

REGULAR MEETING MINUTES OF THE TOWN COUNCIL
Southwest Ranches, Florida

Thursday 7:30 PM

September 13, 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

Richard DeWitt, Assistant Town Attorney

Council Member David S. Kuczenski

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 Breitkreuz at 7:37 PM. Attendance was noted by roll call and was followed by the Pledge of Allegiance.

Quasi-Judicial Hearing

5353 Hancock Road Waiver of Plat

3. A RESOLUTION AND FINAL ORDER OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING WAIVER OF PLAT APPLICATION NO. WP-32-21 TO SUBDIVIDE 4.866 GROSS ACRES OF PROPERTY INTO TWO LOTS OF 2.003 AND 2.863 NET ACRES; GENERALLY LOCATED ON THE WEST SIDE OF HANCOCK ROAD APPROXIMATELY 1,600 FEET SOUTH OF EAST PALOMINO DRIVE; COMPRISING PORTIONS OF TRACTS 39 AND 40 OF "THE EVERGLADES SUGAR AND LAND CO. SUBDIVISION OF SECTION 34, TOWNSHIP 50 SOUTH, RANGE 40 EAST", ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 152 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, AND ADJOINING LAND AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" HERETO; 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 JULY 29, 2021 MEETING}**

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 SUBJECT TO ALLOWING THE PROPERTY OWNER TO TAKE TITLE IN INDIVIDUAL PROPERTY OWNER'S NAMES, CORRECTION OF SCRIVENORS ERROR IN SECTION 2 REFLECTING THE CORRECT DATE OF THE PUBLIC HEARING BEING SEPTEMBER 13, 2021 AND NO SALE OF PROPERTY FOR 36 MONTHS AFTER DEED HAS CHANGED.

4. Public Comment

The following members of the public addressed the Town Council: Beth Pilgrim, and George Cailis.

5. Board Reports

Jason Halberg, Chair of the Comprehensive Plan Advisory Board spoke about the Zoning In Progress that the Town Council enacted to allow the Board to review the term "Net Acre" in the Unified Land Development Code (ULDC). The intent of the revision to the ULDC would be to exclude certain powerline transmission easements, surface water management areas, and drainage easements for the purpose of preserving open space. The Board completed this review at their last meeting. A draft ordinance encompassing the Board's recommendation has been sent back to the Town for its review. He indicated that the Board was also working with Town Planner Jeff Katims on regulations to help minimize the impact of new residential developments.

6. Council Member Comments

Council Member Jablonski announced that the Broward County Property Appraiser's Office would be performing outreach at Town Hall on September 20th, the DMV FLOW program by appointment only would be on hand September 22nd, and indicated that the Second Budget Hearing would be held at 6 pm on September 23rd. He also mentioned that the Country Estates Park design contest was under way and entries needed to be submitted by November 15th. He also addressed resident concerns about security during advisory board meetings. He advised that a Davie police officer will be on hand towards the end of the advisory board meeting on designated evenings to provide "enhanced security."

Lastly, he talked about neighborhood grants and wondered if the Town should continue to fund the Neighborhood Beautification Grant and Safety Grant as has been done in prior years. Mayor Breitkreuz felt that the beautification grants were great for the community. Council Member Jablonski advised that the Town still had over \$70,000 available in the Town's forfeiture fund and felt that some of that could be allocated. Mayor Breitkreuz felt that these programs were fantastic but with many unknowns about the future the Town needed to remain fiscally conservative and keep limits on these grant awards. Mayor Breitkreuz mentioned that there were two different civic associations that wished to complete two different projects using Town grants. He felt the timing might be perfect as the Town was just concluding a fiscal year in which no grant awards were made and the Town was also entering into another fiscal year that the grant funding was being budgeted for. Vice Mayor Hartmann concurred as he had discussed the requests with the presidents of both civic associations, and while one is ready to start their project immediately the other association will not be ready until January. Council Member Kuczenski advised that he was aware a third civic association would be seeking some funding as well. Town Administrator Berns confirmed that the Town does budget \$5,000 each fiscal year for these grants and that there is a 50% match requirement, and that "sweat equity" could also be considered. He advised that should the Town receive three applications for funding he would certainly bring the request back to the Town Council to consider allocating additional funds to fund the grant requests. He recommended this course of action rather than allocating funding for all three requests at this time.

