

REGULAR MEETING MINUTES OF THE TOWN COUNCIL
Southwest Ranches, Florida

Thursday 7:00 PM

July 25, 2024

13400 Griffin Road

Present:

Mayor Steve Breitkreuz

Russell Muñiz, Town Administrator

Vice Mayor David S. Kuczenski

Dan Stewart, Deputy 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

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

Quasi-Judicial Hearings

3. Public Site Plan for Fifth-Third Bank

A RESOLUTION AND FINAL ORDER OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING SITE PLAN APPLICATION NO. SP-85-23 BY MG SOUTHWEST RANCHES, LLC FOR A 1,900 SQUARE-FOOT FIFTH THIRD BANK AT 15891 SHERIDAN STREET; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

The following motion was made by Council Member Jablonski, 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 Breitkreuz voting yes.

MOTION: TO APPROVE RESOLUTION WITH THE AMENDMENT TO ALLOW LIGHTING PAST 11:00 P.M. TO ENSURE PUBLIC SAFETY.

4. Proclamation – Zen Elite Equestrian Center Olympic Competitors – Adrienne Lyle with Helix and Endel Ots with Bohemian

5. Public Comment

The following members of the public addressed the Town Council: Marianne Allen, John Steven Garate, and Debbie Green.

6. Board Reports

Jim Laskey spoke on behalf of the Zero Waste Task Force. He discussed converting yard waste to topsoil.

Richard Ramcharitar spoke on behalf of the Zero Waste Task Force. He discussed his attendance at a zero-waste conference in Brazil and the dangers of incineration.

Harold Gubnitsky spoke on behalf of the Zero Waste Advisory Board. He described Board's purpose encouraged everyone to attend the August 6th, 2024 meeting.

George Morris spoke on behalf of the Southwest Ranches Parks Foundation. He discussed the car show / chili cook off happening February 22, 2025, and the Country Fair Carnival happening over next year's Martin Luther King Jr. holiday weekend. He said that any vendors interested in being a part of the carnival could contact the Board through the SWR Country Fair website, www.swrcountryfair.com. He spoke about Bingo at the Barn happening on September 14th, 2024, and encouraged everyone to attend the event. He discussed the tree at the Rolling Oaks Barn that died when after being struck by lightning, that the Board is thinking of having the tree carved into a sculpture, and that the Board may ask the Town for funds to complete the project. Lastly, he spoke about the trees at the SW Meadows Sanctuary Park being trimmed and how well it looks.

Marianne Allen spoke as the Agricultural Liaison and thanked Town Administrator Muñiz and Mayor Breitzkreuz, Richard Ramcharitar, and herself for being proactive in their efforts in saving the Town's farms. She discussed the importance of green spaces, the aquifer, and farms.

7. Council Member Comments

Council Member Jablonski addressed a comment made during Public Comments regarding campaign promises and talked about the accomplishments of the Town Council. He spoke about upcoming events within the Town such as Hazmat at the Barn on July 27th, the Calendar Photo Contest submission deadline of September 9th, and the DMV Flow event on August 28th. He stated that if anyone needed the "Recycle Right" decals for their recycling bins, they were available at Town Hall. He discussed having candidate forums and options on how to conduct them. He spoke about the rules on the placement of political signs and said that Code Compliance will be removing signs that are placed in Rights-of-Way. He talked about the legal fees the Town has paid over the last nine months.

Council Member Hartmann spoke about the amount of waste being recycled in the Town has decreased over the years. He talked about various ways the Town is trying to get more people engaged in recycling and asked for more residents to be involved. He spoke about the Zero Waste Advisory Board meeting on August 6th and encouraged everyone to attend and provide feedback to the Board. He discussed the Solid Waste Authority meeting happening on August 14th, and said the executive director of the board would be in attendance and asked for everyone to attend to express their views against the incinerator. He spoke about the upcoming budget meetings and the importance of having resident input in the budget process. He stated the Budget Workshop will be August 13th, the First Budget Public Hearing will be September 12th, and the Second Budget Hearing will be September 26th. He also talked about his upcoming article in the Town Newsletter describing the Charter Amendments for the upcoming election.

