

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

Thursday 7:00 PM

January 23, 2025

13400 Griffin Road

Present:

Mayor Steve Breitkreuz

Russell Muñiz, Town Administrator

Vice Mayor Bob Hartmann

Debra Ruesga, Town Clerk

Council Member Jim Allbritton

Emil C. Lopez, Town Financial Administrator

Council Member Gary Jablonski

Keith Poliakoff, Town Attorney

Council Member David S. Kuczenski

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 7:05 PM. Attendance was noted by roll call and was followed by the Pledge of Allegiance.

Quasi-Judicial Hearing

**3. Site Plan Modification for Adrian Fish Market and Restaurant**

A RESOLUTION AND FINAL ORDER OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING SITE PLAN MODIFICATION APPLICATION NO. SP-87-24 BY SW RANCHES 6670, LLC FOR ACCESSORY OUTDOOR DINING TO THE RESTAURANT AT 6670 DYKES ROAD; 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 Hartmann, and passed by a 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Jablonski, Kuczenski, Vice Mayor Hartmann, and Mayor Breitkreuz voting yes.

**MOTION: TO APPROVE THE RESOLUTION WITH THE FOLLOWING ADDITIONAL CONDITION, "INSTALL BOLLARDS BETWEEN THE PARKING SPACES AND THE OUTDOOR SEATING AREA TO BE APPROVED BY STAFF AS AN ADDITIONAL LEVEL OF PROTECTION FOR DINERS IN THE EVENT OF A CAR OVERRUNNING BOTH THE WHEELSTOP AND THE CURB".**

**Presentations**

**4. Presentation - Mayor Wayne M. Messam, City of Miramar**

Mayor Wayne M. Messam addressed the Town Council on the City of Miramar's efforts to stop an incinerator from being built along the City's border with Miami- Dade County. He spoke about how the City's efforts are also helping stop an incinerator from being built in Broward County near the Town's border and talked about how all the Broward County municipalities should work together to stop the incinerators. He discussed the City of Miramar receiving funds from other municipalities in the County to support the City's efforts in stopping the incinerators and asked the Town Council to provide funds to the City of Miramar as well.

The Town Council discussed the issue and raised the concerns that the Town may be drawn into a legal dispute if they contributed funds. Town Attorney Poliakoff stated that the Town can contribute to the City of Miramar if there is a stipulation on the contribution that it only be used to pay for legislative fees, such as a lobbyist, and not be used to pay legal fees. The Town Council discussed the issue further and decided Town Attorney Poliakoff's recommendation was the best choice of action.

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

**MOTION: TO APPROVE TO THE CITY OF MIRAMAR A ONE TIME COMMITMENT OF UP TO \$30,000.00 FOR LEGISLATIVE FEES FROM UNASSIGNED FUND BALANCE, FOR THE INCINERATOR ISSUE.**

**5. Presentation - Wyatt Krueger - Eagle Scout Project**

Eagle Scout Wyatt Krueger presented his project to the Town Council. The project consisted of two bat boxes that will be located at Rolling Oaks Park.

**6. Presentation by the Broward Metropolitan Organization (MPO) on the proposed US27 Light Rail Project**

Vice Mayor Hartmann introduced Mr. Paul Flavien from the Broward Metropolitan Planning Organization (MPO) and stated the presentation would provide information on the future of railways being built along US Highway 27. Mr. Flavien discussed the history of the US 27 Rail Corridor project and stated that the project's purpose was to meet the growing transportation needs for freight and passenger movement. He said the project would connect the Port of Miami to inland logistic centers around Lake Okeechobee in western Palm Beach County. He stated that the project was still in the development stages and further studies would be needed and explained that it is such a lengthy process that he could not even provide an estimate of how long it would take for the project to be built.

Mayor Breitzkreuz recognized Louis "Uncle Louie" Gregory for his work with Christopher Macchio who sang at the Presidential Inauguration. Mr. Gregory was called to the podium and spoke a few words about Mr. Macchio, the Inauguration, and the Town.

