

REGULAR MEETING MINUTES OF THE TOWN COUNCIL
Southwest Ranches, Florida

Thursday 7:00 PM

June 27, 2019

13400 Griffin Road

Present:

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 7:01 PM. Attendance was noted by roll call and was followed by the Pledge of Allegiance.

3. Public Comment

The following members of the public addressed the Town Council: Russell Speicher, David Kuczenski, David Dodge, and Vince Falletta

4. Board Reports

Steve Breitzkreuz, Chairperson of the Comprehensive Planning Board provided an update on the status of the nursery ordinance. He informed that changes have been made to the ordinance, so Town Attorney Poliakoff is currently reviewing it to make sure the ordinance conveys exactly what the board is requesting. Mr. Breitzkreuz hopes to have the ordinance completed by the next Council meeting.

Mary Gay Chaples, Chairperson of the Parks Board, reported that Trailside Park on Flamingo and Griffin Road was in pretty good shape, and would like to touch up the inside of the pavillion and clean it up. The park has no garbage can yet, so there is a lot of trash to be picked up. Also, after visiting Calusa Corners Park, she opined not to take down the whole fence, but only the section that is damaged. The park is opened, and having the fence completely taken down could cause people to park their cars there. There is only one drainage retention issue by Dykes Road that needs to be addressed. The board's goal is to visit every park in Town, and see what needs to be done in an effort to upgrade each and every one of the parks in Town. Also, in reference to the topic of volunteers that was mentioned at an earlier meeting, Ms. Chaples insisted that the Town has many volunteers with heavy machinery that are willing to get the parks cleaned up so that the public can use them, and that it won't cost the Town any money.

5. Council Member Comments

Vice Mayor Jablonski thanked everyone for coming, and he wished everyone a great 4th of July. He advised residents to please refrain from shooting fireworks and firearms because it scares the Town's pets, livestock, and all other animals. He announced upcoming events such as the Household Hazardous Waste & Prescription Drug Drop Off on July 13th, Budget Season will begin

13th, Budget Season will begin next month, Broward County Property Appraiser's Office will be at Town Hall on July 15th, DMV Flow Mobile on July 25th, Photo Contest photos are due by August 15th, and Bingo at the Barn on August 24th.

Council Member Hartmann hoped that all the fathers had a wonderful Father's Day, and he wished everyone a Happy 4th of July.

Council Member Schroeder wished everyone a Happy 4th of July, however, she informed that in 1941, the state of Florida passed a law stating that fireworks are illegal, unless you have a special license. She advised to use sparklers instead.

Council Member Fisikelli offered no comments.

Mayor McKay advised everyone to have a safe, happy and healthy 4th of July.

6. Legal Comments

Town Attorney Poliakoff congratulated Assistant Town Administrator/Town Clerk Muñiz on his recent prestigious State of Florida, 2019 City Clerk of the Year Award which honors a Florida municipal clerk whose accomplishments have made a significant contribution in raising the professional status, image or education of the Municipal Clerk profession. Deputy Town Clerk, Ivette Solera nominated Mr. Muñiz for his leadership, innovation, community relations, and involvement in the professional association. In addition, Town Administrator Berns wrote a nomination letter in support of Mr. Muñiz, and asked Town Attorney Poliakoff if he would share and read some parts of his letter. Assistant Town Administrator/Town Clerk, Russell Muñiz thanked the Mayor and Council for all of their accolades and support.

Next, Town Attorney Poliakoff happily announced that the Town survived the governor's veto. He was thankful to Governor DeSantis for funding the Town's projects, including the guardrails project. He also mentioned that some of next year's priorities will include the annexation language which would preclude one city from buying property in another city and allowing them to annex it, as well as our public safety bill.

He also informed that after many hours of legal discussions, the McBride's have acknowledged and agreed that the Town owns the right of way adjacent to their home; both the South and West right of way. Therefore, the McBride's would like to enter into a settlement agreement which will include a Maintenance Indemnification Work agreement (MIW) with the Town.

