

REGULAR MEETING MINUTES OF THE TOWN COUNCIL
Southwest Ranches, Florida

Thursday 7:00 PM

May 9, 2013

13400 Griffin Road

Present:

Mayor Jeff Nelson

Vice Mayor Steve Breitkreuz

Council Member Gary Jablonski

Council Member Freddy Fisikelli

Council Member Doug McKay

Andy Berns, Town Administrator

Keith Poliakoff, Town Attorney

Erika Santamaria, Town Clerk

Martin Sherwood, Town Financial Administrator

Jeff Katims, Assistant Town Planner

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 7:10 PM. Attendance was noted by roll call and was followed by the Pledge of Allegiance.

ADD-ON Presentation – State Representative Katie Edwards provided an update on the changes to several Florida Statutes that included farm structures, changes to the Greenbelt Laws, and specifically House Bill 203.

3. Proclamation – Recognizing Clerk’s Week (May 5-11) – Mayor Nelson and the Town Council presented a proclamation to the Town Clerk, Erika Santamaria and the Deputy Town Clerk, Juanita Romance for their service to the Town.

4. Proclamation – Recognizing the month of May as “Just Drive” Month – Mayor Nelson and the Town Council presented a proclamation to Karl Thompson declaring May as “Just Drive” month and recognizing the “Don’t Text and Drive” campaign.

Motion – Vice Mayor Breitkreuz made a motion to move item #11 before quasi-judicial proceedings. The motion was seconded by Council Member McKay and the motion passed with a 4-0 roll call vote. The vote was as follows: Council Members Fisikelli, McKay, Vice Mayor Breitkreuz and Mayor Nelson voting Yes; Council Member Jablonski was absent.

11. Ordinance – 2nd Reading – AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE TOWN OF SOUTHWEST RANCHES UNIFIED LAND DEVELOPMENT CODE (ULDC), ARTICLE 65, “RECREATION AND OPEN SPACE DISTRICT” TO CHANGE THE LIST OF PERMITTED AND CONDITIONAL USES; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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

MOTION: TO APPROVE.

5. Ordinance – 2nd Reading – AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, REZONING APPROXIMATELY 3.8 ACRES FROM RURAL RANCHES DISTRICT TO RECREATION AND OPEN SPACE DISTRICT, GENERALLY LOCATED 750 FEET EAST OF VOLUNTEER ROAD ON THE SOUTH SIDE OF GRIFFIN ROAD, MORE PARTICULARLY DESCRIBED AS THE WEST 150 FEET OF THE EAST 550 FEET OF TRACT 45, LESS RIGHT-OF-WAY FOR GRIFFIN ROAD, AND THE WEST 427.08 FEET OF THE EAST 828.01 FEET OF TRACT 44, ALL LYING SOUTH OF THE SOUTH NEW RIVER CANAL IN SECTION 27, TOWNSHIP 50 SOUTH, RANGE 40 EAST, OF THE FLORIDA FRUIT LANDS COMPANY’S SUBDIVISION NO. 1, ACCORDING THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 17 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING FOR RECORDATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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

MOTION: TO APPROVE.

5. Public Comment – The following members of the public addressed the Town Council: Tracey Swait, Vince Falletta, John Eastman, Jim Laskey, Fred Segal, Newell Hollingsworth, Sharon Glass, Frank Espinosa, and Gay Chaples.

6. Board Reports – Mary Gay Chaples provided a report on the Recreation, Forestry and Natural Resources Advisory Board.

7. Council Member Comments

Council Member Jablonski reminded the public that the Chili Cook-off event is May 18th at Equestrian Park. He requested that the Town Administrator look into possibly installing a paddock with a water trough at Town Hall. He also requested that the Council formally excuse Council Member McKay from the April 11th Council Meeting.

Motion – Council Member Jablonski made a motion to excuse Council Member McKay from the April 11th Council Meeting. The motion was seconded by Vice Mayor Breitkreuz and the motion passed on a 4-0 roll call vote. The vote was as follows: Council Members Fisikelli, McKay, Vice Mayor Breitkreuz and Mayor Nelson voting Yes; Council Member McKay abstained.

Council Member Fisikelli provided an update on Fishing Hole Park project. He thanked Town Staff for their hard work on Fishing Hole Park.

Vice Mayor Breitkreuz requested information from resident Kathy Cox on the construction of riding trails at Fishing Hole Park. He requested that the Comprehensive Plan Advisory Board take on the task of creating a process for farm designations.

Council Member McKay thanked everyone for attending tonight’s meeting and being informed on the changes in the Florida Statutes concerning farms.

