

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

Thursday 7:00 PM

February 25, 2021

13400 Griffin Road

Present:

Mayor Steve Breitkreuz	Andrew Berns, Town Administrator
Vice Mayor Bob Hartmann	Russell Muñiz, Assistant Town Administrator/Town Clerk
Council Member Jim Allbritton	Martin D. Sherwood, Town Financial Administrator
Council Member Gary Jablonski	Keith Poliakoff, Town Attorney
Council Member David S. Kuczenski	

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 Breitkreuz at 7:05 PM. Attendance was noted by roll call and was followed by the Pledge of Allegiance.

Quasi-Judicial Hearings

**3.** A RESOLUTION AND FINAL ORDER OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING WAIVER OF PLAT APPLICATION NO. WP-27-20 TO SUBDIVIDE 4.42 NET ACRES OF PROPERTY INTO TWO LOTS OF 2.0 AND 2.42 ACRES; GENERALLY LOCATED AT THE NORTHWEST CORNER OF THE MUSTANG AND APPALOOSA TRAILS INTERSECTION; LEGALLY DESCRIBED AS THE SOUTH HALF OF TRACT 37, LESS THE SOUTH 40 FEET AND LESS THE EAST 20 FEET THEREOF, SECTION 2, TOWNSHIP 51 SOUTH, RANGE 40 EAST OF THE EVERGLADES SUGAR AND LAND CO. SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 39 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, SAID LANDS LYING AND BEING SITUATE IN 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. {Tabled from February 11, 2021}

The following motion was made by Council Member Jablonski, seconded by Council Member Kuczenski and passed by a 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Jablonski, Kuczenski, Vice Mayor Hartmann and Mayor Breitkreuz voting yes.

**MOTION: TO APPROVE THE RESOLUTION SUBJECT TO "OPTION A" WHEREIN THE APPLICANT AGREES TO THE FOLOWING STIPULATIONS: THAT THE OUT BUILDING WILL NOT BE REBUILT IF DAMAGED OR DESTROYED UNLESS IN CONFORMANCE WITH THE 25 FOOT SETBACK REQUIREMENTS AND SHOULD THE PROPERTY LOSE THE AGRICULTURAL CLASSIFICATION BOTH THE OUT BUILDING AND THE SMALLER ONE TO THE SOUTH WILL IMMEDIATELY BE BROUGHT INTO COMPLIANCE WITH ALL ZONING REQUIREMENTS.**

**4. A RESOLUTION AND FINAL ORDER OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING APPLICATION NO. PL-55-20, THE ASAD RESIDENCE PLAT, COMPRISING 1 SINGLE-FAMILY DWELLING LOT ON 4.59 ACRES; GENERALLY LOCATED ON THE NORTH SIDE OF STIRLING ROAD APPROXIMATELY 500 FEET EAST OF HOLATEE TRAIL; 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.**

The following motion was made by Council Member Jablonski, seconded by Council Member Kuczenski and passed by a 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Jablonski, Kuczenski, Vice Mayor Hartmann and Mayor Breitreuz voting yes.

**MOTION: TO APPROVE THE RESOLUTION.**

**5. Public Comment**

The following member of the public addressed the Town Council: George Cailis.

**6. Board Reports**

Rose Allbritton, representing the Rural Public Arts Board, made a request of \$5,000 for a mural painting at Founder's Park.

George Morris, Chair of the Drainage and Infrastructure Advisory Board, spoke about the Stormwater Planning Workshop that was held earlier in the evening. He thanked Public Works Director Rod Ley and his staff for organizing the workshop and felt that he learned some great information. He also mentioned that the Aster Knight Parks Foundation, of which he is a member, is seeking to hold a carnival next year to raise funds for our parks at the Rolling Oaks Barn.

