

REGULAR MEETING MINUTES OF THE TOWN COUNCIL
Southwest Ranches, Florida

Thursday 7:00 PM

May 9, 2019

13400 Griffin Road

Present:

Mayor Doug McKay	Andrew Berns, Town Administrator
Vice Mayor Gary Jablonski	Russell Muniz, Assistant Town Administrator, Town Clerk
Council Member Freddy Fisikelli	Martin D. Sherwood, Town Financial Administrator
Council Member Bob Hartmann	Keith Poliakoff, Town Attorney
Council Member Denise Schroeder	

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 McKay at 7:02 PM. Attendance was noted by roll call and was followed by the Pledge of Allegiance.

3. Broward County Update – Commissioner Steve Geller

Commissioner Geller invited all Town Council to a luncheon at Tree Tops Park on Wednesday, May 15th to discuss county and municipal relations. He also asked the Council to communicate issues that they needed County support with.

4. Archbishop McCarthy Nationally Ranked & State Champion Robotics Team

The Archbishop McCarthy Robotics Team's moderator, Steve Henrehen showed a Power Point presentation about the Robotics Program and their recent competition.

5. Public Comment

The following members of the public addressed the Town Council: Newell Hollingsworth, John Eastman, Jim Laskey, David Kuczenski.

6. Board Reports

George Morris, Chairperson of the Drainage & Infrastructure Advisory Board (DIAB) reminded Council that one more member was needed for the board.

7. Council Member Comments

Vice Mayor Jablonski advised of upcoming events such as the Household Hazard Waste on May 11th, a Household Hazardous Waste including shredding services on July 13th, the Rural Arts Public Arts & Design board's (RPAB) Photo Contest photos which are due on August 15th, the Flow Mobile DMV Services on May 23rd, and lastly, reminded everyone that Town Hall will be closed on May 27th, in observance of Memorial Day.

Also, Council Member Jablonski wished all the mothers a wonderful Mother's Day. He also thanked and gave a special shout out to George Morris, Chairperson of the DIAB, who volunteered as the Bingo caller, and diffused a discussion between two of the Bingo players by contributing to the event and made a donation to the Southwest Ranches Parks Foundation.

Mayor McKay advised that Town Administrator Berns and December Lauretano-Haines, liaison to the Parks & Recreational Open Spaces (PROS) Board, have various projects pertaining to the parks upcoming. Also, he informed that he met with Kevin Hart from the South Broward Drainage District (SBDD) about drainage issues. In addition, he reported that Town Attorney Poliakoff is currently working on a waiver for the Town so volunteers can help residents clear the banks of their canals. Lastly, Mayor McKay mentioned that it was Budget season, and that he plans to attend all meetings to discuss the Town's Budget issues. He welcomed any resident to please call Town Hall if they would like to share their input, thoughts and/or concerns.

Council Member Hartmann wished all mothers a very Happy Mother's Day.

Council Member Fisikelli offered no comments.

Council Member Schroeder offered no comments.

8. Legal Comments

Town Attorney Poliakoff announced that the legislative session had ended, and the Town has projects in the proposed budget. He reported that the Town will receive some of the funds which have been allocated; over a half million dollars for the numerous projects that were prioritized by the Town. However, the Emergency Operations Center (EOC) was pulled out of the budget, but it will be a priority project for next year's budget.

Next, Mr. Poliakoff informed that in order to protect and maintain the Town's sovereignty, he worked diligently to include language in the Florida Statutes, and created multiple bills which state that a municipality may not buy property in another municipality without the consent of that municipality, and a municipality may not de-annex another municipality's property without that municipality's consent.

In an effort to avoid any issues with Tallahassee, the Town reached out to Pembroke Park which has good connections with the League of Cities which published a policy statement on their website, stating their support of a municipality's right not to be de-annexed. During the legislative session, the House of Representatives passed two versions of the language bill and the language went into the Senate bill. However, the League of Cities expressed strong opposition of the language. As a result of the League of Cities' opposition of the language, Pembroke Pines hired four lobbyists to defeat the Town's language. The Senate president reached out to a member of the Senate who is a friend of the Town, and she included the language in the bill, but was then asked to withdraw the language from the bill. Furthermore, Town Attorney Poliakoff reached out to State Senator, Gary Farmer, placed the language in the bill, and proposed the amendment to amend the bill. However, he was later attacked by many League of Cities' and Pembroke Pines' lobbyists.

