

REGULAR MEETING MINUTES OF THE TOWN COUNCIL
Southwest Ranches, Florida

Thursday 7:00 PM

July 30, 2020

13400 Griffin Road

Present:

Mayor Doug McKay

Andrew Berns, Town Administrator

Vice Mayor Denise Schroeder

Russell Muñiz, Assistant Town Administrator/Town Clerk

Council Member Delsa Amundson

Martin D. Sherwood, Town Financial Administrator

Council Member Bob Hartmann

Keith Poliakoff, Town Attorney

Council Member Gary Jablonski

Regular Meeting of the Town Council of Southwest Ranches was held virtually via the ZOOM Meeting Platform. The meeting, having been properly noticed, was called to order by Mayor McKay at 7:16 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: Steve Breitkruz, Jim Allbritton, David Kuczenski, Debbie Green and Fred Cox.

4. Board Reports

There were no board reports.

5. Council Member Comments

Council Member Jablonski reminded the public about the "Farms and Barns" photo contest and "Hazmat at the Park" events. He then asked the Town Council to allow Madison Sullivan to present her September 14th, 2020, "Meet the Candidates" idea to them, which they allowed. Once Madison's presentation was finished, Mayor McKay asked the Town Council how they felt about the idea, which the Town Council all liked. Council Member Hartmann suggested to Madison that she may want to check when early voting was going to take place and hold the event just before early voting starts. Town Financial Administrator Sherwood then advised the Town has the First Budget Hearing meeting on September 14th, 2020 and new date would need to be chosen for Madison's event. Council Member Jablonski then advised that he would get with Town Administrator Berns to figure out the new date and the purpose of the present evening was to get the approval to hold the "Meet the Candidates" event, which the Town Council then verbally approved.

Council Member Amundson spoke next. She spoke about the Nursery Ordinance which wasn't adopted at the Local Planning Agency (LPA) meeting held prior to the present Town Council meeting. She clarified the reason she rejected the ordinance was because there were some things in the document, she was concerned may affect the equestrian community in a detrimental way. Next she spoke about emails that had been sent to Town Administrator Berns, Fire Chief Bennett and the community from residents about the Southwest Ranches Volunteer Fire Department that were very negative. She then read the emails to the Town Council and public. Once she had finished reading the emails and the responses from the Town Administrator and Fire Chief, she stated she wanted this slandering of the Fire Department and its people to stop.

Vice Mayor Schroeder was next to speak. She agreed with everything Council Member Amundson had to say regarding the emails about the Southwest Ranches Volunteer Fire Department. Next she spoke about the rejected nursery ordinance. She stood behind her decision to not adopt the ordinance and she is glad she got to speak to the residents regarding it. Vice Mayor Schroeder also stated she is not opposed to having a workshop to iron out all the issues that surround the ordinance.

Council Member Hartmann addressed the rejected nursery ordinance and advised he would also be in favor of a workshop. Council Member Jablonski stated the entire Town Council seemed to be in favor of a workshop and he asked if a motion is needed.

Mayor McKay advised he is in favor of a workshop but wants to make sure all affected parties would be present for the workshop. He then asked Town Attorney Poliakoff what the correct course of action would be. Town Attorney Poliakoff advised the Mayor he could do whatever he wanted, however since Town Administrator Berns knows the consensus is to have the workshop, all he needs is direction from the Town Council to set it up. Mayor McKay then directed the Town Administrator to set up a workshop to discuss the nursery ordinance.

6. Legal Comments

Town Attorney Poliakoff advised the Governor had extended the ability to have virtual meetings, including budget meetings, through August 31, 2020, although the virtual meeting order will probably be extended. He then wished everybody to be safe during the threat of a possible hurricane. Lastly, he spoke about the litigation the Town is in with a resident out west regarding illegal use of their property. He stated the attorney representing the resident is trying to litigate the matter through social media and he just wanted to give the Town Council a heads up in case they hear about or see anything online.