**7. Public Comment**

The following members of the public addressed the Town Council: The Sikh Youth Association, Ralph Bellman, Tim Sullivan, Tracy Swait, and Jim Laskey.

**8. Board Reports**

Harold Gubnitsky spoke on behalf of the Zero Waste Advisory Board. He talked about the January 7<sup>th</sup> meeting and the topics of the meeting included appointing of the Board Members, developing a scope of work for the zero-waste consultant RFP, and raising awareness for zero waste through

providing information in the Town Newsletter. He thanked the Town Council for their support with the zero-waste efforts.

Debbie Green spoke on behalf of the Schools and Education Advisory Board. She spoke about the upcoming "Flamingo Flocking" that would be starting in a couple of weeks and that it is a big fundraiser for the Town's Scholarship Fund.

George Morris spoke on behalf of the Southwest Ranches Parks Foundation. He discussed the success of the Country Fair and Carnival and thanked the sponsors and volunteers. He spoke about upcoming events such as the Car Show and ChiliFest on February 22<sup>nd</sup> and Bingo at the Barn on March 22<sup>nd</sup>. He mentioned that the Foundation is looking into a potential pumpkin patch and food truck events in the future.

## **9. Council Member Comments**

Council Member Jablonski addressed the issue of businesses based out of homes in the Town, that was brought up during Public Comment. He stated the issue needs to be further discussed at a future Town Council meeting. He thanked Louis Gregory and George Morris for representing the Town in such a positive manner and thanked them for their efforts in the Town. He spoke about upcoming events around the Town, such as the Blood Mobile at Town Hall on January 30<sup>th</sup>, Water Matters Day on March 8<sup>th</sup>, the Town's 25<sup>th</sup> Anniversary event on June 7<sup>th</sup>, and the Town's 5k scheduled for April 5<sup>th</sup> at Rolling Oaks Park. He talked about the Broward County Property Appraiser's Office being at Town Hall on February 4<sup>th</sup>, the Fun Horse Show on February 15<sup>th</sup>, the Car Show and ChiliFest on February 22<sup>nd</sup>, and the DMV FLOW event on February 28<sup>th</sup>. He spoke about the Barn Dance on March 15<sup>th</sup> and Bingo at the Barn on March 22<sup>nd</sup>.

Vice Mayor Hartmann spoke about the Country Fair and Carnival and thanked the Foundation for the superlative job they did with it and said that it was a great success. He talked about the Unity in Diversity 5k happening on April 5<sup>th</sup>, and that it was the 7<sup>th</sup> annual event and that it was a great tradition. He discussed the WM Recycling Facility tour that he is having on March 18<sup>th</sup>, and said spots are still available if anyone would like to join. He talked about the new recycling facility being built and the proper types of glass that could currently be recycled. He spoke about the issue of businesses using residential homes as a business location mentioned during Public Comment. He stated the issue is Town wide and needs to be addressed and that residents need to speak about the issue more often. He spoke about a Town resident that was arrested at Town Hall and advised that the Town Council Members could not speak about the issue due to legal reasons. He said that if anyone wanted more information on the charges to research the Broward County Clerk of Courts website.

Council Member Allbritton spoke about the Town resident that was arrested and that the issue occurred on December 19<sup>th</sup>. He said that if anyone wanted more information on it, they could research it on the internet. He thanked the Southwest Ranches Parks Foundation Board for their superb efforts with the Country Fair and Carnival. He spoke about the great residents the Town has and how they represent the Town in such a positive manner. He discussed attending the

Town of Davie's breakfast for veterans and that it was both a great and educational event for veterans. He talked about the upcoming meeting of the Town's women's group and the topic would include assisting veterans. He said that if anyone in the Town would like to start a veteran's group to contact him. He thanked Public Works Director Rod Ley and Engineering Inspector Joyce Marques for meeting with the residents of Green Meadows regarding the drainage project at Stirling Road and SW 166 Avenue and advised residents to be careful driving in the area until the project is completed. He discussed potholes in the Town and stated the Town is working diligently on them. He spoke about the Public Safety and Traffic Committee and voting on reconvening the Committee, and the efforts of the Committee has taken to reduce dangerous driving in the Town.

