

REGULAR MEETING MINUTES OF THE TOWN COUNCIL
Southwest Ranches, Florida

Thursday 7:00 PM

March 14, 2019

13400 Griffin Road

Present:	Andrew Berns, Town Administrator
Mayor Doug McKay	Russell Muñiz, Assistant Town Administrator/Town Clerk
Vice Mayor Gary Jablonski	Martin D. Sherwood, Town Financial Administrator
Council Member Freddy Fisikelli	Keith Poliakoff, Town Attorney
Council Member Bob Hartmann	
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 7:54 PM. Attendance was noted by roll call and was followed by the Pledge of Allegiance.

3. Waiver of Plat for 13401 Old Sheridan Street; WP-23-18

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING WAIVER OF PLAT APPLICATION NO. WP-23-18 TO SUBDIVIDE APPROXIMATELY 4.41 NET ACRES OF PROPERTY INTO TWO LOTS OF 2.15 AND 2.26 NET ACRES; GENERALLY LOCATED ON OLD SHERIDAN STREET, APPROXIMATELY 600 FEET EAST OF HOLATEE TRAIL; LEGALLY DESCRIBED AS THE SOUTH HALF OF TRACT 51, LESS THE SOUTH 60 FEET FOR ROAD PURPOSES, OF THE EVERGLADES SUGAR AND LAND COMPANY SUBDIVISION, LOCATED IN SECTION 2, TOWNSHIP 51 SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 39 OF THE DADE COUNTY, FLORIDA PUBLIC RECORDS, SAID LANDS NOW LYING, BEING AND SITUATE IN BROWARD COUNTY, FLORIDA; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO PROPERLY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE WAIVER OF PLAT.

4. Waiver of Plat No. WP-22-18

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING WAIVER OF PLAT APPLICATION NO. WP-22-18 TO SUBDIVIDE APPROXIMATELY 4.6 NET ACRES OF PROPERTY INTO TWO LOTS OF APPROXIMATELY 2.3 NET ACRES EACH; GENERALLY LOCATED ON THE SOUTH SIDE OF SW 50TH COURT, APPROXIMATELY 1,800 FEET WEST OF MATHER BOULEVARD/SW 178TH AVENUE; LEGALLY DESCRIBED AS THE EAST HALF OF THE WEST HALF OF TRACTS 29 AND 30 IN SECTION 31, TOWNSHIP 50 SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT OF FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1,

AS RECORDED IN PLAT BOOK 2, PAGE 17 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, SAID LANDS NOW SITUATE IN BROWARD COUNTY, FLORIDA; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO PROPERLY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE WAIVER OF PLAT.

Ordinance – 1st Reading

10. AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE TOWN OF SOUTHWEST RANCHES UNIFIED LAND DEVELOPMENT CODE ("ULDC"), ARTICLE 45 ENTITLED, "AGRICULTURAL AND RURAL DISTRICTS," SECTION 045-050, "USES PERMITTED" TO REQUIRE MINIMUM PLOT SIZES EXCEEDING 2.3 NET ACRES FOR CROP RAISING AND PLANT NURSERIES, AND 4.5 NET ACRES FOR FISH BREEDING; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE.

The following motion was made by Vice Mayor Jablonski, and seconded by Mayor McKay, and passed by a 4-1 roll call vote. The vote was as follows: Council Members Fisikelli, Schroeder, Vice Mayor Jablonski, and Mayor McKay voting Yes. Council Member Hartmann voted No.

MOTION: TO APPROVE THE ORDINANCE.

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

MOTION: TO APPROVE THE ORDINANCE SUBJECT TO COMPREHENSIVE PLANNING ADVISORY BOARD REVIEW AND RETURN TO TOWN COUNCIL IN 90 DAYS.

5. Public Comment

The following members of the public addressed the Town Council: Sikh Society of Florida, John Eastman, Sheril Vander Heiden, Craig Vander Heiden, Brad McBride, Clara del Risco, Omar Chavez, Jim Laskey, Robert Parker, Richard Ramcharitar, Michele McBride, Tony Browne, David Kuczanski, and Debbie Green.

