

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

Thursday 7:00 PM

July 28, 2016

13400 Griffin Road

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Present:

Mayor Jeff Nelson

Council Member Steve Breitreuz

Council Member Freddy Fisikelli

Council Member Gary Jablonski

Andrew D. Berns, Town Administrator

Russell Muñiz, Assistant Town Administrator/Town Clerk

Martin D. Sherwood, Town Financial Administrator

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 Nelson at 7:17 PM. Attendance was noted by roll call and was followed by the Pledge of Allegiance.

The following motion was made by Council Member Breitreuz, seconded by Council Member Fisikelli and passed by 4-0 roll call vote. The vote was as follows: Council Members Breitreuz, Fisikelli, Jablonski, and Mayor Nelson voting Yes.

**MOTION:** TO EXCUSE THE ABSENCE OF VICE MAYOR MCKAY.

Quasi-Judicial Hearing

**3. Variance**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE ROLLING OAKS ESTATES SITE PLAN, APPLICATION NO. SP-60-15, FOR EIGHTEEN SINGLE-FAMILY DETACHED DWELLING UNITS ON APPROXIMATELY 37.95 ACRES, LEGALLY DESCRIBED AS THE CLINGAN'S COVE PLAT, AS RECORDED IN PLAT BOOK 168, PAGE 49 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; GENERALLY LOCATED ON THE WEST SIDE OF SW 178TH AVENUE AT SW 58TH STREET; 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 Breitreuz and passed by 4-0 roll call vote. The vote was as follows: Council Members Breitreuz, Fisikelli, Jablonski and Mayor Nelson voting Yes.

**MOTION:** TO APPROVE SUBJECT TO THE CONDITIONS AGREED TO BY THE APPLICANT.

The following motion was made by Council Member Jablonski, seconded by Council Member Breitreuz and passed by 4-0 roll call vote. The vote was as follows: Council Members Breitreuz, Fisikelli, Jablonski and Mayor Nelson voting Yes.

**MOTION:** TO MOVE ITEM 13 DIRECTLY AFTER ITEM 8.

#### **4. Public Comment**

The following members of the public addressed the Town Council: Dee Schroeder and Mike Hanley.

#### **5. Board Reports**

No board reports were presented.

#### **6. Council Member Comments**

In response to comments made by a member of the public, Council Member Breitkreuz stated that he would follow up on the resident's concerns regarding the filling of a drainage ditch. He spoke of the impact of the new charter school and assured everyone that the Town was monitoring the traffic impact the school will have on the area.

#### **7. Legal Comments**

Town Attorney Poliakoff advised that he and the Town's Administrative Staff were diligently working with the Town of Davie to secure an extension on the fire services agreement.

#### **8. Administration Comments**

Town Administrator Berns spoke of the last Town Council meeting wherein the Town's surcharge for credit card transactions was discussed as part of the discussion on the Rolling Oaks Park policy. He advised that the 2.75% charge was the Town's actual cost, and consistent with the Town's cost recovery basis philosophy. He advised that legal research had substantiated the Town's imposition of the surcharge and asked the Town Council if there were any objections in imposing the surcharge for future transactions. No objections were raised by the Town Council.

He also sought direction regarding the sale of Engine 82. The Engine, currently listed for \$40,000, has been for sale for over a year with no serious offers. Recently an offer in the amount of \$32,500 has been received and he sought Council direction on whether to accept or not. Council provided direction to accept the offer of \$32,500.

#### **Resolution**

**13.** A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AWARDED A NEIGHBORHOOD SAFETY GRANT IN THE AMOUNT OF SEVEN HUNDRED AND FIFTY DOLLARS (\$750.00) TO THE ROLLING OAKS CIVIC ASSOCIATION (ROCA); AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO ENTER INTO AN AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

The following motion was made by Council Member Jablonski, seconded by Council Member Breitkreuz and passed by 4-0 roll call vote. The vote was as follows: Council Members Breitkreuz, Fisikelli, Jablonski, and Mayor Nelson voting Yes.

**MOTION:** TO APPROVE THE RESOLUTION.

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

**9.** AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE TEXT OF THE FUTURE LAND USE ELEMENT OF THE TOWN OF SOUTHWEST RANCHES COMPREHENSIVE PLAN ESTABLISHING A NEW LAND USE DESIGNATION ENTITLED, "US HIGHWAY 27 BUSINESS" WITH SUPPORTING OBJECTIVES AND POLICIES; REVISING THE LISTS OF PERMITTED USES WITHIN NONRESIDENTIAL LAND USE DESIGNATIONS AND SUPPORTING OBJECTIVES AND POLICIES; MAKING REVISIONS OF A HOUSEKEEPING NATURE; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY; PROVIDING FOR RECERTIFICATION BY THE BROWARD COUNTY PLANNING COUNCIL; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE. **{REQUIRES A SUPERMAJORITY VOTE}**

The following motion was made by Council Member Breitkreuz, seconded by Council Member Fisikelli and passed by 4-0 roll call vote. The vote was as follows: Council Members Breitkreuz, Fisikelli, Jablonski, and Mayor Nelson voting Yes.

