

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

Thursday 7:00 PM

February 9, 2017

13400 Griffin Road

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Present:

Mayor Doug McKay

Vice Mayor Steve Breitzkreuz

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 7:03 PM. Attendance was noted by roll call and was followed by the Pledge of Allegiance.

**3. Public Comment**

The following members of the public addressed the Town Council: Barry Neunzig, Christopher Walton, and Newell Hollingsworth.

**4. Board Reports**

Aster Knight, representing the Southwest Ranches Parks Foundation, reminded everyone about the Chili Cook Off on February 25th.

**5. Council Member Comments**

Council Member Jablonski advised that the Garage Sale in the Park would be held on February 18<sup>th</sup> at the Equestrian Park. He also advised that the annual Chili Cook-Off would be held on February 25<sup>th</sup>. The Ranchers of Distinction event benefitting the Schools and Education Advisory Board would also be held on February 25<sup>th</sup>. He also advised a presentation will be made by a member of the Florida Wildlife Commission regarding Nile Monitor Lizards at a future meeting. He also advised that the Department of Motor of Vehicles FLOW program would be on hand on February 23<sup>rd</sup>. He also spoke about the Water Matters event that would be held on March 11<sup>th</sup> at Tree Tops Park and advised that PROS Coordinator December Lauretano-Haines would be on hand representing the Town. He spoke about the traffic generated by the church and asked Town Administrator Berns to petition Broward County to lengthen the green light at Griffin Road and Dykes Road by an additional 30 seconds for a specific two-hour segment. He believed that doing so would alleviate much of the east-west traffic on Griffin Road. Lastly, he expressed his reluctance to commercially develop the 5 acre town-owned parcel at Dykes and Griffin. He believed that any commercial development of that property was not worth eliminating the open space aesthetic that the property provides. Additionally, he asked that the Recreation, Forestry, and Natural Resources Advisory Board make recommendations as to what should be done with that parcel.

Mayor McKay felt that the Town would ideally like to keep the 5 acres as open space but was concerned with the cost to maintain it. Recently, he asked Community Services Liaison Emily McCord-Aceti what the costs would be to develop the park portion of the parcel as originally envisioned. The Mayor advised that she stated that the cost approached \$4 million. This cost was the most conservative, highest end estimate. He relayed that developers he has spoken to about the developable portion of the property have suggested that they would assist in developing the park portion of the parcel. He asked that everyone see the big picture so that the Town could keep the millage rate low. Council Member Jablonski felt that once the property is sold, the Town loses control over it. He reiterated that he would like the Town advisory boards to review and provide feedback. Vice Mayor Breitkreuz concurred. He expressed that he did not see any circumstance where the Town should sell it. He agreed with Council Member Jablonski in wanting to see the entire property remain as open space. While he recognized the financial obligations cited by Mayor McKay, he believed that future grants would be available to help assist with its development. Council Member Jablonski asked what the Town's obligations were regarding open space. Town Administrator Berns asked that staff be allowed to bring this before the advisory boards first, and then report back to the Town Council at a future meeting. Vice Mayor Breitkreuz asked that the boards be provided with the projected costs, so that they have the "full picture." Town Administrator Berns agreed to proceed as directed.

Vice Mayor Breitkreuz responded to statements made during Public Comments regarding the Volunteer Fire Department. He asked Town Administrator Berns to speak with his counterpart in Weston about the noise emanating from the truck stop on US Highway 27. He spoke about the Water Matters event on March 11<sup>th</sup> and encouraged everyone to attend. Lastly, he asked that when the discussion is had with the County concerning the traffic signal at Griffin and Dykes that they also request that the signal at Griffin and Bonaventure Boulevard be examined as well.

Council Member Schroeder spoke of recent phone conversations she has had with residents about getting appointed to advisory boards. Mayor McKay added that traditionally the board membership has been kept at an odd number to prevent tie votes. Council Member Breitkreuz asked Town Attorney Poliakoff if it was possible to have alternate board members much like a jury pool. Town Attorney Poliakoff responded that it was possible to do so. Mayor McKay indicated that it was his desire to appoint Vince Falletta as an Honorary Member of the Drainage and Infrastructure Advisory Board and to also appoint Steve Winner to that Board. Mayor McKay asked if an Honorary Member could vote. Town Attorney Poliakoff responded that he should be appointed as an Alternate Member instead so this way he could vote should a regular member not be present. Council Member Breitkreuz felt that a conversation should be had with Mr. Falletta in private and then decide whether or not another member should be appointed in his place.

## **6. Legal Comments**

Town Attorney Poliakoff advised that the Second Motion for Summary Judgement hearing in the Pembroke Pines/CCA case was held but will not be answered for some time. He predicted that the interference claim would be sustainable and therefore the case would be presented before a jury sometime later this year.