Jason Halberg, Chair of the Comprehensive Plan Advisory Board advised that the Board was working on a proposal that would require new residential developments to set aside a certain amount of land for horses and barns. He asked that a workshop with the Town Council be set so that guidance could be given. He also advised that the Board was working on a proposal to amend the language in the Unified Land Development Code (ULDC) to restrict certain changes in the Town's zoning districts. The proposal would require that any rezoning of a property could only be rezoned to the least dense zoning contiguous to it.

Debbie Green, the Schools and Education Advisory Board Treasurer spoke about the success of the Flaming Flocking Campaign for the Town Scholarship Fund.

**7. Council Member Comments**

Council Member Kuczenski, responding to the concerns raised by Rural Public Arts Board Member Rose Allbritton made the following motion.

The following motion was made by Council Member Kuczenski, seconded by Council Member Jablonski and passed by a 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Jablonski, Kuczenski, Vice Mayor Hartmann and Mayor Breitreuz voting yes.

**MOTION: TO ALLOCATE \$5,000 FOR COSTS ASSOCIATED WITH PAINTING A MURAL AT FOUNDER'S PARK.**

After further discussion the following motion was made:

The following motion was made by Council Member Kuczenski, seconded by Council Member Jablonski and passed by a 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Jablonski, Kuczenski, Vice Mayor Hartmann and Mayor Breitzkreuz voting yes.

**MOTION: TO PLACE THIS ITEM AS A DISCUSSION ITEM ON THE MARCH 11, 2021 MEETING.**

Council Member Jablonski advised that the License Plate Reader (LPR) cameras at Rolling Oaks would be operational in March. He also asked that staff provide an update on the COVID-19 testing that was scheduled for March 11-13<sup>th</sup> at Rolling Oaks Park. He advised that a shoe donation collection box had been set out in front of Town Hall in support of National Shoe Day. He advised that a new Rolling Oaks sign was erected to replace one that was damaged from a car accident. He further advised that he visited the property of George Cailis and was working on examining potential solutions to the situation he is experiencing with his neighbor.

Council Member Allbritton spoke about the new radar units that were acquired for use by Davie Police and already noticed increased Davie Police activity writing tickets throughout the Town. He felt that the speeding behavior is responding to the increased enforcement. He advised that he still had some signs available for purchase if anybody wanted any.

Vice Mayor Hartmann spoke about the Quasi-Judicial portion of Town Council meetings. He advised that the Town Council essentially serves as a judge and must consider evidence presented before making a decision. What was important to note was that projects needed to be considered on the evidence presented and the Town had little discretion in denying the request if it met the Code without risking a lawsuit. He indicated his favor of the new Rolling Oaks sign and would like to see one acquired for Country Estates. He also indicated that he noticed an increased Davie Police traffic enforcement. Lastly, he indicated his support of the Town Carnival idea suggested during Board reports.

Mayor Breitzkreuz also spoke about the stepped-up traffic enforcement and felt this was possible because of the acquisition of the new laser units. He recognized Public Works Director Ley and Community Services Manager Emily Aceti for their efforts regarding the Stormwater Planning Workshop. He felt it was informative, and it was great that the Town's partners were part of it and provided great information to the residents. He urged residents to complete the survey that they will find in this month's newsletter. He advised them that the responses will help formulate data that may identify Town trends on various subjects which would help the Town Council best represent the Town. He thanked Mr. Cailis for keeping the Town informed on the ongoing issues with his neighbor. He also spoke about the proposal to hold a Town Carnival. While he supported the concept, he wanted more information as he was concerned about the noise for the

surrounding neighbors. Lastly, he advised that he and a several other Council Members would be at the CC Homes site on Saturday morning February 27<sup>th</sup> to tour the former Sessa property to see if there were any artifacts that could be preserved for posterity.