The final outcome was that the language did not get passed this year, however, some good came out of this because now everyone in the Senate has been educated on the issues between Pembroke Pines and the Town of Southwest Ranches. This in turn will avoid any major issues

next year. Lastly, the Town now has formed an alliance with Pembroke Park, who are outraged by the League of Cities' opposition to the anti-annexation bill when they were the ones who previously attended meetings, and created a sub-committee on annexation just for Pembroke Park. The Town is prepared to continue to succeed next year.

Next, Town Attorney Poliakoff informed that the Town was hit with an American Disabilities Act (ADA) issue. The Town recently received a letter from a sight-impaired individual from Daytona Beach stating that he cannot read the Town's website because it doesn't have the accessibility for his screen reader, and under ADA if the Town doesn't revamp its website, he could sue the Town. He requested the Town's budget for the last five years, and the Town's Minutes for the last ten years, etc. In response to his request, Assistant Town Administrator/Town Clerk Muniz drafted a letter stating that the Town is currently working on accommodating his request. As a result, Mr. Muniz will need to hire a company to audit the Town's website to determine which aspects are not in ADA compliance. This is an unbudgeted item that will come before Town Council to consider the re-vamping of the Town's website or to remove Town's website completely in order to be ADA compliant.

The Mayor suggested to take down the information from the Town's website for six months. Assistant Town Administrator/Town Clerk Russell Muniz explained that taking down information from the Town's website would not be a good idea because it won't eliminate our liability, even if we settle. Mr. Muniz opined that by reaching a financial settlement it will signify that we are a Town that settles. The Town Attorney reached out to the Attorney General's office for assistance, but they advised him to refer to the League of Cities.

Lastly, the case with Mr. McBride is not over. His lawyer claims that he never agreed to the offer that Town Council had suggested. As a result, Mr. McBride had four people deposed including Mayor Doug McKay, Ryan McKay, the Mayor's son, Chris Reynolds, a resident who lived on Palomino fifteen years ago, and worked for Sea Visions in 2009, and his neighbor, Mr. Calabrese. Town Attorney Poliakoff and Town Administrator Berns are currently meeting on a weekly basis to discuss ways that can resolve this issue. Unfortunately, there is no imminent resolution.

9. Administration Comments

Town Administrator Andrew Berns reported that the roof of the Rolling Oaks Barn has been pressure cleaned. Also, Town Administrator Berns informed that the Town is scheduled to receive \$600,000, and \$375,000 for the guardrails project, and \$200,00 for drainage projects. He advised that Town's lobbyists are working with the Governor's Office to ensure that the Town will not have any issues.

Lastly, Town Administrator Berns thanked Mayor McKay and Council Member Schroeder for their efforts in re-striping Town Hall's parking lot.

Resolutions

10. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA URGING THE STATE LEGISLATURE AND FEDERAL GOVERNMENT TO INITIATE A

STUDY OF THE HEALTH EFFECTS OF SMALL CELL TOWERS BUILT TO ACCOMODATE 5G TECHNOLOGY AND TO DEVELOP INSTALLATION GUIDELINES PROTECTING THE HEALTH AND WELFARE OF RESIDENTS; AND PROVIDING FOR AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE RESOLUTION.

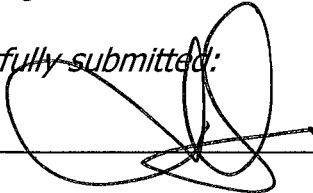
11. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AUTHORIZING THE ISSUANCE OF A PURCHASE ORDER IN AN AMOUNT NOT TO EXCEED TWENTY-EIGHT THOUSAND SEVEN HUNDRED AND SEVENTY-ONE DOLLARS AND TEN CENTS (\$28,771.10) TO MOTOROLA SOLUTIONS, INC. TO PURCHASE PUBLIC SAFETY COMMUNICATION EQUIPMENT FOR THE SOUTHWEST RANCHES VOLUNTEER FIRE RESCUE, INC.; AND PROVIDING FOR AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE RESOLUTION.

12. **Adjournment** - Meeting was adjourned at 8:48 P.M.

Respectfully submitted:



Ivette Solera, Deputy Town Clerk, CMC

Adopted by the Town Council on this day of June 13, 2019.


Doug McKay, 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.