

REGULAR MEETING MINUTES OF THE TOWN COUNCIL
Southwest Ranches, Florida

Thursday 7:00 PM

May 27, 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 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 7:02 PM. Attendance was noted by roll call and was followed by the Pledge of Allegiance.

3. Update from Marty Kiar, Broward County Property Appraiser

Broward County Property Appraiser Marty Kiar provided an overview of the function of his office which includes determining the value of every piece of property in Broward County, provide tax saving exemptions and crack down on fraudulent exemptions. He also wanted to update the residents of a new program called "Owner Alert" designed to protect them from title fraud.

Quasi-Judicial Hearings

4. Resolution Approving the Canal Drive Ranch Plat

A RESOLUTION AND FINAL ORDER OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING APPLICATION NO. PL-56-20, THE CANAL DRIVE RANCH PLAT, COMPRISING FOUR SINGLE-FAMILY DWELLING LOTS ON 9.59 GROSS ACRES; GENERALLY LOCATED ON THE NORTH SIDE OF SW 50TH STREET, 700 FEET WEST OF MATHER BOULEVARD; 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.

Deputy Town Clerk Ruesga read the item in the record and swore in the witnesses. Town Attorney Poliakoff explained the procedures and asked the Town Council if they had any ex-parte communication regarding the item. All Council Members stated they did not. Assistant Town Planner Jeff Katims read the staff report into the record and Town Attorney Poliakoff asked the Town Council if they had questions. Council Member Allbritton asked for an explanation of a shared driveway. Council Member Kuczenski wanted to make sure there is enough land space in case future landowners wanted to build a barn. Assistant Town Planner Katims advised each property has at least 2 net acres each and should be able to utilize the land for agricultural use. Town Attorney Poliakoff called on the applicant to either present her report or stipulate to the staff report read into record by Assistant Town Planner Katims. The applicant stated she had no other presentation and agreed with the Town's staff report. The Town Council had no questions for the applicant and the floor was opened for public comment. There was one speaker and then public comment was closed. Assistant Town Administrator/Town Clerk Muñiz advised he had received

an email question from the public and Town Attorney Poliakoff asked the applicant to answer the question. Town Attorney Poliakoff then turned the item over to the Town Council for further discussion or deliberation.

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

MOTION: TO APPROVE THE RESOLUTION.

5. Public Comment

The following members of the public addressed the Town Council: Jim Laskey, George Cailis, Marianne Allen and Fred Cox.

6. Board Reports

Jason Halberg, Chair of the Comprehensive Plan Advisory Board, advised the Town Council they are continuing to work on the Nursery Ordinance and getting lots of feedback from the residents of the Town.

7. Council Member Comments

Council Member Jablonski updated the residents of upcoming events, such as Town Hall closure in observance of Memorial Day and the July 13th First Responder photo shoot. Next, Council Member Jablonski spoke about making Mary Gay Chaples an honorary board member to the Parks, Recreation, Forestry and Natural Resources Advisory Board.

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

MOTION: TO APPOINT MARY GAY CHAPLES TO THE PARKS, RECREATION, FORESTRY AND NATURAL RESOURCES ADVISORY BOARD AS AN HONORARY ALTERNATE MEMBER, WHICH WILL ALLOW HER TO VOTE IF NEEDED.

Vice Mayor Hartmann clarified the July 13th First Responder photo shoot and who would be included. He stated frontline workers such as nurses, doctors, healthcare providers and administrators are also invited. Next Vice Mayor Hartmann congratulated Madison Sullivan for her receipt of the Silver Knight Award. Vice Mayor Hartmann spoke about the nursery ordinance and that some of the content doesn't belong in it, such as the landscape maintenance company and horse trailers language. He feels those items should be separated from the nursery ordinance. He is concerned by the number of landscape companies and trucks that drive in and out of Southwest Ranches. Mayor Breitzkreuz feels the language needs to be taken care of now, while the nursery ordinance is in the hands of the Comprehensive Plan Advisory Board. Council Member Allbritton asked if the landscape language was removed from the nursery ordinance, would a separate ordinance be created for that and Vice Mayor Hartmann indicated he wasn't sure but wanted to complete the nursery ordinance first then tackle the landscape portion that was pulled from it.

Council Members Jablonski and Kuczenski indicated they would like to see the information in writing of what would be removed regarding landscaping to fully understand what Vice Mayor Hartmann is proposing. Vice Mayor Hartmann stated he thinks the Council should move ahead with what's in the current nursery ordinance and after, have a discussion and possibly make a change then. Mayor Breitreuz agreed.