Council Member Jablonski spoke about the issue of speeding on Dykes Road and the safety of the children waiting at bus stops along the road. He asked Town resident Louis Gregory to the podium to provide further information. Mr. Gregory spoke about the dangerous speeding on the road, that mailboxes and garbage cans have been hit along the road by vehicles, and that he is concerned about children being stuck by a vehicle while waiting for the bus.

Council Member Allbritton stated that he had spoken to Mr. Gregory about the issue and contacted Broward County School Board Representative Rebecca Thompson about the issue, and that they will be meeting at the bus stop site to see what can be done to resolve the issue. He said he would keep Town Council and residents apprised on the matter.

Council Member Kuczenski spoke about recycling in the Town and the importance of reaching the State's mandated requirement to have 75% of solid waste recycled to prevent the incinerator from being built. He discussed attending the meeting of the Broward County Mobility Program (MAP) regarding the expansion of Sheridan Street from Flamingo Road to Volunteer Road to six lanes. He stated that there were issues with the project that could affect the Town such as lighting and a sidewalk on the north side of Sheridan Street. He asked the Town Council for a consensus to draft a Resolution that would oppose light pollution from affecting the homes along Old Sheridan Street, that would implement noise limiting measures to reduce traffic noise, and that would oppose the sidewalk from being constructed and the monies used instead to improve the intersection of Flamingo Road and Sheridan Street. The Town Council gave their consensus on the matter. He thanked Town Administrator Muñiz for speaking at the MAP Meeting and that he was instrumental in preventing a turn lane from being constructed turning North from east bound Sheridan Street onto Volunteer Road. He spoke about the Sunshine Ranches HOA voting at their next meeting on the locations to place the next set of illuminated speed signs in Sunshine Ranches. He discussed the issue of fireworks and the effect they have on horses. He suggested the Town ask State Representative Robin Bartleman to once again introduce a bill to oppose fireworks usage in the Town. He spoke about Comcast's green boxes used to place fiber optics underground being placed in horse trails and that the Town Administrator has contacted the company, and they are going to move the boxes from the trails. He talked about criminal activity in the Town and reminded everyone to be vigilant and report anything that may be suspicious.

Mayor Breitzkreuz spoke about trying to limit the time the Town Council spends on Council Member Comments and asked that Council Members, including himself, try to keep it brief to keep residents engaged with the meetings. He congratulated Town Financial Administrator Lopez and the Finance Department for receiving the GFOA Award and thanked him and the Finance Department on their work. He addressed the issue regarding the Farmer's Market spoken about during Public Comment and stated that he would meet with the resident to discuss it further. He spoke about the Rancher's Academy and asked residents to join in and reminded everyone that it is a two-night event on March 12<sup>th</sup> and March 19<sup>th</sup>. He discussed the problem of potholes in the Town and how the Town has found methods to improve the response time and ways to fix the area instead of just individual potholes. He spoke about the issue with maintaining private roads and that the Town cannot use public funds to fix private roads. He said the easiest way to correct the problem may be that the residents turn the private section of the road over to the Town and that the Town needs to find a way to streamline the process of converting private sections of road to public.

#### **10. Legal Comments**

Town Attorney Poliakoff congratulated George Morris on the success of the Country Fair and Carnival. He spoke about Aster Knight being ill and wished him a speedy recovery. He spoke about the traffic issue on Dykes Road and suggested that the Town could work with Broward County to possibly build a small section of guardrail in front of the bus stop. He reminded everyone that the Town does not monitor social media of private groups or individuals, and that the Town cannot respond to matters discussed on those accounts. He said that if there is any sort of criminal activity or emergency to not post about it on social media but contact Davie Police Department or call 911. He stated that in relation to legal issues Items 12 through 14 on the agenda deal with requirements set by either Broward County or the State, or in response to litigation, so discussion on the items may be limited.

