

REGULAR MEETING MINUTES OF THE TOWN COUNCIL
Southwest Ranches, Florida

Thursday 7:00 PM

August 27, 2020

13400 Griffin Road

Present:

Mayor Doug McKay

Andrew Berns, Town Administrator

Vice Mayor 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 at 13400 Griffin Road in the Southwest Ranches Council Chambers. The meeting, having been properly noticed, was called to order by Mayor McKay at 7:04 PM. Attendance was noted by roll call and was followed by the Pledge of Allegiance.

Quasi-Judicial Hearings

3. Circle S Estates Plat

A RESOLUTION AND FINAL ORDER OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING APPLICATION NO. PL-54-20, THE CIRCLE S ESTATES PLAT, COMPRISING 42 SINGLE-FAMILY DWELLING LOTS ON 47.48 ACRES, GENERALLY LOCATED 500 FEET SOUTH OF GRIFFIN ROAD ON THE EAST SIDE OF SW 160TH AVENUE; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

Assistant Town Administrator/Town Clerk Muñiz read the item into the record and swore in the witnesses. Town Attorney Poliakoff asked the Town Council if any of them had any ex-parte communication to which Council Members Hartmann and Jablonski both stated they had. Mayor McKay, Vice Mayor Schroeder and Council Member Amundson stated they had not. Assistant Town Planner Jeff Katims read the staff report into the record which included a request from the Rural Arts and Design Advisory Board that the Developer meet with them regarding sign recommendations. Dennis Mele, on behalf of the applicant, narrated the PowerPoint presentation. Mr. Mele did concur with Assistant Town Planner Katims' recommendations. He addressed questions regarding construction water runoff and dirt/dust runoff as well by advising that along with a permit pulled from South Broward Drainage District (SBDD) a Stormwater Pollution Prevention Plan (SWIFT) will be obtained. These will be enforced locally by Broward County. Mr. Mele stated the applicant had no objections.

Next, Town Attorney Poliakoff asked the Town Council if they have any questions or concerns, before allowing the public to speak. Mayor McKay, Council Members Jablonski and Amundson had none. Council Member Hartmann was impressed by and thanked the applicant for respecting the rural nature of Southwest Ranches. He spoke on a couple of properties such as lots 28 and 17, that most of the property is taken up by FP&L Right of Way, which would not leave any room for

a barn. He asked if there are adjustments that can be made so every property can accommodate a barn, home addition or detached garage. Next, Council Member Hartmann spoke about the drainage for the South side of the development. He was concerned that since the drainage is gravity flow, some of the lots on the South side of the development will flood during a heavy storm or hurricane. He did not want the Town to be held responsible should that happen. Council Member Hartmann requested that some sort of outflow pipe or conveyance into the canal across the south property lines of lots 25, 26 & 27 be installed. Council Member Hartmann also requested that verbiage be added into the homeowner's association documents that the responsibility for maintaining the drainage system falls on them. That way if the property owner illegally fills in the drainage swales, the issues that result from the fill, such as flooding, become the homeowner's association's responsibility. Council Member Hartmann next asked if a couple of properties with unpaved driveways will be paved. He was concerned the unpaved driveways will wash away before the properties are developed, and are they individual driveways or do the homes share them? If they are a shared driveway and the homeowners decide to gate the properties across all two or three instead individually, that would be a violation of the Town's Code. Vice Mayor Schroeder agreed. Council Member Hartmann spoke on the fire wells. He stated the fire wells seem far apart, which could pose a problem during a fire emergency regarding hose length and reaching the fire. Council Member Hartmann then inquired about a "Public Right to Use" feature in the plans and he asked if it will be a private road with a public overlay. Town Attorney Poliakoff stated Council Member Hartmann was correct and in all the HOA's in the Town have privately maintained roads but the public has the full right of access to the roadways. Lastly, Council Member Hartmann spoke about a piece of Dykes Road just south of Griffin Road, that people use to make illegal U-turn. Those U-turns are wearing down both sides of Dykes Road. Council Member Hartmann is requesting some sort of solution to deter the illegal U-turns. Dennis Mele responded to Council Member Hartmann's concerns: 1) There would be a well on one side of the home and a septic tank on the other side. This would ensure the back yard of the properties would be for the enjoyment of the homeowner.