Vice Mayor Kuczynski discussed the Agricultural Liaison position and the importance of protecting the designated agriculture properties of the Town. He asked Assistant Town Attorney DeWitt to provide and update on the P3 property. He spoke about contaminants in recycling and the

importance of recycling properly. He discussed placing additional LPR cameras on Griffin Road towards the western portion of the Town reduce the amount of conveyance burglary in that area. He spoke about having an artist create design concepts for "Stop the Incinerator" signs and may present the idea to the Town Boards for discussion. He reminded residents that the Town has Charter Review Amendments on the ballot in November. Lastly, he provided the traffic citations report for the Town.

Council Member Allbritton addressed Vice Mayor Kuczenski's recommendation to place additional LPR cameras on Griffin Road and stated that the Public Safety & Traffic Committee is currently discussing the matter and would be making recommendations to the Town Council soon. He spoke about the Broward County Emergency Management and US Small Business Administration partnering to provide loans for homeowners and business owners that were affected by the flooding that occurred during June 11th through June 14th. He discussed an issue involving the defacement and theft of his political signs and stated that people need to be respectful of each other.

Mayor Breitzkreuz reiterated that respect for one another is something that we should all have for each other. He addressed a comment made during Public Comments regarding the Town meetings being posted to YouTube. He discussed the candidate forums and said that he supports having them and would be willing to participate once they are set up. He spoke about the Solid Waste Authority meeting happening July 26th and encouraged everyone to attend to voice their opinions. He talked about the LPR cameras placed in the western portion of the Town and stated he appreciated the work being done by the Public Safety and Traffic Committee. He recognized Town Administrator Muñiz for obtaining his Credential Manager Certification and thanked him for all his hard work and congratulated him on his certification.

8. Legal Comments

Assistant Town Attorney Dewitt advised the Town Council of the status on the P3 property. He stated that a site plan was initially submitted with two buildings but was changed to one building with the same square footage. He said that even with the changes, they still intend to close in the fourth quarter.

9. Administration Comments

Town Administrator Muñiz advised the Town Council of the changes to state law regarding towing companies and that effective July 1st the Town would be allowed to add an additional 25% surcharge to the towing fees. He said the additional fee would be passed on to insurance companies and not the residents and that it would generate approximately an additional \$14,000 in revenue for the Town. He said that he and Town Attorney Poliakoff could draft a resolution to reflect those changes if the Town Council would like to incorporate the additional fee.

Ordinance – 2nd Reading

10. A 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. **{Approved on First Reading May 23, 2024}**

The following motion was made by Council Member Jablonski, 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 Breitreuz voting yes.

MOTION: TO APPROVE THE ORDINANCE ON SECOND READING.

Resolutions

11. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, ENTERING INTO AN AGREEMENT FLORIDA POWER & LIGHT COMPANY (FPL) FOR UTILIZATION OF SOUTHWEST MEADOWS PRESERVE AS A TEMPORARY STAGING AREA TO ENABLE EMERGENCY RECOVERY OPERATIONS FOLLOWING A MASS POWER OUTAGE; AUTHORIZING THE MAYOR, AND TOWN ATTORNEY, TO ENTER INTO AN AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

The following motion was made by Council Member Jablonski, 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 Breitreuz voting yes.

MOTION: TO APPROVE THE RESOLUTION.

12. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA ENTERING INTO A COOPERATIVE PURCHASING AGREEMENT WITH TETRA TECH, INC., BASED ON THE CITY OF TAMARAC AGREEMENT, TO PROVIDE DISASTER RECOVERY MANAGEMENT SERVICES; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO ENTER INTO AN AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

The following motion was made by Council Member Jablonski, 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 Breitreuz voting yes.

MOTION: TO APPROVE THE RESOLUTION.

13. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE NEIGHBORHOOD SAFETY GRANT AWARD IN THE AMOUNT OF FORTY THOUSAND DOLLARS AND ZERO CENTS (\$40,000.00) TO THE CIRCLE S ESTATES HOMEOWNERS ASSOCIATION; APPROVING A BUDGET AMENDMENT TO THE FISCAL YEAR 2023-2024 ADOPTED TOWN BUDGET; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO ENTER INTO AN AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

The following motion was made by Vice Mayor Kuczenski, 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 Breitreuz voting yes.

MOTION: TO TABLE ITEM AT REQUEST OF STAFF.

14. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, SETTING THE PROPOSED MILLAGE RATE AND CURRENT ROLL BACK RATE PURSUANT TO SECTION 200.065, FLORIDA STATUTES, AND ESTABLISHING THE DATE, TIME AND PLACE AT WHICH PUBLIC HEARINGS WILL BE HELD TO CONSIDER THE PROPOSED MILLAGE RATE AND THE TENTATIVE BUDGET FOR FISCAL YEAR 2025; DIRECTING THE TOWN CLERK TO FILE SAID RESOLUTION WITH THE PROPERTY APPRAISER OF BROWARD COUNTY PURSUANT TO THE REQUIREMENTS OF FLORIDA STATUTES AND THE RULES AND REGULATIONS OF THE DEPARTMENT OF REVENUE FOR THE STATE OF FLORIDA; DIRECTING THAT A CERTIFIED COPY OF THIS RESOLUTION BE SENT TO THE BROWARD COUNTY PROPERTY APPRAISER AND TAX COLLECTOR; AND PROVIDING AN EFFECTIVE DATE.

The following motion was made by Council Member Allbritton, 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 Breitreuz voting yes.

MOTION: TO APPROVE THE RESOLUTION.

15. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, RELATING TO THE PROVISION OF SOLID WASTE SERVICES, FACILITIES AND PROGRAMS TO RESIDENTIAL PROPERTIES IN THE TOWN OF SOUTHWEST RANCHES, FLORIDA; PROVIDING AUTHORITY FOR SOLID WASTE SERVICES ASSESSMENTS; PROVIDING PURPOSE AND DEFINITIONS; PROVIDING FINDINGS; INCORPORATING THE SOLID WASTE SPECIAL ASSESSMENT METHODOLOGY REPORT; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; PROVIDING FOR A 50% EXEMPTION FOR VETERAN'S SERVICECONNECTED TOTAL AND PERMANENT DISABILITY; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; AND PROVIDING AN EFFECTIVE DATE.

The following motion was made by Council Member Allbritton, 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 Breitreuz voting yes.

MOTION: TO APPROVE THE RESOLUTION.

16. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA PROVIDING FINDINGS; AMENDING IN PART SECTION 3 OF RESOLUTION 2011-084 BY PROVIDING A NEW DEFINITION; INCORPORATING THE 2024 FIRE ASSESSMENT REPORT;

APPROVING PRELIMINARY FIRE PROTECTION ASSESSMENT RATES RELATING TO THE PROVISION OF FIRE PROTECTION SERVICES, FACILITIES AND PROGRAMS IN THE TOWN OF SOUTHWEST RANCHES, FLORIDA FOR FISCAL YEAR 2024-25; PROVIDING FOR THE IMPOSITION AND COMPUTATION OF FIRE PROTECTION ASSESSMENTS; PROVIDING FOR AN EXEMPTION FOR VETERAN'S WITH SERVICE-CONNECTED TOTAL AND PERMANENT DISABILITY; PROVIDING FOR LEGISLATIVE DETERMINATIONS OF SPECIAL BENEFIT AND FAIR APPORTIONMENT; ESTABLISHING THE PRELIMINARY RATES OF ASSESSMENT; DIRECTING THE PREPARATION OF A PRELIMINARY ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF MAILED AND PUBLISHED NOTICE THEREOF; AND PROVIDING AN EFFECTIVE DATE.

The following motion was made by Council Member Allbritton, 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 Breitkreuz voting yes.

MOTION: TO APPROVE THE RESOLUTION.

