

REGULAR MEETING MINUTES OF THE TOWN COUNCIL
Southwest Ranches, Florida

Thursday 7:00 PM

March 12, 2020

13400 Griffin Road

Present:

Mayor Doug McKay

Andrew Berns, Town Administrator

Council Member Delsa Amundson

Russell Muñiz, Assistant Town Administrator/Town Clerk

Council Member Bob Hartmann

Martin D. Sherwood, Town Financial Administrator

Council Member Gary Jablonski

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 Hartmann and seconded by Council Member Jablonski and passed by a 4-0 roll call vote. The vote was as follows: Council Members Amundson, Hartmann, Jablonski and Mayor McKay voting Yes.

MOTION: TO EXCUSE THE ABSENCE OF VICE MAYOR SCHROEDER.

Town Administrator Berns and the Town Council discussed postponing Town events, such as the 40th Birthday Party, Advisory Board meetings and Town Council Meetings. They agreed to postponing Town events and Advisory Board meetings until further notice. They also agreed to cancel the upcoming Town Council Meeting on March 26, 2020.

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

MOTION: TO CANCEL THE MARCH 26, 2020 TOWN COUNCIL MEETING.

3. Public Comment

The following members of the public addressed the Town Council: A representative from Jen Perlman's campaign team, David Kuczenski, Richard Bryan, George Cailis, John Eastman, Anna Koldys and Jim Laskey.

4. Board Reports

There were no board reports.

5. Council Member Comments

Council Member Jablonski reminded the public about the upcoming Household Hazardous Waste event on March 14th. He also offered a simple and economical solution to keep hands sanitized, by adding a 4 teaspoons of household bleach to a quart of water, then dip hands in the water and

let air dry. This will clean hands and because of the bleach smell, no one will touch their face. He also addressed the comments on speeding, by advising there are Traffic Enforcement hotspots around the Town to enforce the speed limits and ticket the offenders.

Council Member Bob Hartmann asked Town Attorney Poliakoff to address the public comment regarding the Town taking a resident's property. Town Attorney Poliakoff advised Council member Hartmann that is not what's happening. The Town isn't taking anybody's property. Council Member Hartmann advised the public to do what is best for them and the Council will do what is best for the Town.

Council Member Amundson offered no comments.

Mayor McKay thanked everyone for coming out to the Council meeting, especially during this trying time. He advised the Town is following the Government, the State and the County for all updates regarding the Coronavirus. The Town will follow their lead and do what's best for the Town. He advised the Town is available for any questions the public may have.

Council Member Amundson then advised mayor McKay he did wish to speak. She wanted to reiterate to the public, if they have any problems, please contact her and she will do what she can to answer any questions.

6. Legal Comments

Town Attorney Poliakoff spoke on the fact that cancelling a Town Council meeting is a very difficult decision due to the public input and transparency. Town Attorney Poliakoff commended the School Education and Advisory Board on their hard work regarding the Barn Dance that was held on March 7, 2020. He stated it was a sensational event and he was outbid on all the items he offered for, which is very good news for the Board.

Town Attorney Poliakoff addressed the fact that even though the Advisory Boards were temporarily postponed until further notice, the Fire Assessment Board may have to meet due to strict deadlines. He also explained to the public they have due process rights, the right to be heard at a meeting; however, if a member of the public is afraid to attend a meeting for fear of catching a life threatening illness, then that individual's due process rights are technically being taken away. Therefore, the public is seeing so many municipalities cancelling meetings so that no resident can feel like they had no opportunity to be heard.

Town Attorney Poliakoff also mentioned the Senate adopted its final bill on the budget, which will go to the Governor, the Town has \$850,000.00 in both the Senate and the House budgets this year. The Town has the Drainage Improvement project, the Guardrail project and the Fire Station/EOC project for the western part of Southwest Ranches. The Attorney's office is working hard to get that signed by the Governor. There is also Bill language that is headed to the Senate Floor on regarding annexation that will be good for the future of the Town. Town Attorney Poliakoff feels very confident that it will get approved this year. This is the first interim step of getting something directly into the Florida Statutes to prevent a Municipality from de-annexing another Municipality.