2) Mr. Mele agreed to the verbiage being included in the HOA documents assuming responsibility of the swales if the homeowner decides to illegally fill them in. 3) The flagged lots could not be gated near the street only at the edge of the drive closest to the home. Regarding the fire wells and the drainage and outflow, Mr. Mele asked if his client, James Wright of C.C. Homes, could answer since he is an engineer. Mr. Wright then introduced himself and affirmed he has been sworn in. Mr. Wright wanted to go back to the flagged lots. He stated each flagged lot driveway only serves one lot behind it, meaning the two flagged lots Council Member Hartmann mentioned, are not shared by multiple lot owners. Next Mr. Wright addressed the fire wells. He stated the separation of the fire wells are based on the NFPA (National Fire Protection Association) standards. The Town of Davie reviewed them. Each lot was studied along with the distance between lots to the proposed fire well hydrants. A flow test was run on the existing hydrant on Dykes Road in front of the proposed development to estimate what the flows will be and will follow up again after the new fire well hydrants are installed. A report will then be submitted to the Davie Fire Department for review to confirm the flow will be enough. Next, Mr. Wright addressed the drainage and outflow question. Mr. Wright stated the drainage pipes at their smallest are 6 and 12 inches, however by the time you get to the outfall heading East, the pipes are 48 inches. Lastly Mr. Wright stated he had no objection to a raised median to deter illegal U-turns, however it is subject to the review of the Broward County Engineering Department. Vice Mayor Schroeder asked

about the homeowners on the opposite side of the road who will then have cars turning into their driveways to turn around which will then affect their properties. She stated she didn't think a raised median will fix the issue. Mr. Wright stated that would be something he could review with the Town Engineer and maybe the pavement could be expanded at the entrance of the development to allow for a U-turn. Council Member Hartmann agreed with the compromise. Council Member Amundson wondered how you stop someone from making illegal U-turns if they are determined to do so and were there any other areas in the Town that had this same issue. Council Member Jablonski stated Griffin Road had issues and some U-turns are permitted and some are not. After a few minutes of further discussion Town Attorney Poliakoff asked the Town Council if they had any more comments. Council Member Hartmann stated he was still concerned about the properties on the south side. He asked if it was possible to put a berm to avoid encroachment or possibly run a short pipe down the property line similar to what's on Lot's 37 and 38. Mr. Wright stated they would not object, after meeting with the South Broward Drainage District and the Town, to a condition where on the south side of Lot's 25, 26 and 27 a berm or yard drainage would be added. Council Member Hartmann stated if he had a choice a pipe would be better as berms disappear over time. Mayor McKay asked if the footprint size of the lots is 10 or 20 percent to which Town Attorney Poliakoff answered 20 percent.

Town Attorney Poliakoff turned the floor back over to Assistant Town Planner Katims and Mr. Mele for closing comments.

Assistant Town Planner Katims stated Dykes Road will not be widened. It will remain a two-lane road.

Mr. Mele addressed the concerns raised during the public comment section of the proceeding. He stated he was aware of the concerns of the residents regarding animals, standard pole barns and small businesses. He stated that every one of the properties in the development can house a standard pole barn. He also stated there won't be any additional restrictions other than what the Town's Code reads regarding animals and small businesses. The community won't be gated, there won't be any streetlights or curbs. He felt the discussion about drainage went very well and if further issues arise, he felt his client would remain flexible regarding changes.

Town Attorney Poliakoff turned the floor back to the Town Council for discussion.

Mayor McKay asked if the zoning and land use had ever changed for this property and Town Attorney Poliakoff stated it had not. Assistant Town Planner Katims clarified the property in question had been designated for one unit to the acre since before the Town was incorporated.

