vote was as follows: Council Members Breitkreuz, McKay, Vice Mayor Fisikelli, and Mayor Nelson voting Yes.

MOTION: TO TABLE THE ORDINANCE.

- 9. Resolution – A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE TOWN HOLIDAY SCHEDULE FOR THE CALENDAR YEAR 2016; AND PROVIDING AN EFFECTIVE DATE.**

The following motion was made by Council Member Breitkreuz, seconded by Council Member McKay and passed by 4-0 roll call vote. The vote was as follows: Council Members Breitkreuz, McKay, Vice Mayor Fisikelli, and Mayor Nelson voting Yes.

MOTION: TO APPROVE THE RESOLUTION.

- 10. Resolution** – A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE TOWN COUNCIL MEETING SCHEDULE FOR THE CALENDAR YEAR 2016; AND PROVIDING FOR AN EFFECTIVE DATE.

The following motion was made by Council Member Breitkreuz, seconded by Council Member McKay and passed by 4-0 roll call vote. The vote was as follows: Council Members Breitkreuz, McKay, Vice Mayor Fisikelli, and Mayor Nelson voting Yes.

MOTION: TO APPROVE THE RESOLUTION.

- 11. Approval of Minutes**
a. September 29, 2015, Second Budget Hearing
b. September 29, 2015, Regular Town Council Meeting

The following motion was made by Vice Mayor Fisikelli, seconded by Council Member Breitkreuz and passed by 4-0 roll call vote. The vote was as follows: Council Members Breitkreuz, McKay, Vice Mayor Fisikelli, and Mayor Nelson voting Yes.

MOTION: TO APPROVE THE MINUTES.

- 12. Resolution** - A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, DESIGNATING MAYOR JEFF NELSON AS THE TOWN'S CORPORATE REPRESENTATIVE RELATING TO THE CHAPTER 164 DISPUTE RESOLUTION FILED BY THE CITY OF PEMBROKE PINES ON AUGUST 20, 2015; AUTHORIZING MAYOR NELSON TO NEGOTIATE A POTENTIAL RESOLUTION IN THIS MATTER IN GOOD FAITH; AUTHORIZING MAYOR NELSON TO SERVE AS THE TOWN'S CORPORATE REPRESENTATIVE AT MEDIATION; AUTHORIZING THE MAYOR AND TOWN ATTORNEY TO EXECUTE ANY AND ALL RELATED SETTLEMENT AGREEMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.

The following motion was made by Council Member McKay, seconded by Vice Mayor Fisikelli and passed by 4-0 roll call vote. The vote was as follows: Council Members Breitkreuz, 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, AUTHORIZING THE TOWN ATTORNEY TO MAKE AN IMMEDIATE OFFER OF JUDGMENT FOR ONE THOUSAND DOLLARS (\$1,000.00) IN THE EVENT THAT THE CITY OF PEMBROKE PINES FILES AN ACTION AGAINST THE TOWN RELATING TO

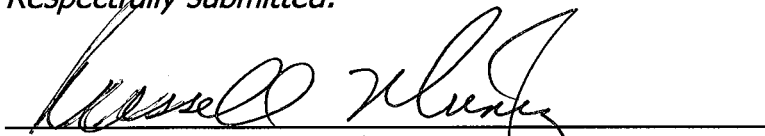
THE TOWN'S LEGAL OPPOSITION TO THE SITING OF THE FRANKLIN ACADEMY CHARTER SCHOOL; AND PROVIDING FOR AN EFFECTIVE DATE.

The following motion was made by Council Member McKay, seconded by Council Member Breitkreuz and passed by 4-0 roll call vote. The vote was as follows: Council Members Breitkreuz, McKay, Vice Mayor Fisikelli, and Mayor Nelson voting Yes.

MOTION: TO APPROVE THE RESOLUTION.

14. Adjournment – Meeting was adjourned at 8:06 p.m.

Respectfully submitted:



Russell Muñiz, MMC, Assistant Town Administrator/Town Clerk

*Adopted by the Town Council on
this 10th day of December, 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.