## **8. Legal Comments**

Town Attorney Poliakoff advised that Pembroke Pines won an appeal against Core Civic Group, based on an Equal Protections claim. He assured the Town Council this had no bearing on the Town's case against Pembroke Pines as our case did not have an Equal Protections claim. He also spoke of a phone conversation had by Town Administrator Berns with the senator sponsoring Senate Bill 88 in the Florida Legislature. The bill concerns agritourism and parties within communities. He has drafted amending language that he has sent to the Florida Legislature so that it has less impact on the Town.

## **9. Administration Comments**

Town Administrator Berns also spoke about his discussion with Senator Brodeur regarding SB 88. He congratulated Public Works Director Ley and Community Services Manager Aceti on the successful workshop held earlier in the meeting. He indicated that a collection box was being set out in front of Town Hall for the Community Survey. He advised that Davie Police had expressed a desire to do some training at the CC Homes site before the structures are demolished. Lastly, he advised that the Town planned to bring a resolution to purchase 3 radar units for traffic enforcement by Davie Police. He asked Assistant Town Administrator/Town Clerk Muñiz to speak about the COVID-19 testing and the shoe Drive.

Assistant Town Administrator/Town Clerk Muñiz advised that the testing would take place at the Rolling Oaks Barn on March 11<sup>th</sup> through the 13<sup>th</sup>. Antibody and COVID-19 testing would be offered, as well as pre-registration for the vaccine once it becomes available. He advised that in partnership with the Village of Bal Harbour, the Town of Miami Lakes, and the students of Archbishop McCarty in a shoe drive benefiting Camillus House to assist the homeless shelters in Miami.

## **Ordinance – 1<sup>st</sup> Reading**

**10. AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, CONCERNING WATER PROTECTION AND CONSERVATION; PROVIDING FOR LANDSCAPE IRRIGATION RESTRICTIONS AND EXEMPTIONS; PROVIDING FOR ENFORCEMENT AND PENALTIES; PROVIDING FOR ADMINISTRATIVE VARIANCE RELIEF; PROVIDING FOR CODIFICATION; PROVIDING FOR THE REPEAL OF ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

The following motion was made by Council Member Jablonski, seconded by Vice Mayor Hartmann and passed by a 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Jablonski, Kuczenski, Vice Mayor Hartmann and Mayor Breitkreuz voting yes.

**MOTION: TO APPROVE THE ORDINANCE ON FIRST READING.**

## **Resolutions**

**11.** A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING A PURCHASE ORDER PIGGYBACKING OFF OF THE CITY OF FORT LAUDERDALE’S AGREEMENT WITH E-SCIENCES INCORPORATED FOR ENVIRONMENTAL PERMITTING SERVICES IN THE AMOUNT OF TWENTY-ONE THOUSAND SIX HUNDRED FORTY DOLLARS AND ZERO CENTS (\$21,640.00) FOR THE TOWN’S ANNUAL REPORT REQUIRED BY THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) PERMIT NUMBER FLS000016-004; AUTHORIZING THE TOWN ADMINISTRATOR TO EXECUTE THE PURCHASE ORDER; AND PROVIDING AN EFFECTIVE DATE.

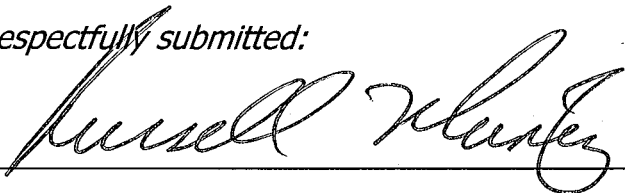
The following motion was made by Council Member Jablonski, seconded by Council Member Allbritton and passed by a 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Jablonski, Kuczenski, Vice Mayor Hartmann and Mayor Breitkreuz voting yes.

**MOTION: TO APPROVE THE RESOLUTION.**

**12. Adjournment**

Meeting was adjourned at 8:42 p.m.

*Respectfully submitted:*



*Russell Muñiz, Assistant Town Administrator/Town Clerk*

*Adopted by the Town Council on this day of March 25, 2021*



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.