## **7. Administration Comments**

Town Administrator Berns asked Assistant Town Administrator/Town Clerk Muñiz to provide an update to the Town Council on a recent South Florida Water Management District meeting he attended. Assistant Town Administrator/Town Clerk Muñiz advised that he and December Lauretano-Haines attended this meeting to voice the Town's support of two proposed bridges that would span the C-11 canal as part of the C-11 Impoundment Area project. He indicated that the support was predicated on the benefits the bridges would provide to our residents and all of those using the Town's trails as well as the Broward County Greenways.

## **Ordinance – 2nd Reading**

**8.** AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE TOWN OF SOUTHWEST RANCHES UNIFIED LAND DEVELOPMENT CODE ("ULDC"), ARTICLE 10 ENTITLED, "DEFINITION OF TERMS" TO DEFINE NEWLY REGULATED TERMS; AMENDING ARTICLE 45 ENTITLED, "AGRICULTURAL AND RURAL DISTRICTS," SECTION 045-050 "USES PERMITTED" TO PROHIBIT CANNABIS-RELATED USES AND MAKE REVISIONS OF A HOUSEKEEPING NATURE; AMENDING ARTICLE 50 ENTITLED, "COMMERCIAL DISTRICTS," SECTION 050-040, "PERMITTED USES" AND SECTION 050-080, "LIMITATIONS OF USES" TO PROHIBIT CANNABIS-RELATED USES, PROHIBIT OR RESTRICT CERTAIN ADDITIONAL USES AND MAKE REVISIONS OF A HOUSEKEEPING NATURE; AMENDING ARTICLE 55 ENTITLED, "M, MANUFACTURING AND INDUSTRIAL DISTRICT", SECTION 55-040, "PERMITTED AND PROHIBITED USES" TO PROHIBIT CANNABIS-RELATED USES AND MAKE REVISIONS OF A HOUSEKEEPING NATURE; AMENDING ARTICLE 60, ENTITLED, "CF, COMMUNITY FACILITY DISTRICT," SECTION 060-030, "PERMITTED USES" TO PROHIBIT CANNABIS-RELATED USES AND MAKE REVISIONS OF A HOUSEKEEPING NATURE; AMENDING ARTICLE 65 ENTITLED, "RECREATION AND OPEN SPACE DISTRICT," SECTION 065-030, "PERMITTED USES" TO PROHIBIT CANNABIS-RELATED USES AND MAKE REVISIONS OF A HOUSEKEEPING NATURE; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE.

The following motion was made by Vice Mayor Breitkreuz, and 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.

**9.** AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, ADOPTING THE FIVE-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS FOR FISCAL YEARS 2017-2021 PURSUANT TO CHAPTER 163, FLORIDA STATUTES; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

The following motion was made by Vice Mayor Breitkreuz, and 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 APPROVE THE ORDINANCE.

**Resolutions**

**10.** A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING A PROJECT FUND AGREEMENT WITH SOUTH FLORIDA WATER MANAGEMENT DISTRICT (SFWMD) FOR UP TO ONE HUNDRED THOUSAND DOLLARS (\$100,000) OR 50% OF ELIGIBLE STORMWATER EXPENDITURES FOR THE PROJECT, WHICHEVER IS LESS, IN COST SHARING TO COMPLETE THE DYKES ROAD DRAINAGE AND WATER QUALITY 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 Vice Mayor Breitkreuz, 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 APPROVE THE RESOLUTION.

**Quasi-Judicial**

**11.** A RESOLUTION A RESOLUTION AND FINAL ORDER OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING WAIVER OF PLAT APPLICATION NO. WP-18-17 TO SUBDIVIDE APPROXIMATELY 4.47 NET ACRES OF PROPERTY INTO TWO LOTS OF APPROXIMATELY 2.3 AND 2.2 ACRES; GENERALLY LOCATED ON THE WEST SIDE OF SW 142ND AVENUE (HANCOCK ROAD) APPROXIMATELY 300 FEET SOUTH OF SUNSET LANE, AND DESCRIBED AS THE SOUTH HALF OF THE NORTH HALF OF TRACTS 23 AND 24, LESS THE EAST 70 FEET OF TRACT 24 FOR ROAD RIGHT-OF-WAY, ACCORDING TO THE EVERGLADES SUGAR & LAND CO. SUBDIVISION OF SECTION 3, TOWNSHIP 51 SOUTH, RANGE 40 EAST, AS RECORDED IN PLAT BOOK 2, PAGE 39 OF THE MIAMI-DADE COUNTY, FLORIDA PUBLIC RECORDS SAID LAND NOW LYING AND BEING SITUATED IN THE TOWN OF SOUTHWEST RANCHES, BROWARD COUNTY, FLORIDA; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO PROPERLY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR RECORDATION; AND PROVIDING AN EFFECTIVE 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 RESOLUTION SUBJECT TO CORRECTING SECTION 2 TO REFLECT WP-18-17, AND CORRECTING SECTION 6 TO STATE THAT THE RESOLUTION SHALL TAKE EFFECT UPON RECORDATION.

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

*Respectfully submitted:*

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

*Adopted by the Town Council on  
this 9th day of March, 2017.*

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*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.