

**REGULAR MEETING MINUTES OF THE TOWN COUNCIL**  
**Southwest Ranches, Florida**

Thursday 7:00 PM

June 11, 2020

13400 Griffin Road

Present:

Mayor Doug McKay

Andrew Berns, Town Administrator

Vice Mayor Denise Schroeder

Russell Muñiz, Assistant Town Administrator/Town Clerk

Council Member Delsa Amundson

Martin D. Sherwood, Town Financial Administrator

Council Member Bob Hartmann

Keith Poliakoff, Town Attorney

Council Member Gary Jablonski

Regular Meeting of the Town Council of Southwest Ranches was held virtually via the ZOOM meeting platform. 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. PUBLIC COMMENT**

The following members of the public addressed the Town Council: Debbie Green, David Sears and Steve Breitkruz.

**4. Board Reports**

There were no Board Reports.

**5. Council Member Comments**

Council member Jablonski spoke about the vehicle break-ins throughout Southwest Ranches. He advised the residents to make sure their cars are locked at night. He warned the residents that on top of physical items that could be stolen, identities could be stolen as well if the thieves got their hands on the usual glove box paperwork. Council Member Jablonski also spoke about the graduation parade that was held for the 2020 Southwest Ranches high school graduates. He stated it was a great event and praised all who had a hand in making it happen.

Council Member Hartmann also spoke on the rash of car break-ins. These are crimes of opportunity. He cautioned residents to lock their cars and remove their personal items out of the car. Council Member Hartmann also spoke about the graduation parade. He stated it was one of the nicest things the Town and the residents had done for the residents yet. He praised the Sullivan family, the Cunningham family, as well as Town Administration for all they did to make the event happen. Lastly Council Member Hartmann spoke on the pandemic. He talked about the rising number of cases and what the news outlets are reporting to be the contributing factors. He stated the best thing people can do right now is protect their families and themselves, because this virus doesn't seem to be going away any time soon. He mentioned Southwest Ranches seems to be doing better than most cities, with not many cases noted so far, but his heart goes out to people that live in condos and apartment buildings that may be unable to keep a safe distance apart from each other.

Council Member Amundson talked about She talked about mulch piles and how they can spontaneously combust if left in one position for too long in the heat. The bottom of the mulch pile gets very hot over time and if it isn't turned or moved in some way, it can catch fire. She wants to see if the Town can look into something that can ensure the nurseries and property

owners turn their piles of mulch every six months and maybe move the piles to a cooler area to prevent them from catching fire. Mayor McKay interjected that the Town has had mulch fires in the past and had to enlist the help of bulldozers and front-end loaders to help put out the fires. He also mentioned they should reach out to Town Administrator Berns, Assistant Town Administrator Muñiz or Community Development Director Medina for any ideas or suggestions to help with this issue. Town Administrator Berns stepped in and advised that he and Council Member Amundson had a conversation about the mulch problem, and he stated Community Development Director Medina is aware of the problem as well, however there isn't anything in the Town's Code yet. Town Administrator Berns stated Council can direct the Town to look into it and bring some information back to the Town Council. Mayor McKay thought that would be a great idea. Council Member Hartmann asked if Broward County had anything in their code. He suggested to check with Broward County first before drafting anything locally. Council Member Amundson stated she wasn't necessarily asking for a new law to be drafted, just for the Town to do some research around other cities to see what is being done, if anything. Mayor McKay summarized Council Members Amundson and Hartmann's suggestions to research surrounding areas. The entire Town Council agreed this should be looked into.

Vice Mayor Schroeder thanked everyone for the graduation parade. She stated Town Administrator Berns and his crew did an incredible job, even though it was last minute notice. She felt Madison Sullivan did a great job and she is lucky to have a mom that is helping guide her into the future. Vice Mayor Schroeder also spoke about the rain and the flooding. She stated a lot of residents called her about it. She stated she advised them the water will recede after a while. She said the residents were complaining the canals were too high. Council Member Schroeder called South Broward Drainage District and she was told they were pumping the canals as fast as they can. She advised the residents to drive with caution or stay home and wait for the rain to stop.