Council Member Kuczenski reminded the residents of the upcoming Memorial Day holiday and to not forget the 640 acres of Arlington Cemetery where the heroes that gave their lives for the freedoms of the people. He next spoke on the 8% revenue increase and where it came from. He was not happy to see his property and his Town's property taxes increasing and he would like to something done going forward. Council Member Kuczenski spoke on the stump grinding issue raised by a resident and helping Mr. Cailis with his issue as well. Council Member Kuczenski also inquired about the progress being made with the Town's website redesign, and an update on the TSDOR program. Finally, he wished a few residents happy birthday and provided updates on the adopted legislature.

Council Member Allbritton spoke about looking forward to the June 10, 2021 Town Council Meeting that will meet in person. He is happy about the Davie Police Department writing traffic tickets and keeping the Town safe.

Mayor Breitreuz congratulated Bob and Judi Parker on 47 years of marriage. He wished Savannah Hodgers and Chris Brownlow a happy birthday and congratulated Madison Sullivan on receiving the Silver Knight award. Mayor Breitreuz spoke on the upcoming Memorial Day holiday and the reason it is celebrated. He thanked those that gave their lives for our freedoms. He spoke on the stump grinding issue that was raised and clarified if stump grinding or a mulching operation is illegal to which Town Attorney Poliakoff advised mulching operations are illegal in the Town. Mayor Breitreuz also addressed Mr. Cailis and asked that he keep reminding the Town Council of his issue. He next spoke on the Fire Assessment issues. He wanted to remind the Town as soon as he became Mayor, he started working on the outstanding issues that had to do with some agricultural properties and he thanked the residents for their support. He is still concerned the Town's fire fee is very high and maybe the way to go is place a cap on the fees. He wasn't sure if it could even be done and to have a discussion during the 2020 budget meetings. Council Member Jablonski mentioned once the Town Council gets hard data in, to hold a workshop and discuss options. Mayor Breitreuz asked Town Financial Administrator Sherwood when the data would be available to which he replied a couple of weeks. Mayor Breitreuz asked if the Town could get its consultant, Munilytics, to come in and give a presentation of the updated data. Town Administrator Berns, advised the June 10, 2021 Town Council meeting would be light and that would be the most feasible. Mayor Breitreuz spoke about homes on 188th that are on builders' acres and are what are know as illegally non-conforming use. He stated one of the residents wants to build an addition, but they are situated just outside of the 50-foot setback. He wanted to have a discussion on it at a later date. Whatever would be decided for the one home would have to be permitted for the rest of the homes, called an overlay. Council Member Jablonski would be happier with the homeowners applying for special variances. Lastly Mayor Breitreuz advised the June 10, 2021 Town Council meeting will be in person and he is very excited.

8. Legal Comments

Town Attorney Poliakoff advised the residents the State of Florida has mandated all meetings must be held in person starting July 1, 2021. He also congratulated Madison Sullivan as the first West Broward student to receive the Silver Knight award.

9. Administration Comments

Town Administrator Berns echoed the sentiments of the Town Council and Town Attorney by wishing the previously mentioned residents' happy birthday, happy anniversary and congratulations. He stated the two meetings in June, (June 10 and June 24, 2021) would be in hybrid format with a limited seating capacity in the council chambers. Next he advised advisory boards can meet in the council chambers in order to spread out. The goal is to limit capacity and maintain social distancing. Town Hall will also be opened to the public starting on June 7, 2021 from the hours of 8:30 to noon and then extend to full hours shortly thereafter. Town Administrator Berns answered questions raised by the Town Council and advised we received 110 responses to the Town survey and the results will be supplied to the Town Council once it has been disseminated. Town Administrator Berns turned the floor over to Assistant Town Administrator Muñiz to update the Town Council on the progress of the license plate reader cameras.

Assistant Town Administrator Muñiz, provided an update to the license plate reader project which included a presentation.

Ordinance – 2nd Reading

10. AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING ARTICLE 130, "ZONING MAP AMENDMENTS," OF THE TOWN OF SOUTHWEST RANCHED UNIFIED LAND DEVELOPMENT CODE ("ULDC") TO MODIFY THE CONSIDERATIONS FOR ZONING REQUESTS AND MAKE REVISIONS OF A HOUSEKEEPING NATURE; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (TABLED FROM May 13, 2021) {approved on First Reading – April 22, 2021}

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

MOTION: TO APPROVE THE ORDINANCE ON SECOND READING.

11. AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE TEN-YEAR WATER SUPPLY FACILITIES WORK PLAN ("WSFWP") AND ADOPTING IMPLEMENTING AMENDMENTS TO THE GOALS, OBJECTIVES AND POLICIES OF THE UTILITIES ELEMENT AND CAPITAL IMPROVEMENTS ELEMENT OF THE TOWN OF SOUTHWEST RANCHES COMPREHENSIVE PLAN; AUTHORIZING TRANSMITTAL OF THE TEN-YEAR WSFWP AND RELATED COMPREHENSIVE PLAN AMENDMENTS TO REVIEWING AGENCIES; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE. (APPLICATION NO. PA-20-3) {Approved on First Reading - January 28, 2021}

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

MOTION: TO TABLE SECOND READING OF THE ORDINANCE TO THE JULY 29, 2021 TOWN COUNCIL MEETING.