6. Board Reports

Mary Gay Chaples of the Parks and Recreation Board reported that she reached out to the Aster Knight's Parks Foundation to see if they would assist in helping with the clearing and cleaning of the Rolling Oaks pond. The board is willing to help with the fuel, but recommended asking the Town Council first if they would support qualified volunteers for the cleaning and clearing of the

Rolling Oaks pond. All Council Members favored the use of volunteers, but they need to sign a waiver in order to volunteer.

Steve Breitzkreuz, Chairperson of the Comprehensive Planning Board reported that the board will take back the ordinance discussed tonight, and encouraged Council to note any concerns that they might have with the ordinance. On behalf of the Comprehensive Planning Board, Mr. Breitzkreuz expressed appreciation the Council's patience with the nursery and landscaping maintenance company ordinance. He reported that it has been a great experience continuing the process, and it will not be too long before it comes back to Council.

7. Council Member Comments

Vice Mayor Jablonski announced that the Sikh Society 5K is on Saturday, March 30th, and the Town Wide Annual Easter Egg Hunt is on Sunday, April 7th. He received a notice of an alleged election violation from the State of Florida. A resident, Stephanie Cawein filed a violation against him for failing to file a termination report by September 20, 2018. He stated that these accusations are false. Council Member Jablonski opined that Stephanie Cawein should not be allowed to serve on the Drainage and Infrastructure and/or the Comprehensive Planning Board. He made a motion to remove Stephanie Cawein from the Comprehensive Planning Board and the Drainage Infrastructure Board.

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 Fisikelli, Hartmann, Schroeder, Vice Mayor Jablonski, and Mayor McKay voting Yes.

MOTION: TO REMOVE STEPHANIE CAWEIN FROM THE DRAINAGE AND INFRASTRUCTURE BOARD AND THE COMPREHENSIVE PLANNING BOARD.

The following motion was made by Council Member Schroeder, and seconded by Council Member Hartmann, and passed by a 4-1 roll call vote. The vote was as follows: Council Members Fisikelli, Schroeder, Hartmann, Vice Mayor Jablonski voting Yes, and Mayor McKay voting No.

MOTION: TO REMOVE STEPHANIE CAWEIN FROM COMPREHENSIVE PLANNING BOARD.

Council Member Hartmann reported that he attended Broward Days in an effort to stress key points to the legislators to make the decisions for additional drainage dollars, and safety equipment, such as more guardrails. He announced that he will have follow-up meetings with Town Administrator Berns in an effort to continue going forward. He invited everyone to come out to the Country Estates HOA barbecue on March 30th at the Country Estates Park. He asked Keith about the ongoing issue with the Calabrese property.

Town Attorney Poliakoff replied to Council Member Hartmann that Mr. Calabrese has lived on his property for thirteen years, and was approved of this Special Exception use of the facility by the Council. The staff recommendation was to deny the application. The Council approved it and

required him to have public parking available. However, the resolution for the approval is not very clear about the ancillary use to the fish and coral.

Town Attorney Poliakoff advised the Town Council of the McBride's, Caparros, Calabreses, and the Perez families lobbing complaints about each other which is taking Code Enforcement's time to focus and preventing them from focusing on other code issues in Town. He asked Code Enforcement Director Robert Solera how many times he had been out at those properties. Mr. Solera replied that he had been out twice, but that his staff had been out there six more times. These code complaints have been going on for about six months with about twenty to thirty complaints in total.

Town Attorney Poliakoff asked the Town Council to provide direction as it relates to residents using Code Enforcement to mitigate neighbor disputes. He indicated that the disputes between neighbors, particularly along Palomino Road, generated an inordinate number of complaints that have been investigated by Code Enforcement. As such the resources of Code Enforcement were being strained. He felt that Council could provide direction to Code Enforcement not to continue pursuing these complaints and advise these property owners to pursue their grievances in Circuit Court. The Town Council indicated their support of directing Code to advise the affected neighbors to resolve their issues in Circuit Court.

