

REGULAR MEETING MINUTES OF THE TOWN COUNCIL
Southwest Ranches, Florida

Thursday 7:00 PM

June 22, 2017

13400 Griffin Road

Present:

Mayor Doug McKay

Vice Mayor Steve Breitkreuz

Council Member Freddy Fisikelli

Council Member Gary Jablonski

Council Member Denise Schroeder

Andrew D. Berns, Town Administrator

Russell Muñiz, Assistant Town Administrator/Town Clerk

Martin D. Sherwood, Town Financial Administrator

Keith Poliakoff, Town Attorney

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 McKay at 7:00 PM. Attendance was noted by roll call and was followed by the Pledge of Allegiance.

3. Legislative Update - Representative Richard Stark

4. Presentation - Zika Awareness - Anh Ton, Director, Broward County Highway and Bridge Maintenance Division/Mosquito Control Section

At the conclusion of Mr. Ton's presentation the Town Council requested that aerial spraying be conducted to address the mosquito problem which resulted from the recent heavy rainfall.

At 8:05 p.m. the following motion was made by Council Member Jablonski, seconded by Council Member Fisikelli and passed by 5-0 roll call vote. The vote was as follows: Council Members Fisikelli, Jablonski, Schroeder, Vice Mayor Breitkreuz, and Mayor McKay voting Yes.

MOTION: TO SUSPEND THE REGULAR MEETING TO CONDUCT THE LPA MEETING.

At 8:12 p.m. the Regular Meeting resumed.

5. Public Comment

The following member of the public addressed the Town Council: Bob Hartmann.

6. Board Reports

None were presented.

7. Council Member Comments

Council Member Jablonski indicated that a Ham Radio demonstration would be held at the Equestrian Park on June 24th. Later that evening the History of Rum event, benefiting the Southwest Ranches Parks Foundation, would be held at 6 pm at the Barn. He advised that a parade and a picnic would be held at the Rolling Oaks Park for July 4th. He announced that the Household Hazardous Waste event would be held on July 8th from 8 am to 2 pm at the Park. He also advised that Bingo at the Barn, would be held on the 12th of August. He also announced that

a vulnerable population registry was being compiled for those who might need assistance prior to a storm.

Council Member Schroeder advised that the mosquito dunks were available at Town Hall for residents.

Vice Mayor Breitkreuz wished to see everyone at the History of Rum event.

Mayor McKay also wished to see everyone at the History of Rum Event at the Barn and the Ham Radio event at the Equestrian Park.

8. Legal Comments

Town Attorney Poliakoff advised that the new agreement for Solid Waste and Bulk collection with Waste Pro was completed and was scheduled for the Special Meeting on June 29th. He advised that while the collection rates would be increasing they were still in line with the rates that were charged in 2012. Additionally, the disposal rates in FY 2018 would be lower than they currently are. Secondly, he spoke about the Cannabis law passed by the Florida Legislature and stated contrary to media reports a municipality could not prohibit Cannabis related business from operating anywhere within the municipality. The law required parity between where a municipality allowed a pharmacy and where it allowed a Cannabis distribution facility. As such, he would be bringing forth an ordinance for Town Council consideration that would require all future pharmacies to be relegated to the M4 zoning category, so therefore any future Cannabis distribution facility would be relegated to the same zoning category. Lastly, he discussed the settlement agreement with Griffin 345 and was hopeful to have it signed in the near future.

9. Administration Comments

Town Administrator Berns thanked Town Attorney Poliakoff for covering the items he wanted to cover and offered no further comments.

Ordinance – 2nd Reading

10. AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, SUBMITTING TO REFERENDUM AMENDMENTS TO THE TOWN'S CHARTER; PROPOSING TO AMEND ARTICLE IV "LEGISLATIVE", BY ADDING SECTION 4.10 ENTITLED "LONG TERM LEASE OR SALE OF PROPERTY OWNED BY THE TOWN" TO PLACE RESTRICTIONS ON THE SALE OR LONG TERM LEASE OF PROPERTY OWNED BY THE TOWN, EXCLUDING RIGHTS-OF-WAY, PROPERTY LESS THAN THE MINIMUM LOT SIZE REQUIREMENT, PROPERTY THAT WAS ACQUIRED THROUGH FORECLOSURE, AND PROPERTY, NOT LOCATED WITHIN OR ADJACENT TO A TOWN PARK, THAT WAS SPECIFICALLY AQUIRED FOR RE-SALE OR LEASE PURPOSES; PROPOSING TO AMEND ARTICLE V "QUASI-JUDICIAL", BY AMENDING SECTION 5.01 TO REQUIRE THE UNANIMOUS VOTE OF THE ENTIRE COUNCIL FOR ALL LAND USE AND QUASI-JUDICIAL ITEMS; 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 ELECTION OF NOVEMBER 6, 2018; ENACTING A ZONING IN PROGRESS FOR THE TOWN COUNCIL TO ACT IN ACCORDANCE WITH THESE BALLOT MEASURES UNTIL THEY ARE VOTED UPON BY THE ELECTORATE; 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.