Vice Mayor Schroeder reiterated the item the Town Council was voting on was not about whether they would allow the project to move forward, but whether the project meets the code. Vice Mayor Schroeder would like in writing that Dykes Road will not in any way be impacted once the project is completed and beyond because there will be a lot more traffic in the future.

Council Member Hartmann mentioned lot numbers 17 and 28 do not look like they could fit a barn on the property. He asked if Town Staff could review the plans to make sure every one of the lots

can house a three-stall barn. Vice Mayor Schroeder stated the Town has a rule about owning one large animal and not requiring a barn. Council Member Hartmann asked Assistant Town Planner Katims what number of livestock per acre is allowed for in the Code. Assistant Town Planner Katims stated he would find out.

Council Member Jablonski piggybacked on Vice Mayor Schroeder's comments regarding Dykes Road and not expanding. He asked Assistant Planner Katims if there was already something in writing stating that this project will not trigger an expansion of Dykes Road to which Assistant Town Planner Katims affirmed. Assistant Town Planner Katims stated the Town Council could even add conditions. Town Attorney Poliakoff clarified by stating, "In the event that this development triggers the expansion of Dykes Road, this project would need to come back before the Town Council for further approval". Vice Mayor Schroeder voiced her approval of the statement. Council Member Hartmann added he would like a symbol added to show each property can sustain a three-stall barn.

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

MOTION: TO APPROVE THE RESOLUTION WITH THE FOLLOWING CONDITIONS: IN THE EVENT THE DEVELOPMENT TRIGGERS THE EXPANSION OF DYKES ROAD, THE PROJECT NEEDS TO GO BEFORE THE TOWN COUNCIL FOR FURTHER APPROVAL, THE DEVELOPMENT SIGNAGE NEEDS TO GO BEFORE THE RURAL PUBLIC ARTS AND DESIGN BOARD FOR REVIEW, AND DENNIS MELE'S CONDITIONS CONCERNING THE HOA BE INCLUDED IN THE RESOLUTION ALONG WITH THE OTHER STAFF CONDITIONS THAT ARE LISTED WITHIN THE RESOLUTION AS DRAFTED.

4. Circle S Estates Site Plan

A RESOLUTION AND FINAL ORDER OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING APPLICATION NO. SP-76-20, THE CIRCLE S ESTATES SITE PLAN FOR 42 SINGLE FAMILY DWELLINGS ON 47.48 ACRES, GENERALLY LOCATED 500 FEET SOUTH OF GRIFFIN ROAD ON THE EAST SIDE OF SW 160TH AVENUE; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

Assistant Town Administrator/Town Clerk Muñiz read the item into the record and swore in the witnesses. Town Attorney Poliakoff asked the Town Council if any of them have had any ex-parte communication to which Council Members Hartmann and Jablonski both stated they had. Mayor McKay, Vice Mayor Schroeder and Council Member Amundson stated they had not. Assistant Town Planner Katims read the staff report into the record. Mr. Mele, on behalf of the applicant, narrated the PowerPoint presentation. Mr. Mele did concur with Assistant Town Planner Katims' recommendations and he stated the applicant didn't have any objections.

The following motion was made by Council Member Hartmann and seconded by Council Member Jablonski and passed by a 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.

5. Public Comment

The following members of the public addresses the Town Council: Steve Breitzkreuz, David Kuczenski, Jim Laskey, Jim Allbritton, Debbie Iten and Newell Hollingsworth.

6. Board Reports

There were no board reports.

