

REGULAR MEETING MINUTES OF THE TOWN COUNCIL
Southwest Ranches, Florida

Thursday 7:00 PM

April 26, 2018

13400 Griffin Road

Present:

Mayor Doug McKay

Vice Mayor Freddy Fisikelli

Council Member Steve Breitreuz

Council Member Gary Jablonski

Andy 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 7:02 PM. Attendance was noted by roll call and was followed by the Pledge of Allegiance.

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

MOTION: TO EXCUSE COUNCIL MEMBER SCHROEDER.

3. 2018 Legislative Session Update – Senator Lauren Book & Representative Richard Stark

Senator Lauren Book presented the Town with a check in the amount of \$500,000 which represented an appropriation from the Legislature for a drainage project in Green Meadows that the Town had submitted for funding.

Representative Stark was also on hand to discuss other legislative priorities that were legislated during the session.

4. Public Comment

The following members of the public addressed the Town Council: None.

5. Board Reports

Newell Hollingsworth, Chair of the Comprehensive Planning Advisory Board announced, that a joint meeting would be held with the Drainage Infrastructure Advisory Board on Wednesday May 2nd to discuss nurseries in the Town. He indicated the purpose of the meeting was to gain resident input and make a recommendation to the Town Council.

6. Council Member Comments

Council Member Breitreuz encouraged everyone to attend the joint meeting regarding the nurseries. He hoped to gain input from the residents as well as the nurseries to come up with a balanced approach to address these uses into the future.

Council Member Jablonski announced that a Household Hazardous Waste event was being held at Waste Pro's site in Pembroke Pines on May 12th. Bingo at the Barn would be held on May 19th at the Rolling Oaks Barn and encouraged all to attend. He announced that election qualifying would begin on June 18th and that he would be running for reelection. Lastly, he addressed allegations made at the last meeting by a resident that members of the Town Council were being blackmailed by CAP Government. The allegations made by that resident and others concerning excessive violation fees were incorrect and he cited inspection statistics to prove that CAP Government was not denying inspections excessively to increase their profits. Furthermore, he cited that the selection committee used by the Town to make the recommendation to select CAP Government was made up of independent industry professionals with no vested interest to CAP Government. He hoped that an apology would be made by the resident.

Mayor McKay spoke about his attendance at the Country Estates Barbecue wherein he noted the unsatisfactory condition of the ballfields. He asked the rest of the Council what they thought about the field. Council Member Breikreuz felt that the next step needed to be taken to get good fill and seed the fields. Vice Mayor Fisikelli wanted to see how much utilization of the field before the Town should spend a lot of money on it. Town Administrator Berns indicated that he had asked Town Engineer Rod Ley to look into this and calculate costs to improve the field. Based on adding 2 inches of fill the cost would be approximately \$26,000, and to go to 3 inches would cost approximately \$32,000. Mayor McKay asked Gay Chaples to offer some ideas. Mary Gay Chaples suggested stapling screening to the field and then adding fill over the top which is a method that has been used to keep the rocks and pebbles from rising to the surface.

7. Legal Comments

Town Attorney Poliakoff introduced Gary Resnick who was on hand to discuss the Telecommunications Ordinance that would be discussed later in the meeting. He recently met with CCA's counsel regarding the case against Pembroke Pines. He spoke of a subpoena he received from the Sun Bergeron group and he would be representing the Town. Regarding the fire truck, a demand letter was sent to Rosenbauer in which a response was received on April 25th. He indicated that if nothing occurred as a result of this last ditch effort he would be recommending that the Town file suit against Rosenbauer for the damages for selling the Town a "lemon." Town Administrator Berns supplemented the discussion and indicated that Rosenbauer's position is that the Town has been negligent in following up on the issues which he vehemently disagreed with. He has tasked Chief Bennett with going through all of his email correspondence to retrieve all of the messages in which Rosenbauer was made aware of issues with the vehicles and their responses. He felt that this would help in the legal process.

