

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

Thursday 7:00 PM

August 27, 2015

13400 Griffin Road

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**Present:**

Mayor Jeff Nelson

Vice Mayor Freddy Fisikelli

Council Member Steve Breitkreuz

Council Member Doug McKay

Richard DeWitt, Assistant Town Attorney

Martin Sherwood, Town Financial Administrator

Russell Muñiz, Assistant Town Administrator

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 7:08 PM. Attendance was noted by roll call and was followed by the Pledge of Allegiance.

**3. Presentation – Mission United, Carlos Molinet**

**4. Delegation Request –** Consideration of Delegation Request Application No. DE-19-15 to amend or eliminate various conditions of approval of the Tara Plat, as recorded in Plat Book 162, Page 20 of the Broward County, Florida Public Records. The requested amendments include modification of the non-vehicular access lines, and deletion of requirements to pave a portion of SW 184th Avenue, construct turn lanes, construct sidewalks, provide financial surety for a traffic signal, and related requirements. Akai Estates, LLC, owner; Schwebke-Shiskin & Associates, Inc., petitioner. Property generally located at the southwest corner of Griffin Road and unimproved 184th Avenue.

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

**MOTION:** TO TABLE THE ITEM TO SEPTEMBER 29, 2015 AT 7 P.M. TO DETERMINE WHETHER OR NOT A DIFFERENT ACCESS POINT CAN BE DETERMINED.

**5. Public Comment –** The following members of the public addressed the Town Council: Dee Schroeder, Vince Falletta, and Frank Espinosa.

**6. Board Reports**

Newell Hollingsworth, Chair of the Comprehensive Planning Advisory Board, provided an update on items that the board had been working on such as the Telecommunications Ordinance, the maximum permit fee for agricultural fencing, and the text amendment to the Future Land Use Element of the Comprehensive Plan related to the Employment Center.

Gay Chaples, Chair of the Parks, Recreation, and Open Space Advisory Board, spoke about the final improvements that were made by George Morris of PHI to the Rolling Oaks Barn. She

wished to thank him for his efforts. She also spoke of the efforts of the Historical Society and its new Chair, Mrs. Poliakoff.

## **7. Council Member Comments**

Council Member Breitreuz spoke about the Employment Center and felt it was imperative to do a zoning in progress after a first reading. Attorney Poliakoff spoke of removing the language that was problematic for the Town Council concerning water and then bring the item forward at an imminent meeting. Town Council expressed agreement in that approach. Council Member Breitreuz spoke about the approaching Tropical Storm Erika and asked everyone to remain vigilant.

Council Member McKay also asked that everyone prepare themselves for the approaching storm and expect the power to go out.

Vice Mayor Fisikelli spoke about the oil drilling permit applied for by Kanter Real Estate, and felt that this issue needed to be watched as it was not going to go away.

Council Member Jablonski read an excerpt from the book River of Grass by Marjory Stoneman Douglas which expressed how unique the Everglades is.

Mayor Nelson spoke of the meeting hosted by the Mayor Messam of the City of Miramar on August 18<sup>th</sup> regarding opposition to the oil drilling permit that had been applied for by Kanter Real Estate, LLC. He felt that there was not enough support for the permit to be granted. He warned residents that the Charter School approved by Pembroke Pines was going to be built. Council Member McKay asked if it would be prudent to send a letter to every resident west of Bonaventure Boulevard to U.S. 27 about the imminent school opening.

## **8. Legal Comments**

Town Attorney Keith Poliakoff advised that Town Administrator Berns received a letter from Pembroke Pines advising that they would be initiating Conflict Resolution procedures concerning legal proceedings regarding the Town's opposition to the Franklin Academy Charter Schools. He advised that Town Administrator Berns would meet with them first, and then the Town Council would meet with the Pembroke Pines City Commission thereafter. He requested to have an executive session to discuss legal strategy concerning this matter and other legal matters with Pembroke Pines. He further advised that he along with Town Administrator Berns met with the Health Department regarding the testing of wells. The Health Department confirmed that the requirement to test was not their requirement but rather a County Code requirement. After discussions with members of the County Commission he was confident that the requirement would be removed from the County Code. Lastly he spoke of the barricade placed by Pembroke Pines on SW 54<sup>th</sup> Place, and how it created difficulty for emergency personnel responding to a medical issue at one of the residences there recently.

## 9. Administration Comments

Town Administrator Berns advised that the South Broward Drainage District passed a resolution opposing the oil drilling permit that had recently been applied for. He also advised that Town staff was monitoring the developments of Tropical Storm Erika.