Town Attorney Poliakoff also addressed the term "adverse possession" which is almost impossible to achieve in Florida.

Lastly, Town Attorney Poliakoff addressed an instance of one of the Advisory Board Members became averse to the Town. An attorney on one of the Boards is also representing a client in a situation averse to the Town. He stated that if you are a Board member, you are basically working for a Municipality, you cannot be averse to the Municipality. He suggested to the board that they may want to enact a policy that states, "If you serve on an Advisory Board for the Town, you cannot take on clients that are averse to the Town".

7. Town Administrator Comments

Town Administrator Berns addressed the public regarding a comment made on Social Media about the hazardous household waste event on March 14th and how it will work. It is not a mass gathering of people. The residents pull up, drop off and leave. It is at no cost to the residents and a benefit to the community on a whole. The shredding portion of the event was funded by the Town, but it was well received by the residents, however, the vendor the Town has been using has been unable to provide continuous service to the Town. Town Administrator Berns explained for the March 14th event, there will only be hazardous household waste collection and the Town is working through the procurement process to put a new shredding vendor in place.

Resolutions

8. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA APPROVING THE FOURTH MODIFICATION TO THE AGREEMENT WITH SUPERIOR TOWING COMPANY FOR TOWN-WIDE WRECKER AND TOWING SERVICES; APPROVING AN ADDITIONAL FIVE (5) YEAR TERM WITH AN OPTIONAL FIVE (5) YEAR RENEWAL TERM AT AN INCREASED FRANCHISE FEE RATE EQUAL TO SEVENTEEN PERCENT (17%) OF EACH TOW, AS FULLY DESCRIBED WITHIN THE ORIGINAL AGREEMENT; CORRECTING NOTICE; AND PROVIDING AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE RESOLUTION.

9. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA APPROVING THE FIRST AMENDMENT TO THE REGIONAL INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY AND THE TOWN OF SOUTHWEST RANCHES PROVIDING FOR COOPERATIVE PARTICIPATION IN A REGIONAL PUBLIC SAFETY INTRANET; AUTHORIZING EXECUTION; AND PROVING AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE RESOLUTION.

Approval of Minutes

- a. January 9, 2020 – Regular Meeting
- b. February 13, 2020 – Regular meeting
- c. February 27, 2020 – Regular Meeting

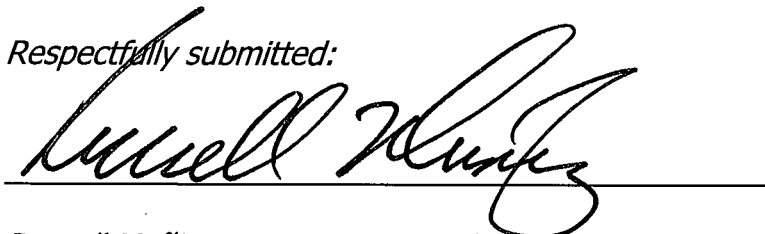
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MOTION: TO APPROVE THE MINUTES.

10. Adjournment

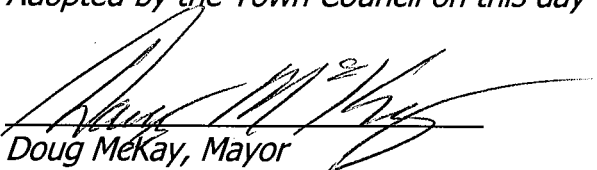
Meeting was adjourned at 7:50 p.m.

Respectfully submitted:



Russell Muñiz, Assistant Town Administrator/Town Clerk

Adopted by the Town Council on this day of April 9, 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.