8. Administration Comments

Town Administrator Berns advised that there was a recent coyote sighting and asked residents not to shoot the animal if spotted but rather to contact the regional office for the Florida Wildlife Commission. Regarding the new fire station modular, he advised that the RVs had been delivered as well as the storage containers to begin the process of emptying out the current station. He anticipated site work to begin the week of May 7th. Lastly, he reminded everyone that on Saturday May 12th Newell Hollingsworth would be recognized as one of the Town's pioneers at the 44th Annual Pioneer Day celebration at Davie Town Hall.

Ordinance – 1st Reading

9. AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, VACATING, CLOSING AND ABANDONING A PORTION OF UNIMPROVED RIGHT-OF-WAY RECORDED AS THE WEST 20 FEET OF TRACTS 13 THROUGH 16, LESS THE SOUTH 40 FEET OF TRACT 16, EVERGLADE SUGAR & LAND CO. SUBDIVISION OF SECTION 34, TOWNSHIP 50 SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 152, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA; GENERALLY LOCATED AT THE 13800 BLOCK OF STIRLING ROAD MIDWAY BETWEEN HANCOCK ROAD AND HOLATEE TRAIL AND EXTENDING 1,280.75 FEET NORTH OF STIRLING ROAD; AUTHORIZING THE PREPARATION AND EXECUTION OF EFFECTUATING DOCUMENTS; PROVIDING INSTRUCTIONS TO THE TOWN CLERK; PROVIDING FOR RECORDATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. {Second Reading to be held on May 10, 2018}

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

MOTION: TO APPROVE THE ORDINANCE.

10. AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES FLORIDA AMENDING THE CODE OF ORDINANCES OF THE TOWN OF SOUTHWEST RANCHES BY AMENDING ARTICLE III, CHAPTER 22, OF THE CODE, ENTITLED CABLE TELEVISION; AMENDING SECTION 22-88 OF THE CODE BY PROVIDING THAT A CERTIFICATEHOLDER AS DEFINED IN SECTION 610.103(1)(4), FLORIDA STATUTES, SHALL COMPLY WITH THE TOWN OF SOUTHWEST RANCHES COMMUNICATIONS RIGHTS-OF-WAY ORDINANCE, ARTICLE II, CHAPTER 22, SECTIONS 22.18-22.31 OF THE TOWN CODE, FOR PLACING OR MAINTAINING A CABLE SYSTEM OR FACILITIES IN THE TOWN PUBLIC RIGHTS-OF-WAY; REPEALING AND REPLACING ARTICLE II, CHAPTER 22, SECTIONS 22.19 – 22.31, ENTITLED "PLACEMENT OF FACILITIES IN RIGHTS-OF-WAY," WITH NEW SECTIONS 22.18-22.27 AND CREATING THE TOWN OF SOUTHWEST RANCHES COMMUNICATIONS RIGHTS-OF-WAY ORDINANCE; PROVIDING INTENT AND PURPOSE, APPLICABILITY AND AUTHORITY TO IMPLEMENT; PROVIDING DEFINITIONS; PROVIDING FOR REGISTRATION FOR PLACING OR MAINTAINING COMMUNICATIONS FACILITIES IN THE PUBLIC RIGHTS-OF-WAY; PROVIDING REQUIREMENT OF A PERMIT; PROVIDING APPLICATION REQUIREMENTS AND REVIEW PROCEDURES; PROVIDING FOR A PERFORMANCE BOND; PROVIDING FOR CONSTRUCTION METHODS; PROVIDING DEVELOPMENT AND OBJECTIVE DESIGN STANDARDS; PROVIDING FOR FEES AND TAXES; PROVIDING ENFORCEMENT REMEDIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR REPEAL OF ZONING IN PROGRESS; AND PROVIDING AN EFFECTIVE DATE. {Second Reading to be held on May 10, 2018}

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

MOTION: TO APPROVE THE ORDINANCE.