The following motion was made by Council Member Jablonski, seconded by Vice Mayor Breitkreuz and passed by 4-1 roll call vote. The vote was as follows: Council Members Fisikelli, Jablonski, Schroeder, Vice Mayor Breitkreuz voting Yes, and Mayor McKay voting No.

MOTION: TO APPROVE THE ORDINANCE.

Ordinance - 1st Reading

11. AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE TEXT OF THE FUTURE LAND USE ELEMENT AND THE DEFINITIONS OF THE TOWN OF SOUTHWEST RANCHES COMPREHENSIVE PLAN BY REVISING THE DEFINITIONS AND PLAN IMPLEMENTATION PROVISIONS RELATING TO COMMUNITY FACILITIES; 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. {2nd Reading to be held at a later date}

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

MOTION: TO APPROVE THE ORDINANCE.

12. AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE DEFINITIONS AND THE TEXT OF THE FUTURE LAND USE AND TRANSPORTATION ELEMENTS OF THE TOWN OF SOUTHWEST RANCHES COMPREHENSIVE PLAN PERTAINING TO STREETS AND ACCESS; 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. {2nd Reading to be held at a later date}

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

MOTION: TO APPROVE THE ORDINANCE.

13. AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE TOWN OF SOUTHWEST RANCHES UNIFIED LAND DEVELOPMENT CODE ("ULDC"), ARTICLE 90 ENTITLED, "SUBDIVISION DESIGN AND ACCESS STANDARDS"; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE. {2nd Reading to be held at a later date}

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

MOTION: TO APPROVE THE ORDINANCE.

14. AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES FLORIDA, AMENDING THE TOWN OF SOUTHWEST RANCHES UNIFIED LAND DEVELOPMENT CODE ("ULDC"), ARTICLE 10 ENTITLED, "DEFINITIONS" TO AMEND THE DEFINITION OF THE TERM "FAMILY"; CREATING A NEW ARTICLE 141 ENTITLED, "REASONABLE ACCOMMODATION PROCEDURES"; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE. {2nd Reading to be held at a later date}

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

MOTION: TO APPROVE THE ORDINANCE.

Resolutions

15. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING RESOLUTION NO. 2015-017, RELATING TO THE TOWN'S ADVISORY COMMITTEE/BOARD POLICY; AMENDING PROCEDURES SECTION VI I (G) RELATING TO THE ROLE OF THE BOARD CHAIR TO PROVIDE FOR THE REMOVAL OF THE BOARD CHAIR BY MAJORITY VOTE OF THE TOWN COUNCIL FOR LACK OF CIVILITY, DECORUM, OR FOR CONDUCT UNBECOMING OF A BOARD MEMBER; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

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

MOTION: TO DENY THE RESOLUTION.

16. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING RESOLUTION NO. 2015-017, RELATING TO THE TOWN'S ADVISORY COMMITTEE/BOARD POLICY; AMENDING PROCEDURES SECTION II (B) & (C) RELATING TO THE APPOINTMENT OF BOARD MEMBERS TO PROVIDE FOR THE APPOINTMENT OR REMOVAL OF BOARD MEMBERS BY MAJORITY VOTE OF THE TOWN COUNCIL; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

The following motion was made by Council Member Schroeder, seconded by Mayor McKay and passed by 3-2 roll call vote. The vote was as follows: Council Members Jablonski, Schroeder, and Mayor McKay voting Yes, and Council Member Fisikelli and Vice Mayor Breitzkreuz voting No.

MOTION: TO AMEND THE RESOLUTION TO REQUIRE THAT IF A BOARD MEMBER IS REMOVED BY A 4-1 VOTE OF THE TOWN COUNCIL THEY CANNOT BE REAPPOINTED FOR THE REMINDER OF THEIR INITIAL TERM.

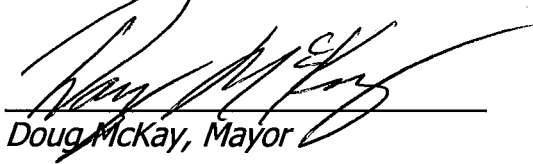
17. Adjournment - Meeting was adjourned at 9:55 p.m.

Respectfully submitted:



Russell Muñiz, MMC, Assistant Town Administrator/Town Clerk

*Adopted by the Town Council on
this 10th day of August, 2017.*



Doug McKay, 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.