Council Member Schroeder explained that she had no knowledge of Council Member Jablonski's issue, but she apologized to Council Member Jablonski and his wife. Also, she reported that Juanita Romance, a former Town employee, was in a serious car accident, and had to have spinal cord surgery. Council Member Schroeder stopped by to visit her, and she opined that Juanita was not in good condition. Juanita will be staying with her son after her rehabilitation. Council Member Schroeder stressed the importance of buckling up your seatbelt, even if you are sitting in the back seat. Also, she opined that the curb at Griffin Road needs to be cut down, and agreed that the pond at Rolling Oaks needs to be cleaned. Lastly, she opined that a committee should be formed to discuss the FAA's flight path to Fort Lauderdale Airport and the increased air traffic.

Discussion was held about the need to appoint an advisory board member to the Comprehensive Planning Advisory Board.

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

MOTION: TO APPOINT MARY GAY CHAPLES TO THE COMPREHENSIVE PLANNING BOARD.

Mayor McKay read a prepared statement that clarified the legal fees paid by the Town. He did this in response to rumors and false claims being made on social media. He spoke about his attendance at Broward Days in Tallahassee and discussed the issues the Town met with State lawmakers on, including the meeting with FDOT on the proposed Park and Ride.

8. Legal Comments

Town Attorney Poliakoff thanked the Mayor and Council Members who attended Broward Days and felt that was vital to the Town's success. He spoke about the Speaker of the House' statement that he intended to move to Southwest Ranches when he was done with his term. He referred to the rumors regarding the Town's legal expenses spread on social media and affirmed the comments made by Mayor McKay that the Town has only paid \$150,000 for legal expenses from October 1st to date. He spoke about additional money budgeted in preparation for the Pembroke Pines lawsuit.

9. Administration Comments

Town Administrator Berns informed that at the next Town Council meeting the item about the Flamingo Use Amendment will be discussed and there will be a lot of public input so in an effort to have more time for the public to be heard, the meeting is scheduled to start at 6 p.m. Also, before the April 11th meeting there will be refreshments to acknowledge and thank all the Town volunteers for their service. Lastly, Mr. Berns praised December Lauretano-Haines for the Town's stellar reputation at Water Matters day and to Chris Brownlow for volunteering her services as well to make the set up a success.

Resolutions

11. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE ISSUANCE OF A PURCHASE ORDER IN THE AMOUNT OF TWELVE THOUSAND EIGHT HUNDRED EIGHTY-FOUR DOLLARS AND ELEVEN CENTS (\$12,884.11) TO DELL MARKETING, LLP FOR A NEW SERVER TO REPLACE AN OLDER SERVER THAT IS NEARING THE END OF ITS USEFUL LIFE; PROVIDING FOR SEVERABILITY, PROVIDING FOR CONFLICTS, AND PROVIDING FOR AN EFFECTIVE DATE.

Council Member Hartmann had a question about the servers. Russell Muñiz, Assistant Town Administrator/ Town Clerk replied that the Town has two servers a primary and secondary.

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

MOTION: TO APPROVE THE RESOLUTION.

12. Approval of Minutes

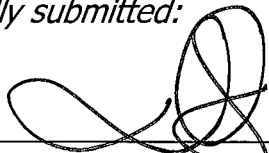
a. February 13, 2019

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 Fisikelli, Schroeder, Hartmann, Vice Mayor Jablonski, and Mayor McKay voting Yes.

MOTION: TO APPROVE THE MINUTES.

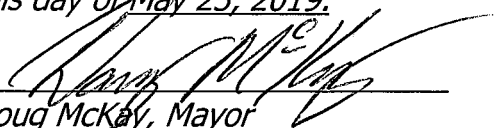
13. Adjournment - Meeting was adjourned at 9:52 PM.

Respectfully submitted:



Ivette Solera, Deputy Town Clerk, CMC

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