Resolutions

11. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING A CHANGE ORDER WITH ADVANCED MODULAR STRUCTURES, INC. IN THE AMOUNT OF FOURTEEN THOUSAND FIVE HUNDRED THIRTY-ONE DOLLARS AND ZERO CENTS (\$14,531.00) TO UPGRADE THE ELECTRICAL WORK FOR THE FIRE MODULAR PROJECT AT 17220 GRIFFIN ROAD AND TO REMOVE AN EXISTING CANOPY; APPROVING A FISCAL YEAR 2017-2018 BUDGET AMENDMENT; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO ISSUE A PURCHASE ORDER; AND PROVIDING FOR AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE RESOLUTION.

12. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING AN AGREEMENT WITH THOMAS M. SQUARINI SERVICES, LLC FOR POLICE CIVILIAN COORDINATOR SERVICES; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO ENTER INTO AN AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE RESOLUTION.

13. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AUTHORIZING A NEW EMERGENCY LINE OF CREDIT NOTE IN THE PRINCIPAL AMOUNT NOT TO EXCEED \$10,000,000, TO PROVIDE FINANCING TO MEET RECOVERY COSTS RELATING TO A DECLARED STATE OF EMERGENCY AFFECTING THE TOWN AND COSTS RELATED THERETO; COVENANTING TO REPAY SUCH NOTE FROM REIMBURSEMENTS RECEIVED BY THE TOWN FROM FEMA AND THE STATE OF FLORIDA, AND COVENANTING TO BUDGET AND APPROPRIATE FUNDS, FROM LEGALLY AVAILABLE NON-AD VALOREM REVENUES; AUTHORIZING THE EXECUTION OF A LOAN AGREEMENT, LOAN NOTE AND SUCH OTHER LOAN DOCUMENTS DEEMED NECESSARY; TO REPAY SUCH NOTE; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

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

MOTION: TO APPROVE THE RESOLUTION IN AN AMOUNT NOT TO EXCEED \$10,000,000.

14. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, ENACTING A ZONING IN PROGRESS FOR WIRELESS SERVICE FACILITIES AND PERSONAL WIRELESS SERVICE FACILITIES, AS DEFINED IN SECTION 365.172 F.S. AND 47 U.S.C. §332(c)(7)(C)(ii); ADDING INTO THE ZONING IN PROGRESS THE INSTALLTION OF FIBER FOR BACKHAUL, WITHIN THE TOWN'S RIGHTS-OF-WAY; DIRECTING TOWN STAFF TO DEFER THE ACCEPTANCE AND PROCESSING OF DEVELOPMENT APPLICATIONS AND PROHIBITING THE ISSUANCE OF BUILDING PERMITS, DEVELOPMENT ORDERS, OR LOCAL BUSINESS TAX RECEIPTS UNTIL THE EARLIER OF THE DATE THE TOWN ADOPTS ITS CODE REVISIONS OR DECEMBER 31, 2018; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE RESOLUTION.

Discussion**15. Amendment to Ground Lease with Helen Homes of Weston Development, LLC**

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

MOTION: TO APPROVE THE AMENDMENT TO THE LEASE AGREEMENT.

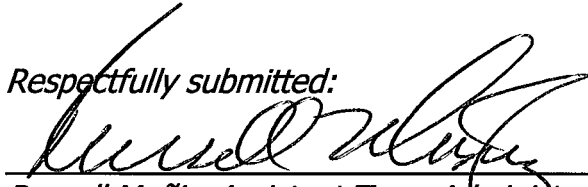
16. Approval of Minutes**a. March 8, 2018 Regular Meeting**

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

MOTION: TO APPROVE THE MINUTES.

17. Adjournment - Meeting was adjourned at 9:37 p.m.

Respectfully submitted:



Russell Muñiz, Assistant Town Administrator/Town Clerk

*Adopted by the Town Council on
this 24th day of May, 2018.*



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.