

REGULAR MEETING MINUTES OF THE TOWN COUNCIL
Southwest Ranches, Florida

Thursday 7:00 PM

May 23, 2024

13400 Griffin Road

Present:

Mayor Steve Breitkreuz

Russell Muñiz, Town Administrator

Vice Mayor David S. Kuczenski

Debra M. Ruesga, Town Clerk

Council Member Jim Allbritton

Emil C. Lopez, Town Financial Administrator

Council Member Bob Hartmann

Richard Dewitt, Assistant Town Attorney

Council Member Gary Jablonski

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 Breitkreuz at 7:22 PM. Attendance was noted by roll call and was followed by the Pledge of Allegiance.

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

MOTION: TO MOVE ITEM 15 OUT OF ORDER TO BE HEARD AFTER PUBLIC COMMENT.

3. Presentation – Skyhawks – SuperTots Program

PROS Manager December Lauretano-Haines introduced Mr. Farid Issoulaimani, the owner and manager of the Southeast Florida Skyhawks program. Mr. Issoulaimani presented information on the design and functions of the SuperTots Program and spoke about the SuperTots registration event happening on June 1st.

4. Public Comment

The following members of the public addressed the Town Council: John Garate, Mike Rodriguez, Mary Michel, Bebi Ballee, Krishna Madan, Anna Koldys, Kirk Hobson-Garcia, Richard Ramcharitar, Gay Chaples, Marianne Allen, Ghazzal Dabiri, and Debbie Green.

Discussion

15. Discussion - Glyphosate Restriction - Council Member Hartmann

Council Member Hartmann introduced the discussion item as a discussion on the dangers presented by glyphosate, which is used in many herbicides including Round Up, to the animals in the community. He spoke about dogs that have died from various cancers in the community and that it seemed linked to the chemical. He talked about the difficulty of banning glyphosate from the Town but stated that banning it from being used at the Town parks may help alleviate the issue. He discussed alternative methods for weed control and said education on the topic may be the best solution. He introduced Town vendor Monty Montgomery of Allstate Resource Management, that has helped maintain Town properties, to provide more information on the subject and to discuss if there are other options available for the Town.

Mr. Montgomery provided a brief history of glyphosate and said that glyphosate is one of the most widely used and widely tested herbicides in the world. He described how glyphosate works on plants and stated that it was a systemic herbicide. He provided information on the difference between systemic and contact herbicides. He spoke about the world organizations that have disputed that glyphosate is a carcinogen and stated that only one organization has said that it could possibly be linked to cancer. He spoke about the difference between hazards vs risk when using the product and listed items other items that are listed are carcinogens. He spoke about alternatives to using glyphosate and stated that many of the alternatives are not as effective as glyphosate. He described the dangers associated with alternatives and stated that many of the items used as alternatives can be harmful to both humans and animals, as well as the environment. He thanked the Town Council for taking the time to discuss the issue and stated he would be happy to provide further information to them.

Council Member Hartmann stated that he was originally going to make a motion to stop the use of glyphosate in the Town parks but would like to defer it and research the topic further.

Mayor Breitreuz opened the discussion to public comment with many of the comments speaking against the use of glyphosate and wanted the Town Council to search for alternative methods.

Council Member Jablonski raised the question of what the State and County spray the canals in the Town and asked if Council Member Hartmann knew what product was being used.

Council Member Hartmann stated that he asked those agencies approximately 15 years ago and was told that it was not Round Up, but a product called Rodeo. He said that Luis Ochoa, the Director of the South Broward Drainage District would be attending a Town Council Meeting next month and that he may be able to provide information on the matter. He thanked Mr. Montgomery and Town residents for speaking before the Town Council on the matter. He said that more research was needed on the matter and that he would provide more information on the subject to everyone. He asked residents to also look into the matter and check the Town Newsletter for his updates.

5. Board Reports

Debbie Green spoke on behalf of the Schools and Education Advisory Board. She spoke about the issue of school closures in Broward County and stated that a representative from Broward County Schools attended the Board meeting. She said that the representative advised that due to overwhelming response from County residents that there were no longer any school closures being planned. She spoke about the reasons for creating the Board and the Town Scholarship Fund, and reminded everyone the Scholarship applications were due May 31st.

6. Council Member Comments

Council Member Jablonski thanked everyone for coming to the meeting and recognized former Town Administrator Andy Berns who was in attendance. He spoke about the acoustical panels being placed in the Rolling Oaks Barn, and the Bingo at the Barn event. He spoke about Hazmat at the Barn on July 27th and the upcoming photo contest and stated that this year's theme will be "Proud of Our Town". He also spoke about the herbicide Garlan and that it may something that should be researched as an alternative for the Town.