- 10. Ordinance – 2<sup>nd</sup> Reading** AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE TOWN OF SOUTHWEST RANCHES CODE OF ORDINANCES, BY CREATING CHAPTER 24, ARTICLE IV, ENTITLED "PARKING, STOPPING, AND STANDING ENFORCEMENT" TO COMPLY WITH CURRENT STATE LAWS, INCLUDING THOSE APPLICABLE TO PARKING SPACES FOR DISABLED PERSONS AND TO CREATE PROCEDURES SO AS TO DELEGATE AUTHORITY FOR ENFORCEMENT AND COLLECTION OF PARKING VIOLATION FINES TO THE OFFICE OF THE BROWARD COUNTY, FLORIDA, CLERK OF THE COURT FOR THE SEVENTEENTH JUDICIAL CIRCUIT; AUTHORIZING THE USE OF HEARING OFFICERS IN THE SYSTEM ESTABLISHED BY BROWARD COUNTY FOR SUCH PURPOSE; PROVIDING FOR INCLUSION IN THE TOWN CODE, PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. **{ Approved on 1<sup>st</sup> Reading August 13, 2015 }**

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

**MOTION:** TO APPROVE THE ORDINANCE.

- 11. Ordinance 1<sup>st</sup> Reading** – AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE TOWN'S UNIFIED LAND DEVELOPMENT CODE TO REFLECT CHANGES IN THE FLORIDA STATUTES GOVERNING MUNICIPAL REGULATION OF FARMS; AMENDING ARTICLE 155 ENTITLED, "NONCOMMERCIAL FARM SPECIAL EXCEPTIONS", TO MODIFY CONDITIONS APPLICABLE TO SUCH SPECIAL EXCEPTIONS AND TO THE CONTINUED USE OF EXISTING NONRESIDENTIAL, AGRICULTURAL STRUCTURES ON NONCOMMERCIAL FARMS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE. **{2<sup>nd</sup> Reading scheduled for September 15, 2015}**

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

**MOTION:** TO APPROVE THE ORDINANCE SUBJECT TO ELIMINATION OF SECTION 22 AND TO AMEND THE ORDINANCE TO CLARIFY THAT APPLICATIONS CAN BE SUBMITTED UP UNTIL THE DATE OF EXPIRATION.

- 12. Resolution** - A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE TOWN OF SOUTHWEST RANCHES AND THE OFFICE OF THE BROWARD COUNTY, FLORIDA, CLERK OF THE COURT FOR THE SEVENTEENTH JUDICIAL CIRCUIT FOR THE PROCESSING AND COLLECTION OF PARKING CITATIONS AND AUTHORIZING THE USE OF HEARING OFFICERS IN THE SYSTEM ESTABLISHED BY BROWARD COUNTY FOR SUCH PURPOSE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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

**MOTION:** TO APPROVE THE RESOLUTION.

- 13. Resolution** - A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA OPPOSING THE OIL DRILLING PERMIT APPLICATION SUBMITTED BY KANTER REAL ESTATE LLC, A FLORIDA FOR PROFIT LIMITED LIABILITY CORPORATION, TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION SEEKING OIL DRILLING RIGHTS ON PROPERTY LOCATED IN THE FLORIDA EVERGLADES, APPROXIMATELY SIX MILES WEST OF THE CITY OF MIRAMAR'S WESTERNMOST BOUNDARIES, AND SUPPORTING EFFORTS OPPOSING EXTREME WELL STIMULATION, HYDRAULIC FRACTURING, ACID FRACTURING, AND ANY FORM OF EXTREME WELL STIMULATION FOR PURPOSES OF RESOURCE EXTRACTION IN THE FLORIDA EVERGLADES; AND PROVIDING FOR AN EFFECTIVE DATE.

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

**MOTION:** TO APPROVE THE RESOLUTION.

- 14. Approval of Minutes**  
a. **July 9, 2015, Regular Town Council Meeting**

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

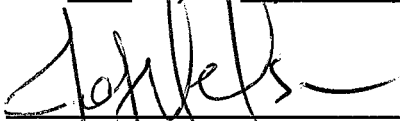
**MOTION:** TO APPROVE THE MINUTES.

**15. Adjournment – Meeting was adjourned at 10:06 p.m.**

*Respectfully submitted:*

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

*Adopted by the Town Council on  
this 29<sup>th</sup> day of September, 2015.*

  
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*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.