Council Member Allbritton thanked everyone involved with the Town's September 11th Memorial event. He advised that he was trying to establish a civic association for Green Meadows. He also provided an update on data he received regarding COVID, the number of deaths in the United States had now surpassed 670,000. He urged everyone to wear masks.

Vice Mayor Hartmann spoke of the budget process and how smooth it went. He thanked Town staff for their efforts and summarized that taxes have essentially remained flat over last year with a small \$60 increase in the fire fee. He also spoke about a recent report issued by the Office of Inspector General after reviewing our website for compliance with meeting notification requirements. He recognized Assistant Town Administrator/Town Clerk Muñiz and his team for ensuring compliance with the County meeting notification requirements for Town Council and advisory board meetings. He also reminded those who would be attending the Broward Water Leader's Academy that it was scheduled for Friday September 15th. He recognized Town resident Louis Gregory for his involvement with the September 11th Memorial event. He also discussed social media posts concerning the coyote problem here in Town. He was unsure what options the Town had to address this problem. Mayor Breitkreuz acknowledged that this was a serious problem in Town and affecting our rural lifestyle. Council Member Jablonski also acknowledged this Town-wide problem. He did not want people running around Town with firearms trying to eliminate the coyotes. He thought that a state certified trapper might be effective. After further discussion, the Town Council directed Town Administrator Berns to get more information on options available to address this situation.

Vice Mayor Hartmann continued his comments and addressed the security proposal raised by Council Member Jablonski for advisory board meeting nights. He had a concern with taking a patrol officer off of the streets. He felt that it might be a viable stop gap measure but did not think it was a wise long-term solution. He felt that safety and security might be better achieved through better lighting in the parking lot or some other available measures.

Council Member Kuczenski urged residents who have yet to be vaccinated to get the vaccine. He cited a statistic from Local 10 news which stated that 33,000 COVID-19 cases were reported in the last week. He spoke of a friend of his from law school that recently passed away from this virus. He also spoke of a drainage project in Country Estates that will have a bid opening on September 17th and a road paving project in Sunshine Ranches and other roads that will have a bid closing on September 28th. He mentioned his concern with the coyote problem and also wanted to explore alternatives. He spoke of the Town's involvement with the property adjacent to George Cailis and was satisfied with the result. He thanked Town staff, the Town Council, and Town Attorney Poliakoff for their efforts to help resolve the nuisance that had occurred. He spoke of his nephew that recently passed due to an accidental discharge of his firearm and thanked the Town Council, and staff that expressed their condolences for his loss. He hoped that the Sunshine Ranches HOA could offer a firearm safety course for residents when in person meetings resumed.

Mayor Breitkreuz thanked all involved in helping resolve the nuisance occurring adjacent to the Cailis residence. Regarding the safety issue for the advisory boards, he did not feel it was an issue to have the Davie Police offering this assistance. He felt it probably should have been occurring all along. He thanked everyone involved with the September 11th Memorial event. He mentioned that School Board Member Donna Korn had attended the event and he wanted to thank her for her attendance. Lastly, he spoke about an email he received from Madison Sullivan and read an excerpt from that email in which she expressed her appreciation for growing up in Southwest Ranches and what makes it special to her.

7. Legal Comments

Assistant Town Attorney DeWitt offered no legal comments.

8. Administration Comments

Town Administrator Berns announced that an executive session needed to be scheduled for Monday September 20th at 6 pm to discuss pending litigation related to the Nancy Meyer case and the case against Pembroke Pines.

Ordinances – 2nd Reading

9. 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} (TABLED FROM JULY 29, 2021 MEETING) {STAFF REQUESTING A TABLING TO SEPTEMBER 23, 2021}**

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 Breitreuz voting yes.

MOTION: TO TABLE THE ORDINANCE TO SEPTEMBER 23, 2021.

10. AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, ESTABLISHING A PERMANENT RESIDENCY REQUIREMENT TO BE APPOINTED TO SERVE AS A VOTING MEMBER ON A TOWN BOARD; CREATING SECTION 2-95 OF THE TOWN'S CODE OF ORDINANCES ENTITLED "PERMANENT RESIDENCY REQUIREMENT"; PROVIDING FOR INCLUSION IN THE TOWN'S CODE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. {Approved on First Reading - August 26, 2021}

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 APPROVE THE ORDINANCE.

Ordinances – 1st Reading

11. AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA; AMENDING THE TOWN OF SOUTHWEST RANCHES UNIFIED LAND DEVELOPMENT CODE ("ULDC"), ARTICLE 45, "AGRICULTURAL AND RURAL DISTRICTS," SECTION 045-030, "GENERAL PROVISIONS" TO REGULATE THE LOCATION OF NEW BUSINESSES ENGAGED IN COMMERCIAL RETAIL SALES OF PLANTS ON PLOTS AND PORTIONS OF PLOTS THAT ARE NOT FARMS (NO AGRICULTURAL PROPERTY TAX CLASSIFICATION) AND TO PROVIDE FOR NONCONFORMING USES; PROVIDING

FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE. **{Second Reading - September 23, 2021}**

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 ORDINANCE.

12. AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA; AMENDING THE TOWN OF SOUTHWEST RANCHES UNIFIED LAND DEVELOPMENT CODE ("ULDC"), ARTICLE 45, "AGRICULTURAL AND RURAL DISTRICTS," 045-030, "GENERAL PROVISIONS" BY CREATING SUBSECTION (X) TO PROHIBIT THE CONVERSION OF A SINGLE-FAMILY DWELLING FOR NONRESIDENTIAL USE WITHOUT FIRST OBTAINING A SPECIAL EXCEPTION USE PERMIT; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE. **{Second Reading - September 23, 2021}**

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 Breitkreuz voting yes.

MOTION: TO APPROVE THE ORDINANCE.

Resolutions

13. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA PIGGYBACKING ONTO THE PROCURED AGREEMENT BETWEEN BERGERON EMERGENCY SERVICES, INC. AND THE TOWN OF DAVIE TO PROVIDE DISASTER DEBRIS MANAGEMENT & REMOVAL SERVICES; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO ENTER INTO AN AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

The following motion was made by Vice Mayor Hartmann, 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.

14. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, PIGGYBACKING ONTO THE PROCURED AGREEMENT BETWEEN THE TOWN OF DAVIE, FLORIDA AND WITT O'BRIEN'S, LLC FOR DISASTER, DEBRIS MONITORING SERVICES AND FINANCIAL RECOVERY ASSISTANCE; WAIVING ANY AND ALL PROCUREMENT CODE REQUIRMENTS THAT MAY BE IN CONFLICT; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY, TO ENTER INTO THE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

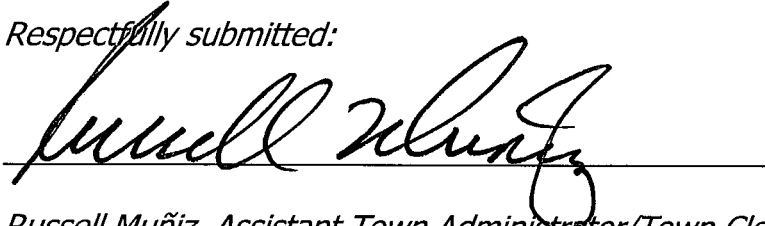
The following motion was made by Council Member Jablonski, seconded by Council Member Kuczenski and passed by a 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Jablonski, Kuczenski, Vice Mayor Hartmann, and Mayor Breitzkreuz voting yes.

MOTION: TO APPROVE THE RESOLUTION.

15. Adjournment

Meeting was adjourned at 9:06 p.m.

Respectfully submitted:



Russell Muñiz, Assistant Town Administrator/Town Clerk

Adopted by the Town Council on this 18th day of November 2021



Steve Breitzkreuz, 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.