Mayor McKay praised everyone that had a hand in bringing the graduation parade to fruition. He said what a great job staff and Madison Sullivan and her family did bringing it all together and he was very happy to see Principal Fatout at the event. Mayor McKay stated everyone was thrilled and happy and he appreciates the kids and their families coming out and participating. Vice Mayor Schroeder asked if she could say something and thanked Council Member Hartmann for taking pictures of all the graduates in their cars and maybe he could reach out to Principal Fatout to let the kids know where they can go to download their pictures. Council Member Hartman replied that he was happy to do it and stated his pictures were on his Facebook page, but he would get in touch with Principal Fatout.

## **6. Legal Comments**

Town Attorney Poliakoff congratulated the 2020 graduating seniors. He stated there was nothing new in the Legislature. The Governor still hasn't been presented with any of the Town's bills, so those projects are on hold for the time being.

## **7. Administration Comments**

Town Administrator Berns also spoke on the graduation parade. He acknowledged that while it was nice to hear the praise, he owed his thanks to Assistant Town Administrator Muñiz, Debra Ruesga and Danielle Caban for all their hard work behind the scenes. He thanked Madison Sullivan

for her hard work and stubbornness, and he also wanted to thank Vice Mayor Schroeder as well. Vice Mayor Schroeder provided assistance, acted as a sounding board and was very helpful. Second, Town Administrator Berns provided an update on the fire assessment. He advised the Town is working with our consultant, who is running behind, and he hopes to have something to bring to the next Town Council meeting. Next, Town Administrator Berns spoke about the surtax and our drainage and infrastructure projects. They cleared the Oversight Committee and all the projects were approved. The next step is to go to the County Commission for approval, which will be on June 16, 2020. Lastly, Town Administrator Berns spoke on the Governor's Executive Order allowing virtual meetings is due to expire June 30<sup>th</sup>, 2020 and at this point that date has not been extended. He stated there have been requests from Miami-Dade County and he thinks there will be a request from Broward County to extend the virtual meeting order soon. He mentioned that some of the Town Council had spoken to him about the Archbishop McCarthy quasi-judicial items and wanted to have a public meeting to allow the public to voice their opinions. Town Administrator Berns then asked the Council what their opinions were on having a public meeting instead of a virtual meeting for the June 25, 2020 Town Council meeting. Mayor McKay, Vice Mayor Schroeder and Council Members Amundson and Jablonski all agreed to have the Town Council meeting in person, however Council Member Hartmann preferred a hybrid meeting, with the option of attending in person or virtually. Council Member Hartmann was not comfortable meeting in person yet, especially the way the number of virus cases keep rising. Council Member Jablonski stated since there are two meetings per month, he wouldn't mind having one Town Council meeting in person for hot button items and the other Town Council meeting virtually for housekeeping items. Town Attorney Poliakoff stepped in to clarify the conversation. He said he wanted to make sure the Council understood that whatever consensus is reached is only in the event the Governor extends the virtual meeting Executive Order which at the time, he had not. Town Attorney Poliakoff then stated if the Town Council does implement the hybrid meeting approach, he suggests they hold the quasi-judicial items at the in-person meetings and the meeting without quasi-judicial items can be held virtually. Town administrator Berns then asked Town Attorney Poliakoff if the Executive Order isn't extended, will the Town then be required to hold physical meetings. Town Attorney Poliakoff stated yes. Town Administrator Berns went on to ask if a physical meeting requires a quorum present but would still allow up to two Council Members to attend virtually? Town Attorney Poliakoff clarified the way the law reads it's only permitted for emergency purposes; he would have to render an opinion saying the fear of sickness from the disease constitutes an emergency. Technically speaking you are not supposed to vote while not at a meeting, but most municipalities in the county allow it, he would just have to write it up ahead of time. Council Member Jablonski asked the Town Attorney if the Town Council could be in the same building, just in different rooms and Town Attorney Poliakoff stated a quorum requires everyone to be in the same room. The Town Council could spread out on the Dais and the Town Administrator, Assistant Town Administrator/Town Clerk and the Town Attorney could be in another room. A quorum is required to be in the same room in the presence of each other. That is the legal requirement. Town Attorney Poliakoff also clarified the maximum number of people allowed to attend the meeting is 50, that's the law and a big portion of that number are participants. The Town will have to keep an eye on the numbers and allow people who cannot be in the Council Chambers to participate telephonically. Town Administrator Berns stated he now has a sense of what the Town Council wants, and he will watch to see what the Governor does going forward.