Resolutions

12. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING A PHASING AGREEMENT FOR APPLICATION NO. SP-72-18 BY ARCHBISHOP EDWARD A. MCCARTHY HIGH SCHOOL TO AMEND ITS SITE PLAN BY REPLACING ITS EXISTING 5,820 SQUARE FEET OF MODULAR CLASSROOMS WITH 18,552 SQUARE FEET OF NEW MODULAR CLASSROOMS AND EXPANDING THE ATHLETIC TRAINING FACILITY BY 1,830 SQUARE FEET; 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 Allbritton and passed by 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Jablonski, Kuczenski, Vice Mayor Hartmann, Mayor Breitreuz voting Yes.

MOTION: TO APPROVE THE RESOLUTION.

13. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, ESTABLISHING A POLICY TO REGULATE THE UTILIZATION AND ADMINISTRATION OF LICENSE PLATE READERS (LPRs) THROUGHOUT THE TOWN; ESTABLISHING STANDARDS FOR THE PROPER USE AND PROCEDURES TO BE USED BY THE TOWN'S POLICE SERVICES PROVIDER; AUTHORIZING THE TOWN ADMINISTRATOR TO IMPLEMENT THE OFFICAL LICENSE PLATE READER (LPR) POLICY; AND PROVIDING AN EFFECTIVE DATE.

ITEM WAS WITHDRAWN.

14. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING RESOLUTION NO. 2021-017 RELATING TO THE TOWN'S ADVISORY COMMITTEE/BOARD POLICY PERTAINING TO ADVISORY BOARD MEMBERSHIP AND MEETING ATTENDANCE; AUTHORIZING THE TOWN ADMINISTRATOR TO IMPLEMENT THE NEW POLICY; AND PROVIDING AN EFFECTIVE DATE.

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

MOTION: TO WITHDRAW ITEM FOR FURTHER CONSIDERATION AS AN ORDINANCE.

15. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AUTHORIZING THE TOWN ADMINISTRATOR TO ESTABLISH AND TO IMPLEMENT AN

ADMINISTRATIVE POLICY FOR APPROPRIATE ATTIRE TO BE WORN AT TOWN FACILITIES; ESTABLISHING STANDARDS FOR THE PROCEDURES TO BE ENFORCED BY THE TOWN'S POLICE SERVICES PROVIDER; AND PROVIDING AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE RESOLUTION.

16. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE 2021 AMENDMENTS TO THE TWO (2) INTERLOCAL AGREEMENTS WITH BROWARD COUNTY PROVIDING FOR THE DIVISION AND DISTRIBUTION OF THE PROCEEDS OF THE BROWARD COUNTY FIFTH-CENT LOCAL OPTION GAS TAX, AND THE ADDITIONAL THIRD-CENT LOCAL OPTION GAS TAX; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO EXECUTE SAID AGREEMENTS; AND PROVIDING AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE RESOLUTION.

17. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING A PURCHASE ORDER TO TEN-8 FIRE AND SAFETY, LLC IN THE AMOUNT OF ELEVEN THOUSAND TWO HUNDRED THIRTY-THREE DOLLARS AND TWENTY CENTS (\$11,233.20) FOR THE PURCHASE OF FIRE HOSE EQUIPMENT FOR THE SOUTHWEST RANCHES VOLUNTEER RESCUE DEPARTMENT; AUTHORIZING THE TOWN ADMINISTRATOR TO EXECUTE THE PURCHASE ORDER; APPROVING A BUDGET AMENDMENT TO THE FISCAL YEAR 2021 ADOPTED BUDGET; AND PROVIDING AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE RESOLUTION.

18. Approval of Minutes

a. April 22, 2021 – Regular Meeting

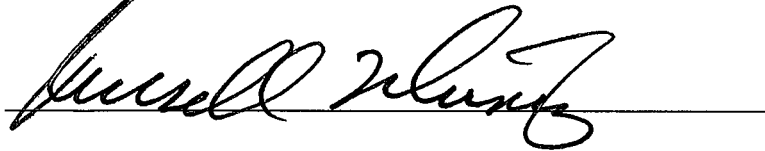
The following motion was made by Council Member Jablonski, seconded by Vice Mayor Hartmann and passed by 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Jablonski, Kuczenski, Vice Mayor Hartmann, Mayor Breitkreuz voting Yes.

MOTION: TO APPROVE THE APRIL 22, 2021 REGULAR MEETING MINUTES.

19. Adjournment

Meeting was adjourned at 10:33 p.m.

Respectfully submitted:



Russell Muñiz, Assistant Town Administrator/Town Clerk

Adopted by the Town Council on this 8th day of July 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.