Discussion

17. Discussion – City of Miramar Request to Oppose Miami Dade County Incinerator – Steve Breitkreuz

Mayor Breitkreuz introduced the item as a discussion on the City of Miramar's Resolution asking for support in their efforts to stop an incinerator being built in Miami-Dade. He stated the item was originally brought before the Town Council at the June 27, 2024 Town Council Meeting but failed due to a lack of second. He discussed the relationship he has been building with the Solid Waste Authority to oppose the incinerator being built in Broward County and how the resolution was brought to him by Mayor Messam of the City of Miramar. He spoke about his original reservations with the resolution including the amount being asked of the Town and the liability the Town may face in supporting the resolution. He stated that he wanted the Town Council to be able to discuss the resolution and see if there was a way to support the City of Miramar in a way that everyone was comfortable.

Council Member Jablonski spoke about the issues he had with supporting the resolution. He discussed the City of Miramar's fiscal budget, his belief that the Town would face a lawsuit from Miami-Dade County referencing tortious interference, and asked if any other local municipalities were supporting the resolution. He talked about the various sites that Miami-Dade has as potential locations for the incinerator. He stated that a Miami-Dade County incinerator could be used to dispose of Broward County Waste. He suggested that the Town should use the funds to hire a lobbyist to fight the incinerator being placed in Broward County or donate it the Zero Waste Task Force to support their efforts. He said the funds should not be taken from the Town reserves, but from the unassigned account accumulated from forfeiture funds. He spoke about the politics involved in supporting the resolution financially and said it was not worth the risk to the Town in the future. He stated that he would fully endorse a resolution to support the City of Miramar if it did not have a monetary amount attached to it.

Mayor Breitkreuz discussed the initial meeting with the City of Miramar in regards to the incinerator in Broward County and their response. He spoke about building support with local municipalities against the incinerator in Broward and said supporting the resolution would help with that cause. He said that he was fine with passing a resolution in support with no monies attached to it and that he would like the Town Attorney to review it to ensure there would be no liability issues for the Town. He stated that he did not want to get the Town involved in any litigation as a result of passing the resolution. He said that he would be in favor of giving money to the Zero Waste Task Force.

Council Member Hartmann discussed that he was in favor of supporting the City of Miramar but not at the risk of the Town facing any liability. He said that he would rather dedicate the funds to issues within the Town, including in support of opposition against the incinerator in Broward County.

Vice Mayor Kuczenski discussed his original motion to pass a resolution to support the City of Miramar without a monetary amount. Mayor Breitkreuz expressed that he wanted the resolution to come from the City of Miramar and not directly from the Town.

Vice Mayor Kuczenski spoke about the City of Medley wanting the incinerator in their city but that the Mayor of Medley was opposed to it. He expressed his concerns of the Town being liable and that he did not want to expose the residents to paying a bill because of a poor decision from the Town Council.

Council Member Allbritton said that the reason the Mayor did not get a second on the item during the June 27th meeting, were the issues with the liability and the monetary amount. He said that he would fully support a resolution without a monetary amount or liability risk to the Town.

Mayor Breitkreuz thanked the Town Council for their input and asked for the Council's consensus to direct the Town Attorney to remove the monetary amount from the resolution and review it for any liabilities the Town may face from passing it.

The Town Council gave their consensus and Mayor Breitkreuz instructed Assistant Town Attorney Dewitt to remove the monetary obligation from the resolution and review it for any liability issues.

18. Approval of Minutes

a. June 27, 2024 Regular Meeting Minutes

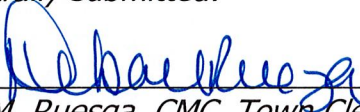
The following motion was made by Council Member Jablonski, seconded by Council Member Hartmann, and passed by a 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Hartmann, Jablonski, Vice Mayor Kuczenski, and Mayor Breitkreuz voting yes.

MOTION: TO APPROVE THE JUNE 27, 2024 REGULAR MEETING MINUTES.

19. Adjournment

Meeting adjourned at 9:56 p.m.

Respectfully submitted:



Debra M. Ruesga, CMC, Town Clerk

Adopted by the Town Council on this 12th day of September, 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.