Mayor Nelson read a letter sent from a resident thanking BSO Chief Canada-Stuck for catching two suspects in relation to his home burglary.

Council Member McKay also updated the Council and public on results of the E-911 consolidation services at the County level.

8. Legal Comments

The Town Attorney informed the Council that the case concerning \$1.25 was dismissed by the Court of Appeals.

9. Administration Comments

The Town Administrator provided an update on Rolling Oaks Barn. He also reported that in the next agenda, the Council will consider further improvements on Fishing Hole Park. The Administrator reminded the Council of the Special Meeting on May 16th. He also reminded the Council of the upcoming workshop on May 23rd at which time the Fire Advisory Board will provide an update on their progress.

10. Ordinance – 2nd Reading – AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING ARTICLE 100. OF THE TOWN OF SOUTHWEST RANCHES UNIFIED LAND DEVELOPMENT CODE (ULDC), ENTITLED "APPLICATION SUBMITTAL AND NOTICE PROCEDURES"; AMENDING SECTION 100-060. ENTITLED "MAIL NOTICE REQUIREMENTS FOR PUBLIC HEARINGS" TO PROVIDE MAIL NOTICE REQUIREMENTS FOR PLATS AND FOR WAIVER OF PLATS; AMENDING THE PRESCRIBED DISTANCES FOR MAIL NOTIFICATION TO 1,500 FEET; PROVIDING FOR INCLUSION IN THE TOWN CODE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

MOTION: TO APPROVE.

12. Resolution – A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, SUPPORTING THE EFFORTS OF STUDENTS WORKING AGAINST TOBACCO (SWAT), THE TOBACCO-FREE PARTNERSHIP OF BROWARD COUNTY, AND THE AMERICAN CANCER SOCIETY TO RESTRICT THE SALE OF FLAVORED TOBACCO PRODUCTS; AND PROVIDING FOR AN EFFECTIVE DATE.

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

MOTION: TO APPROVE.

13. 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 CITY OF TAMARAC FOR INFORMATION TECHNOLOGY SERVICES THAT INCLUDES THE PURCHASE AND INSTALLATION OF VOICE OVER INTERNET PHONES (VOIP); AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO ENTER INTO THE INTERLOCAL AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

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

MOTION: TO APPROVE.

14. Resolution – A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA APPROVING A CONTINUING CONTRACT WITH A.C. SCHULTES OF FLORIDA, INC., D.B.A. JAFFER WELL DRILLING, FOR INSTALLATION, TESTING AND REPAIR OF FIRE PROTECTION WATER WELLS; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO ENTER INTO AN AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

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

MOTION: TO APPROVE.

15. Resolution – A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA APPROVING AN AGREEMENT WITH SHENANDOAH GENERAL CONSTRUCTION COMPANY, FOR \$48,902.00 (FORTY EIGHT THOUSAND NINE HUNDRED TWO DOLLARS); MODIFYING THE EXISTING CULVERT AT SW 130TH AVENUE AND SW 52ND STREET; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO ENTER INTO AN AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

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

MOTION: TO APPROVE.

16. Resolution – A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AUTHORIZING THE RENEWAL AND MODIFICATION OF ITS EXISTING EMERGENCY LINE OF CREDIT NOTE IN THE PRINCIPAL AMOUNT NOT TO EXCEED \$4,500,000.00, TO PROVIDE FINANCING TO MEET RECOVERY COSTS RELATING TO A DECLARED STATE OF EMERGENCY AFFECTING THE TOWN AND COSTS RELATED THERETO; COVENANTING TO REPAY SUCH NOTE FROM REIMBURSEMENTS RECEIVED BY THE TOWN FROM

FEMA AND THE STATE OF FLORIDA, AND COVENANTING TO BUDGET AND APPROPRIATE FUNDS, FROM LEGALLY AVAILABLE NON-AD VALOREM REVENUES; AUTHORIZING THE EXECUTION OF A LOAN AGREEMENT, LOAN NOTE AND SUCH OTHER LOAN DOCUMENTS DEEMED NECESSARY; TO REPAY SUCH NOTE; PROVIDING FOR A BUDGET AMENDMENT TO FY 2012-2013; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

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

MOTION: TO APPROVE.

17. Approval of Minutes

- a. Minutes for April 11, 2013 – Regular Council Meeting

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

MOTION: TO APPROVE.

18. Adjournment – The meeting was adjourned at 10:00 p.m.

Respectfully submitted:

Erika Gonzalez-Santamaria, CMC, Town Clerk

*Adopted by the Town Council on
this 23rd day of May, 2013.*

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.