Town Attorney Poliakoff brought these terms before Council for discussion, consideration, and urged recommendation of approval. He opined that sometimes emotions get in the way of these litigations and would like to see this issue end once and for all, and to move on to bigger and better things.

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

MOTION: TO APPROVE THE SETTLEMENT AGREEMENT AND MIW AGREEMENT WITH THE TOWN AND THE MCBRIDE'S.

7. Administration Comments

Assistant Town Administrator Muñiz advised that Town Administer Berns was on vacation and would be back the following week. He added that the Town received \$59,000 in funds from FEMA and that Town Financial Administer Sherwood has applied the funds to the Town's bank credit line to help to offset some of the interest costs.

Resolutions

8. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING A PURCHASE ORDER IN THE AMOUNT OF TEN THOUSAND FIVE HUNDRED AND FIFTY DOLLARS AND ZERO CENTS (\$10,550.00) WITH DYKES CUSTOM BARNS AND FENCING TO REMOVE AND REPLACE THE EXISTING FENCE AT THE COUNTRY ESTATES FISHING HOLE PARK; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO ENTER INTO A PURCHASE ORDER; APPROVING A BUDGET AMENDMENT TO THE FISCAL YEAR 2018/2019 BUDGET FOR THE COUNTRY ESTATES PARK PERIMETER FENCING IMPROVEMENT PROJECT; AND PROVIDING AN EFFECTIVE DATE.

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

MOTION: ITEM TABLED TO MEETING ON JULY 25, 2019

9. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE SELECTION NEGOTIATION COMMITTEE'S RECOMMENDATIONS AND RANKING FOR EXTERNAL AUDIT SERVICES; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO ENTER INTO AN AGREEMENT, WITH KEEFE McCULLOUGH & CO. LLP, THE TOP RANKED VENDOR, IN SUBSTANTIALLY THE SAME FORM AS EXHIBIT "A"; PROVIDING FOR SEVERABILITY, PROVIDING FOR CONFLICTS, AND PROVIDING FOR AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE RESOLUTION.

10. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, GUARANTEEING THE TOWN'S PERFORMANCE OF CONSTRUCTION OF THE REQUIRED IMPROVEMENTS, AS SET FORTH IN THE ATTACHED INSTALLATION OF REQUIRED IMPROVEMENTS AGREEMENT WITH BROWARD COUNTY; AUTHORIZING THE APPROPRIATE

TOWN OFFICIALS TO EXECUTE THE INSTALLATION OF REQUIRED IMPROVEMENTS AGREEMENT WITH BROWARD COUNTY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE RESOLUTION.

11. Terra Ranches Condition of Approval – Mayor McKay

Town Attorney Poliakoff explained that the conditions of approval that was passed by Council states that the roadway be built after the 4th house's certificate of occupancy, however, Terra Ranches' condition of approval states that the roadway had to built before the 4th house was permitted. The question before the Council was whether or not to adopt the Terra Ranches condition of approval as it is written, or to adopt the condition of approval that Bella Acres was granted.

Mayor McKay and Council Member Schroeder agreed that the Terra Ranches condition of approval should be re-written just like the Bella Ranches condition of approval. However, Council Member Hartmann and Vice Mayor Jablonski opined that the Terra Ranches condition of adoption should remain as approved.

Town Attorney Poliakoff suggested to Council that they table the discussion item until the next Council meeting, so that he can personally investigate the issue further so that it may come before Council at the next meeting.

12. Approval of Minutes

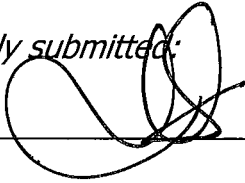
a. March 28, 2019 Town Council Regular Meeting

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

MOTION: TO APPROVE THE MINUTES.

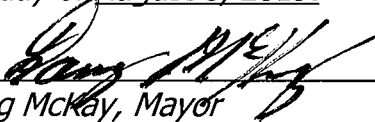
13. Adjournment - Meeting was adjourned at 8:45 P.M.

Respectfully submitted:



Ivette Solera, Deputy Town Clerk, CMC

*Adopted by the Town Council on
this day of August 8, 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.