Vice Mayor Kuczenski discussed the upcoming Halloween Home Decorating Contest occurring in October and said more information on the contest would be provided soon. He discussed glyphosate and stated that he would ban it across the State. He thanked the Davie Police Department for their hard work and provided the statistics for his monthly "law and order" report.

Council Member Allbritton thanked everyone for attending the meeting and played a quick audio sound clip from the "Superman" TV show theme song. He explained that he played the audio to demonstrate that even Superman could not read minds and said that communication is the only way for people to let the Town Council know what they want. He spoke about an issue with one of the new speed signs in the Town and used it as an example of poor communication between the residents and the Town Council. He said that the Town Council and Town Staff were available for residents and that if there were issues in the Town to bring them to their attention. He also addressed the issue of the school closures and stated that when he discussed the matter at a previous meeting the County was facing the possibility of closing schools at that time.

Council Member Hartmann spoke about an incident that occurred after the May 9th Town Council meeting. He stated that he was approached by a resident after the meeting and was berated and called derogatory names by the resident. He said a similar incident occurred again with the same resident a week later after another meeting. He stated that he has attended countless Town meetings during the 24-year history of the Town and is now uncomfortable with attending meetings because of the individual. He then spoke about the issues that he found in public records regarding the individual's criminal charges and history. He said that he was discussing these issues to encourage residents to research this person because he was running for election and residents should be informed before deciding on the candidates.

Mayor Breitzkreuz discussed that communication was vital and that the Town Council reports on the information at the time and used the school closures as an example. He addressed the comments that the Town Council passes ordinances that target persons that do not have the financial backing like others and stated that information was false and disheartening to hear. He said that everyone's definition of rural is different and the Town Council is there to try to preserve the Town's open spaces and that preserve the lifestyle for the next generation. He spoke about the Town's Resolution denouncing the Hamas attacks against Israel in 2023. He discussed an upcoming meeting with the Superintendent of Broward Schools about moving forward with the South Florida Wildlife Center being moved to the Town.

7. Legal Comments

Assistant Town Attorney Dewitt spoke about the subject of a conflict of interest if Mr. Garcia is selected as the Special Magistrate for two cases pending in the Town. He stated that if Mr. Garcia was selected as the Town's Special Magistrate, an alternate Magistrate would be used for those specific cases. He addressed an issue that was brought up during public comment regarding the Town paying for a specific legal case and said the Town was not paying for it and that the issue was being handled pro bono by the Town Attorney's office. He addressed the issue of personal attacks against him on social media and expressed his anger on the issue.

8. Administration Comments

Town Administrator Muñiz discussed the SuperTots program and the registration event occurring on June 1st. He spoke about the upcoming hurricane season and the measures Town staff is taking to prepare for it. He spoke about the installation of the Traffic Enforcement Speed signs around the Town and that more signs are planned to be installed next fiscal year. He also recognized the attendance of the new Assistant Chief of Operations for the Town of Davie, Assistant Fire Chief Chris Abramczyk.

Ordinances

9. AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE CAPITAL IMPROVEMENTS ELEMENT AND ADOPTING THE FIVE-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS FOR FISCAL YEARS 2024-2028 PURSUANT TO CHAPTER 163, FLORIDA STATUTES; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

MOTION: TO APPROVE ITEM WITH THE FOLLOWING CHANGES: a) First Paragraph of CIE Policy 1.1-c, amend the word "supermajority" to "simple majority". b) CIE Policy 1.1-c, remove bullet point 3 ("The Town Council shall not approve any bond issue or refinancing of a bond issue with a call date"). c) CIE Policy 1.1-d, remove the words, "at the budget workshop" and replace with "as necessary".

10. AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE TOWN OF SOUTHWEST RANCHES COMPREHENSIVE PLAN, FUTURE LAND USE ELEMENT POLICY 1.8- P AND THE PERFORMANCE STANDARDS FOR THE US HIGHWAY 27 BUSINESS CATEGORY IN PART TWO OF THE FUTURE LAND USE ELEMENT ENTITLED, "PERMITTED USES IN FUTURE LAND USE CATEGORIES;" PERTAINING TO POTABLE WATER AND SANITARY SEWER FACILITIES REQUIRED TO SERVE DEVELOPMENT DESIGNATED US HIGHWAY 27 BUSINESS CATEGORY ON THE FUTURE LAND USE PLAN MAP; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND OTHER REVIEW AGENCIES DEFINED IN F.S.