7. Council Member Comments

Council Member Jablonski reminded the residents about the "Farms and Barns" photo contest deadline, "Hazmat at the Barn" which includes shredding and Town Hall closure for Labor Day. Next, Council Member Jablonski spoke about an email regarding a request from Madison Sullivan to be the Town's youth ambassador to help guide the young people of the Town. He then brought Madison forward via ZOOM to present her PowerPoint presentation. Mayor McKay asked for guidance from Town Attorney Poliakoff who then explained Madison is asking for the Town Council's consent. Then Administration can provide what Madison needs to move forward. Council Member Jablonski voiced his support. Council Member Hartmann liked the idea as well. He asked what kind of staff support the Town would be responsible for to which Town Administrator Berns stated he thought it would be appropriate to treat youth group similar to an advisory board which has both a staff and Council Liaison. Vice Mayor Schroeder, Council Member Amundson and Mayor McKay all voiced their approval.

Vice Mayor Schroeder spoke about how excited she was to have spoken to the Town residents. She stated she was looking forward to the election. She also responded to a comment made about leadership and how she felt the entire Town Council has been displaying outstanding leadership to the Town. She can't wait until the Council can meet in person and everything can go back to normal.

Council Member Amundson pointed out that she speaks as a representative to the people of the Town, she listens to all sides of an issue and if she needs more information, she will ask. She will always do her very best. She appreciates everybody that tuned into the Zoom meeting.

Council Member Hartmann had no comments.

Mayor McKay wished everybody to stay safe and be careful. He appreciates everyone's input and to call him if anyone needs anything. He looks forward to seeing everyone in person.

8. Legal Comments

Town Attorney Poliakoff had no comments.

9. Administration Comments

Town Administrator Berns stated the Town of Davie had invited him to participate in the Police Chief selection. ZOOM is making some changes to their virtual meeting platform and that information will be shared once it has been received. Town Administrator Berns provided a COVID-19 update. At the last meeting there were 162 people in Southwest Ranches that tested positive and at this meeting there are now 191 positive test results. He also provided some information he received during a City Managers' Zoom meeting. He stated Broward County felt they moved too quickly when reopening which resulted in a backslide and increasing positive test results. Town Administrator Berns stated Broward County will be more gradual when reopening the County.

Resolutions

10. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AUTHORIZING THE TOWN TO PIGGYBACK OFF AN AGREEMENT WITH ADVANCED DATA SOLUTIONS, INC. (ADS) FOR THE CONVERSION OF ARCHITECTURAL DRAWINGS, PERMIT RECORDS AND OTHER OFFICIAL TOWN DOCUMENTS; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO EXECUTE A PURCHASE ORDER NOT TO EXCEED TWELVE THOUSAND DOLLARS AND ZERO CENTS (\$12,000.00); AND PROVIDING AN EFFECTIVE DATE.

The following motion was made by Council Member Hartman, seconded by Council Member Jablonski and passed by a 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. Approval of Minutes

a. July 30, 2020 Regular Meeting

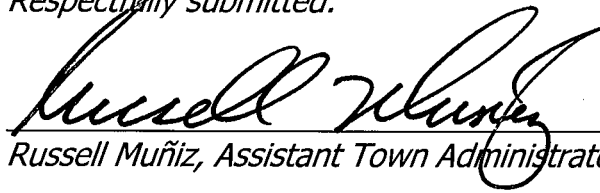
The following motion was made by Council Member Jablonski, seconded by Council Member Hartmann and passed by a 5-0 roll call vote. The vote was as follows: Council Members Amundson, Hartmann, Jablonski, Vice Mayor Schroeder and Mayor McKay voting Yes.

MOTION: TO APPROVE THE JULY 20, 2020 REGULAR MEETING MINUTES.

12. Adjournment

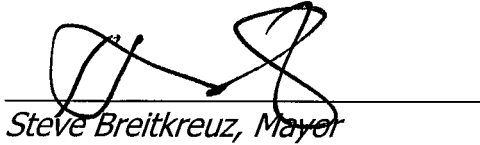
Meeting was adjourned at 9:25 p.m.

Respectfully submitted:



Russell Muñiz, Assistant Town Administrator/Town Clerk

Adopted by the Town Council on this day of January 28, 2021.



Steve Breitkreuz, 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.