7. Administration Comments

Town Administrator Berns welcomed back Community Service Manager Emily Aceti from leave and he commended Public Works Director/Town Engineer Rod Ley for keeping it all together while she was out. He wanted to update the Town Council on the progression of the number of COVID-19 cases in the Town. Town administrator Berns presented numbers over a three-week span. On July 1st, 2020, there were 22 cases, On July 15th, 2020, there were 69 cases and on July 30th, 2020 the Town was up to 132 cases of COVID-19. He then stated Assistant Town Administrator Muñiz was working on a project to bring COVID-19 testing to the Town for its residents. Town Administrator Berns asked Assistant Town Administrator Muñiz to elaborate. Assistant Town Administrator Muñiz gave a quick outline. He stated the Town had been looking to bring testing to its residents to help ease up the crowding at other locations and he was approached by a company to partner with the Town. The testing event will take place at Rolling Oaks park beginning Thursday, August 13th, 2020 through Saturday, August 15th, 2020. It will be a drive through site and residents must be registered ahead of time by calling 407-906-8640, although the number isn't live until registration begins. Davie Police will be providing traffic control during these times as well. The Town will begin its media campaign to get the word out to residents about the COVID-19 testing opportunity. Council Member Jablonski asked if the Town will be sending an email blast to its residents. Assistant Town Administrator Muñiz stated the Town would

be performing a social media blitz, with Town Talk emails, Facebook and Twitter posts, Southwest Ranches Town News posts and phone call messages through Code Red. Council Member Jablonski also asked what would happen if the spots allotted for the day are filled up? Can people still get tested or can the Town set up another testing date? Assistant Town Administrator Muñiz answered the goal is to get the word out and fill up the 200 daily spots. He stated the Town needs to see how well the event is received and move on from there. Council Member Amundson asked if it mattered whether residents have symptoms or not. Assistant Town Administrator Muñiz answered anyone can get tested symptomatic or not.

A Point of Order was raised by Town Administrator Berns regarding the failure of Item #3 of the previous LPA meeting which directly affects Item #8 on this agenda. The item must be withdrawn.

Ordinance – 1st Reading

8. AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE TOWN OF SOUTHWEST RANCHES UNIFIED LAND DEVELOPMENT CODE ("ULDC"), SECTION 005-120, "CERTIFICATES REQUIRED" TO CLARIFY WHEN A CERTIFICATE OF USE IS REQUIRED; AMENDING SECTION 10-30, "TERMS DEFINED" AS IT PERTAINS TO AGRICULTURAL DEFINITIONS; AMENDING ARTICLE 45, "AGRICULTURAL AND RURAL DISTRICTS", SECTION 045-030, "GENERAL PROVISIONS" TO REVISE REGULATIONS GOVERNING REGISTRATION, PARKING AND STORING OF VEHICLES AND EQUIPMENT, TO PERMIT THE SALE AND DISPLAY OF COTTAGE FOODS, TO REGULATE NURSERY LOCATIONS AND PROVIDE FOR NONCONFORMING USES, AND TO PROHIBIT CONVERSION OF DWELLINGS FOR NONRESIDENTIAL USE; AMENDING SECTION 045-050, "PERMITTED AND PROHIBITED USES" TO PROHIBIT LANDSCAPE MAINTENANCE OPERATIONS; MAKING VARIOUS AMENDMENTS 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 Council Member Hartmann, seconded by Council Member Jablonski and passed by 5-0 roll call vote. The vote was as follows: Council Members Amundson, Hartmann, Jablonski, Vice Mayor Schroeder and Mayor McKay voting Yes.

MOTION: TO WITHDRAW THE ITEM.

Resolutions

9. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, SETTING THE PROPOSED MILLAGE RATE AND CURRENT ROLL BACK RATE PURSUANT TO SECTION 200.065, FLORIDA STATUTES; AND ESTABLISHING THE DATE, TIME AND PLACE AT WHICH PUBLIC HEARINGS WILL BE HELD TO CONSIDER THE PROPOSED MILLAGE RATE AND THE TENTATIVE BUDGET FOR FISCAL YEAR 2021; AND DIRECTING THE TOWN CLERK TO FILE SAID RESOLUTION WITH THE PROPERTY APPRAISER OF BROWARD COUNTY PURSUANT TO THE REQUIREMENTS OF FLORIDA STATUTES AND THE RULES AND REGULATIONS OF THE DEPARTMENT OF REVENUE FOR THE STATE OF FLORIDA; DIRECTING THAT A CERTIFIED COPY OF THIS RESOLUTION BE SENT TO THE BROWARD COUNTY PROPERTY APPRAISER AND TAX COLLECTOR; AND PROVIDING FOR AN EFFECTIVE DATE.

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

MOTION: TO SET THE PROPOSED MILLAGE RATE AT 4.4558 AND APPROVE THE RESOLUTION.

10. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, RELATING TO THE PROVISION OF SOLID WASTE SERVICES, FACILITIES AND PROGRAMS TO RESIDENTIAL PROPERTIES IN THE TOWN OF SOUTHWEST RANCHES; PROVIDING AUTHORITY FOR SOLID WASTE SERVICES ASSESSMENTS; PROVIDING PURPOSE AND DEFINITIONS; PROVIDING FINDINGS; INCORPORATING THE SOLID WASTE SPECIAL ASSESSMENT METHODOLOGY REPORT; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; PROVIDING FOR A 50% EXEMPTION FOR VETERAN'S SERVICE-CONNECTED TOTAL AND PERMANENT DISABILITY; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; AND PROVIDING AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE RESOLUTION.

11. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA PROVIDING FINDINGS; AMENDING IN PART RESOLUTION 2011-084 BY PROVIDING A NEW SECTION 3, "PURPOSE AND DEFINITIONS"; INCORPORATING THE 2020 FIRE PROTECTION ASSESSMENT REPORT; APPROVING PRELIMINARY FIRE SERVICES ASSESSMENT RATES RELATING TO THE PROVISION OF FIRE PROTECTION SERVICES, FACILITIES AND PROGRAMS IN THE TOWN OF SOUTHWEST RANCHES, FLORIDA FOR FISCAL YEAR 2020-21; PROVIDING FOR THE IMPOSITION AND COMPUTATION OF FIRE PROTECTION ASSESSMENTS; PROVIDING FOR AN EXEMPTION FOR VETERANS WITH SERVICE-CONNECTED TOTAL AND PERMANENT DISABILITY; PROVIDING FOR LEGISLATIVE DETERMINATIONS OF SPECIAL BENEFIT AND FAIR APPORTIONMENT; ESTABLISHING THE PRELIMINARY RATES OF ASSESSMENT; DIRECTING THE PREPARATION OF A PRELIMINARY ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF MAILED AND PUBLISHED NOTICE THEREOF; AND PROVIDING AN EFFECTIVE DATE.

The following motion was made by Council Member Hartmann, seconded by Council Member Jablonski and passed by 5-0 roll call vote. The vote was as follows: Council Members Amundson, Hartmann, Jablonski, Vice Mayor Schroeder 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 INTERLOCAL AGREEMENT WITH BROWARD COUNTY PROVIDING FOR

THE PROVISION OF CARES ACT FUNDING TO OFFSET UNANTICIPATED EXPENDITURES ASSOCIATED WITH THE TOWNS EFFORTS IN RESPONDING TO THE COVID-19 PANDEMIC; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO EXECUTE THE INTERLOCAL AGREEMENT AND ANY AND ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE INTENT OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

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

MOTION: TO WITHDRAW THE ITEM.

13. Approval of Minutes

- a. **December 12, 2019 Workshop Meeting**
- b. **December 12, 2019 Regular Meeting**
- c. **February 13, 2020 Regular Meeting**
- d. **June 25, 2020 Regular Meeting**

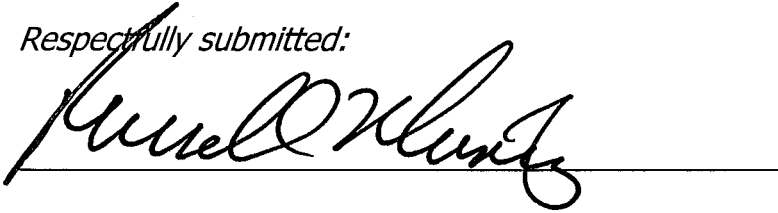
The following motion was made by Council Member Jablonski, seconded by Council Member Amundson and passed by 5-0 roll call vote. The vote was as follows: Council Members Amundson, Hartmann, Jablonski, Vice Mayor Schroeder and Mayor McKay voting Yes.

MOTION: TO APPROVE THE DECEMBER 12, 2019 WORKSHOP MEETING MINUTES AND THE DECEMBER 12, 2019, FEBRUARY 13, 2020 AND THE JUNE 25, 2020 REGULAR MEETING MINUTES.

14. Adjournment

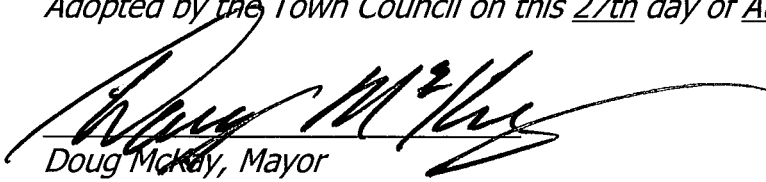
Meeting was adjourned at 9:25 p.m.

Respectfully submitted:



Russell Muñiz, Assistant Town Administrator/Town Clerk

Adopted by the Town Council on this 27th day of August 2020.



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.