163.3184(1)(C); PROVIDING FOR RECERTIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (APPLICATION NO. PA-24-2)

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

MOTION: TO TABLE THE ITEM TO THE AUGUST 8, 2024 TOWN COUNCIL REGULAR MEETING.

11. AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, SUBMITTING TO REFERENDUM AMENDMENTS TO THE TOWN'S CHARTER; PROPOSING THE FOLLOWING AMENDMENTS TO BE CONSIDERED ON THE NOVEMBER 5, 2024 GENERAL ELECTION BALLOT: TO AMEND ARTICLE I "CORPORATE EXISTENCE" SECTION 1.01 TO CLARIFY THAT THE TOWN ALSO SEEKS TO PROMOTE THE AGRICULTURAL AND EQUESTRIAN CHARACTER OF THE TOWN AND TO ADD THIS LANGUAGE TO ARTICLE VI "ELECTIONS" SECTION 6.01 (H) "OATH"; TO AMEND ARTICLE VI "ELECTIONS" SECTION 6.01 (G) TO CLARIFY THAT THE TERM OF OFFICE SHALL NOT COMMENCE UNTIL THE ELECTION RESULTS HAVE BEEN CERTIFIED; TO AMEND ARTICLE VII "CHARTER AMENDMENTS" SECTION 7.02(C) TO CLARIFY THAT CHARTER AMENDMENTS REQUIRE "AT LEAST" SIXTY (60) PERCENT APPROVAL FROM THE VOTERS; TO AMEND ARTICLE IX "TRANSITION" TO RENAME ARTICLE IX "ASSESSMENTS AND TAXATION" AND TO REMOVE ALL OF THE OUTDATED CORPORATE FORMATION LANGUAGE CONTAINED IN SECTIONS 9.02 THROUGH 9.07; DIRECTING THE TOWN CLERK TO PROVIDE FOR A NOTICE OF ADVERTISEMENT OF THE REFERENDUM ELECTION TO BE PUBLISHED IN ACCORDANCE WITH THE STATE OF FLORIDA ELECTION CODE; SUBMITTING THE REFERENDUM TO THE QUALIFIED VOTERS OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, FOR THE 2024 GENERAL ELECTION; PROVIDING THAT SUCH REFERENDUM, IF ADOPTED, SHALL BECOME EFFECTIVE AS PROVIDED BY LAW; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS, AND PROVIDING FOR AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE ITEM AND ADD AN ADDITIONAL CHARTER QUESTION TO THE BALLOT THAT "REQUIRES A 5-0 AFFIRMATIVE VOTE TO ADD PROACTIVE ITEMS".

Resolutions

12. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING A CONSULTING AGREEMENT BY AND BETWEEN THE TOWN OF SOUTHWEST RANCHES AND SAGE CONSULT, LLC, WHICH ESTABLISHES THE SCOPE AND COMPENSATION FOR SAGE CONSULT, LLC TO PROVIDE PROJECT MANAGEMENT SERVICES TO

THE TOWN; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO ENTER INTO AN AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE ITEM WITH THE ADDITIONAL LANGUAGE ADDED TO PAGE 9 ITEM 17C "THE TOWN ADMINISTRATOR CAN REQUEST TO REMOVE AN INDIVIDUAL".

13. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, ACCEPTING THE RESIGNATION OF EUGENE STEINFELD, ESQ., OF EUGENE M. STEINFELD, ATTORNEY AT LAW, PA, AS THE TOWN'S SPECIAL MAGISTRATE; APPOINTING MICHAEL GARCIA, ESQ., OF MICHAEL GARCIA, PA, AS THE TOWN'S SPECIAL MAGISTRATE; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO ENTER INTO AN AGREEMENT WITH MICHAEL GARCIA, PA; AND PROVIDING AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE ITEM.

14. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, ACCEPTING AND APPROVING AN AGREEMENT WITH TAIE, INC., D/B/A MINUTEMAN PRESS OF HOLLYWOOD IN THE AMOUNT OF FIFTY-ONE THOUSAND SIX HUNDRED SEVENTY TWO DOLLARS AND ZERO CENTS (\$51,672) TO PROVIDE NEWSLETTER DESIGN, PRINT, AND DELIVERY SERVICES; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY, TO ENTER INTO AN AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE ITEM.

16. Approval of Minutes

a. April 11, 2024 Regular Meeting Minutes

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

MOTION: TO APPROVE THE ITEM.

Adjournment

Meeting adjourned at 10:27 p.m.

Respectfully submitted:



Debra M. Ruesga, CMC, Town Clerk

Adopted by the Town Council on this 11th day of July, 2024.



Steve Breitkreuz, 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.