Ordinance – 1<sup>st</sup> Reading

**8.** AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING ORDINANCE 2002-005 AND THE TOWN'S COMPREHENSIVE EMERGENCY MANAGEMENT PLAN (CEMP) AND ADOPTING A NEW CONTINUITY OF OPERATIONS PLAN (COOP) IN ORDER TO MINIMIZE HUMAN AND PROPERTY LOSSES AND TO PRESERVE THE CONTINUANCE OF THE TOWN'S MUNICIPAL ESSENTIAL OPERATIONS IN THE EVENT OF A NATURAL OR MANMADE DISASTER; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO APPROVE THE PLANS; AND PROVIDING AN EFFECTIVE DATE.

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

**MOTION:** TO APPROVE THE ORDINANCE ON 1<sup>st</sup> READING WITH THE STIPULATION TO MAKE THE FOLLOWING AMENDMENT TO THE COMPREHENSIVE EMERGENCY MANAGEMENT PLAN (CEMP): PAGE 6, UNDER "CONTENTS OF DECLARATION", LETTER "A" , SHALL NOW READ, "TOWN ADMINISTRATOR OR TOWN COUNCIL".

Resolutions

**9.** A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING AN INTERLOCAL AGREEMENT WITH BROWARD COUNTY PROVIDING FOR THE DEVELOPMENT OF EMERGENCY ORDERS RELATED TO COVID-19 AND THE REIMBURSEMENT BY THE COUNTY TO THE TOWN FOR DEVELOPMENT FUNCTIONS RELATED TO SAID EMERGENCY ORDERS; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO EXECUTE SAID AGREEMENTS; AND PROVIDING AN EFFECTIVE DATE.

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

**MOTION:** TO APPROVE THE RESOLUTION.

**10. Approval of Minutes**

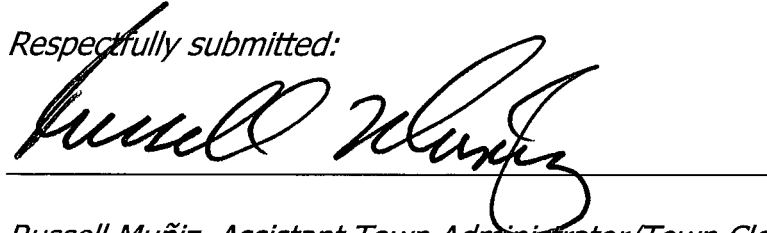
a. May 28, 2020 Regular Meeting

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

**MOTION:** TO APPROVE THE MINUTES.

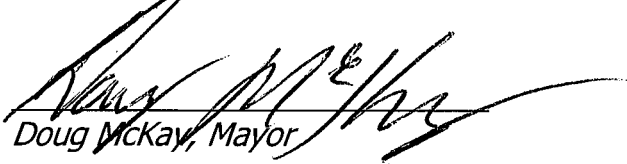
**11. Adjournment** - Meeting was adjourned at 7:50 p.m.

*Respectfully submitted:*



*Russell Muñiz, Assistant Town Administrator/Town Clerk*

*Adopted by the Town Council on this day of 9<sup>th</sup> day of July, 2020.*



*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.