**MOTION:** TO TABLE THE ORDINANCE TO AUGUST 25, 2016 AT 7:00 PM.

**Resolutions**

**10.** A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, SETTING THE PROPOSED MILLAGE RATE AND CURRENT ROLL BACK RATE PURSUANT TO SECTION 200.065, FLORIDA STATUTES; AND ESTABLISHING THE DATE, TIME AND PLACE AT WHICH PUBLIC HEARINGS WILL BE HELD TO CONSIDER THE PROPOSED MILLAGE RATE AND THE TENTATIVE BUDGET FOR FISCAL YEAR 2017; AND DIRECTING THE TOWN CLERK TO FILE SAID RESOLUTION WITH THE PROPERTY APPRAISER OF BROWARD COUNTY PURSUANT TO THE REQUIREMENTS OF FLORIDA STATUTES AND THE RULES AND REGULATIONS OF THE DEPARTMENT OF REVENUE FOR THE STATE OF FLORIDA; DIRECTING THAT A CERTIFIED COPY OF THIS RESOLUTION BE SENT TO THE BROWARD COUNTY PROPERTY APPRAISER AND TAX COLLECTOR; AND PROVIDING AN EFFECTIVE DATE.

The following motion was made by Council Member Breitkreuz, seconded by Council Member Jablonski and passed by 4-0 roll call vote. The vote was as follows: Council Members Breitkreuz, Fisikelli, Jablonski, and Mayor Nelson voting Yes.

**MOTION:** TO APPROVE THE RESOLUTION.

**11.** A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE PRELIMINARY FIRE SERVICES ASSESSMENT RELATING TO THE PROVISION OF FIRE PROTECTION SERVICES, FACILITIES AND PROGRAMS IN THE TOWN OF SOUTHWEST RANCHES, FLORIDA; PROVIDING PURPOSE AND DEFINITIONS; PROVIDING FOR THE IMPOSITION AND COMPUTATION OF FIRE PROTECTION ASSESSMENTS; INCORPORATING THE FIRE PROTECTION ASSESSMENT REPORT; PROVIDING FOR LEGISLATIVE DETERMINATION OF SPECIAL BENEFIT AND FAIR APPORTIONMENT; ESTABLISHING THE RATE OF ASSESSMENT; DIRECTING THE PREPARATION OF A PRELIMINARY ASSESSMENT ROLL; PROVIDING FOR A DISABLED VETERANS EXEMPTION; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; AND PROVIDING AN EFFECTIVE DATE.

The following motion was made by Council Member Breitkreuz, seconded by Council Member Jablonski and passed by 4-0 roll call vote. The vote was as follows: Council Members Breitkreuz, Fisikelli, Jablonski, and Mayor Nelson voting Yes.

**MOTION:** TO APPROVE THE RESOLUTION.

**12.** A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, RELATING TO THE PROVISION OF SOLID WASTE SERVICES, FACILITIES AND PROGRAMS TO RESIDENTIAL PROPERTIES IN THE TOWN OF SOUTHWEST RANCHES, FLORIDA; PROVIDING AUTHORITY FOR SOLID WASTE SERVICES ASSESSMENTS; PROVIDING PURPOSE AND DEFINITIONS; PROVIDING FINDINGS; INCORPORATING THE SOLID WASTE SPECIAL ASSESSMENT METHODOLOGY REPORT; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; AND PROVIDING AN EFFECTIVE DATE.

The following motion was made by Council Member Breitkreuz, seconded by Council Member Jablonski and passed by 4-0 roll call vote. The vote was as follows: Council Members Breitkreuz, Fisikelli, Jablonski, and Mayor Nelson voting Yes.

**MOTION:** TO APPROVE THE RESOLUTION.

**14.** A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AUTHORIZING A PURCHASE ORDER IN THE AMOUNT \$16,800.00 TO WEEKLEY ASPHALT PAVING INC. TO COMPLETE THE SW 54TH PLACE AND SW 207TH TERRACE DRAINAGE IMPROVEMENTS; PROVIDING FOR AN EFFECTIVE DATE.

The following motion was made by Council Member Breitkreuz, seconded by Council Member Jablonski and passed by 4-0 roll call vote. The vote was as follows: Council Members Breitkreuz, Fisikelli, Jablonski, and Mayor Nelson voting Yes.

**MOTION:** TO APPROVE THE RESOLUTION.

**15.** A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING AN AGREEMENT IN THE AMOUNT OF ELEVEN THOUSAND THREE HUNDRED AND TWO DOLLARS (\$11,302) WITH SOUND PLANNING DISTRIBUTORS, INC. TO COMPLETE THE COUNCIL CHAMBERS TECHNOLOGY IMPROVEMENTS PROJECT; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO ENTER INTO AN AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

The following motion was made by Council Member Breitkreuz, seconded by Council Member Jablonski and passed by 4-0 roll call vote. The vote was as follows: Council Members Breitkreuz, Fisikelli, Jablonski, and Mayor Nelson voting Yes.

**MOTION:** TO APPROVE THE RESOLUTION.

**16.** A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE SECOND AMENDMENT TO THE AGREEMENT BETWEEN THE TOWN OF SOUTHWEST RANCHES AND THE TOWN OF DAVIE FOR DELIVERY OF EMERGENCY MEDICAL, FIRE PROTECTION, AND FIRE PREVENTION SERVICES, TO AMEND THE CONTRACT TO ALLOW FOR ADDITIONAL TIME FOR THE PARTIES TO DISCUSS AN ADDITIONAL CONTRACT TERM; DIRECTING THE APPROPRIATE TOWN OFFICIALS TO EXECUTE THE SECOND MODIFICATION TO THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

The following motion was made by Council Member Breitkreuz, seconded by Council Member Fisikelli and passed by 4-0 roll call vote. The vote was as follows: Council Members Breitkreuz, Fisikelli, Jablonski, and Mayor Nelson voting Yes.

**MOTION:** TO APPROVE THE RESOLUTION.

**17. Adjournment** – Meeting was adjourned at 8:36 p.m.

*Respectfully submitted:*



*Russell Muñiz, MMC, Assistant Town Administrator/Town Clerk*

*Adopted by the Town Council on  
this 14<sup>th</sup> day of September, 2016.*



*Jeff Nelson, 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.