

REGULAR MEETING MINUTES OF THE TOWN COUNCIL
Southwest Ranches, Florida

Thursday 7:00 PM

November 14, 2013

13400 Griffin Road

Present:

Mayor Jeff Nelson

Vice Mayor Steve Breitkreuz

Council Member Gary Jablonski

Council Member Freddy Fisikelli

Council Member Doug McKay

Andrew Berns, Town Administrator

Keith Poliakoff, Town Attorney

Erika Santamaria, Town Clerk

Martin Sherwood, Town Financial Administrator

Michele Mellgren, 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 7:15 PM. Attendance was noted by roll call and was followed by the Pledge of Allegiance.

3. Presentation – GFOA Financial Reporting Achievement Award

Mayor Nelson and the Town Council recognized and presented Martin Sherwood, Town Financial Administrator, with the GFOA Achievement Award.

4. Discussion – Update on Law Enforcement Services Contract

The Town Council discussed the item and 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 ALLOW THE DAVIE POLICE DEPARTMENT TO UTILIZE DODGE CHARGERS RATHER THAN SUV'S.

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 SCHEDULE A SPECIAL MEETING ON TUESDAY, NOVEMBER 19, 2013 AT 6:00 P.M.

The Town Attorney inquired if the applicant understood the quasi-judicial procedures or needed the quasi-judicial hearing procedures and rules read. The applicant agreed to the procedures and declined to have the procedures read and there were no members of the public that requested the quasi-judicial procedures be read. The Town Clerk swore-in the Petitioners and members in the audience giving testimony on the following matters. Members of the Town Council disclosed that there were no *ex parte* communication with the petitioners.

5. Delegation Request – Consideration of Delegation Request application number DE-018-13, to eliminate a left turn lane requirement, change the street name on the plat, and amend the

non-vehicular access line, relating to the Bella Acre Estates Plat, as recorded in Plat Book 177, page 58, of the Broward County Public Records. Generally located on the east side of 172nd Avenue, 300 feet south of SW 49th Street. Jeff Spear, petitioner; Bella CES, LLC., owner.

Michele Mellgren, Town Planner, provided an oral report and submitted her written report as exhibits. 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 THE ITEM WITH THE CONDITIONS SET FORTH BY THE TOWN PLANNER'S REPORT.

6. Site Plan Modification – Consideration of Site Plan modification application number SP-054-13. Jeff Spear, petitioner; Bella CES, LLC., owner. The applicant is seeking approval for a temporary construction trailer, relocate the perimeter fence closer to the edge of the right-of-way line of SW 172nd Avenue, and revise the entry feature and signage. Property is generally located on the east side of 172nd Avenue, 300 feet south of SW 49th Street.

Michele Mellgren, Town Planner, provided an oral report and submitted her written report as exhibits. 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 THE ITEM WITH THE CONDITIONS SET FORTH BY THE TOWN PLANNER'S REPORT AND INCLUDE THE FOLLOWING AMENDMENTS; THIRTY DAYS TO COMPLETE RESTRICTIVE COVENANT RATHER THAN FIFTEEN DAYS; ALL INTERIOR IMPROVEMENTS COMPLETED PRIOR TO ISSUANCE OF CO – ALLOW TWO HOMES WILL BE ISSUED CO'S AND BUILDING PERMITS FOR A THIRD BUT PRIOR TO THE THIRD HOME BEING ISSUED A CO THE TURNING LANE MUST BE INSTALLED; CHIEF BUILDING OFFICIAL NEEDS TO AGREE THAT THE 95% COMPLETE HOME CAN BE BUILT AS-IS OR NEEDS TO BE BROUGHT UP TO THE CURRENT TOWN CODE; TEN DAYS TO REMOVE TRAILER ONCE LAST HOME IS PERMITTED.

7. Public Comment – There were none at this time.

8. Board Reports – There were none at this time.

9. Council Member Comments

Council Member Jablonski reminded the public that the Aster Knight Parks Foundation Annual event will take place on November 16th at the Davie School Museum and on December 14th will be the Horse Fun Show at Equestrian Park from 8:00 am to 5:00 pm.

Council Member Fisikelli gave an update on the progress at Fishing Hole Park. He also inquired about the status of the election sign issue.

Vice Mayor Breitzkreuz stated that the new election sign form was acceptable for the upcoming election.

Council Member McKay requested the Town Council to consider a future charter change that would make the Vice Mayor position an elected position versus a rotated position among Council. There was no consensus of the Town Council to move forward on this request.

10. Legal Comments

The Town Attorney provided an update on the Resource Recovery Conflict Resolution issue with Broward County. He also updated the Council with New Testament lawsuit.

11. Administration Comments

The Town Administrator also elaborated on the Resource Recovery conflict resolution. He updated the Council with E-911 conflict resolution between the Town and Broward County. He reminded the Council that the ethics training is set for November 21st and that the conflict resolution meeting is scheduled for December 3rd on the E-911 services.

12. Resolution – A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING A YEAR END BUDGET ADJUSTMENT FOR THE FISCAL YEAR 2012/2013 BUDGET; 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 Breitzkreuz 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, APPROVING THE TOWN COUNCIL MEETING SCHEDULE FOR THE CALENDAR YEAR 2014; AND PROVIDING AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE RESOLUTION.

14. Resolution – A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE TOWN HOLIDAY SCHEDULE FOR THE CALENDAR YEAR 2014; 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 THE RESOLUTION.

15. Resolution – A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPOINTING COUNCIL MEMBER GARY JABLONSKI AS THE NEW VICE MAYOR OF THE TOWN OF SOUTHWEST RANCHES; 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 THE RESOLUTION.

16. Approval of Minutes

- a. Minutes for October 24, 2013 – Council Meeting

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, Fisikelli, McKay, Vice Mayor Jablonski and Mayor Nelson voting Yes.

MOTION: TO APPROVE THE MINUTES.

17. Adjournment – Meeting was adjourned at 9:25 p.m.

Respectfully submitted:

Erika Gonzalez-Santamaria, CMC, Town Clerk

*Adopted by the Town Council on
this 12th day of December, 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.