#### **11. Administration Comments**

Town Administrator Muñiz spoke about the traffic enforcement detail the Town changed to an overnight detail during the holiday schedule and the positive effect it had thwarting property crime. He discussed the enhanced traffic detail the Town was going to be implementing February 1<sup>st</sup>. He talked about the traffic issue on Dykes Road and that he was working with Public Works Director Ley on ways to resolve the issue. He spoke about the Broward County Property Appraiser's Office visiting Town Hall the first Tuesday each month and that there is someone from their Agriculture Classification team that is with them to assist residents. He addressed the issue the Town faces with potholes and that he and Public Works Director Ley are working on methods to educate residents on how the process works and how the Town has improved methods of fixing potholes around Town. He addressed the issue Town Attorney Poliakoff raised regarding reporting emergencies in the Town. He stated that in emergencies to call 911, and that the Town of Davie Police Department recommends an app called Safer Watch to report incidents directly to the Police Department.

**Ordinances – 2<sup>nd</sup> Reading**

**12.** AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, ESTABLISHING A MINIMUM INTERIOR SPACE REQUIREMENT TO MAINTAIN CANINES WITHIN THE TOWN; PROVIDING FOR INSPECTION; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE. {Approved on first reading December 12, 2024}

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

**MOTION: TO APPROVE THE ORDINANCE ON SECOND READING.**

**13.** AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA; CREATING CHAPTER 28 OF THE TOWN OF SOUTHWEST RANCHES CODE OF ORDINANCES, TO CREATE A CHAPTER ENTITLED PUBLIC CAMPING OR SLEEPING; PROHIBITION; PENALTIES; COMPLAINTS; PROVIDING FOR SEVERABILITY, PROVIDING FOR CODIFICATION, AND PROVIDING AN EFFECTIVE DATE. {Approved on first reading December 12, 2024}

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

**MOTION: TO APPROVE THE ORDINANCE ON FIRST READING.**

**14.** AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, REPEALING AND REPLACING ORDINANCE NO. 2024-003; AMENDING SECTION 9-5 OF CHAPTER 9 ENTITLED "NOISE" OF THE TOWN OF SOUTHWEST RANCHES CODE OF ORDINANCES, TO AMEND THE LIST OF EXEMPTIONS; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE. {Approved on first reading December 12, 2024}

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

**MOTION: TO APPROVE THE ORDINANCE ON FIRST READING.****Resolutions**

**15.** A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, ADOPTING THE INVESTMENT POLICY IN SUBSTANTIALLY THE SAME FORM AS ATTACHED HERETO AS EXHIBIT "A"; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

**ITEM WITHDRAWN AT REQUEST OF STAFF.**

**16.** A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING A PIGGYBACK OF OMNIA PARTNERS CONTRACT (OMNIA PARTNERS (NCPA)-01-146) FOR THE ISSUANCE OF A PURCHASE ORDER IN AN AMOUNT NOT TO EXCEED THIRTY ONE THOUSAND FIVE HUNDRED TWELVE DOLLARS AND ZERO CENTS (\$31,512.00) TO LENOVO (UNITED STATES) INC. FOR LENOVO LAPTOPS; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

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

**MOTION: TO APPROVE THE RESOLUTION.**

**17.** A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, REINSTATING THE "PUBLIC SAFETY AND TRAFFIC COMMITTEE" FOR A SIX-MONTH PERIOD, FOR THE PURPOSE OF ADVISING THE TOWN COUNCIL OF PUBLIC SAFETY AND TRAFFIC RELATED ISSUES; PROVIDING FOR THE BOARD'S GOALS, OBJECTIVES, AND LIMITATIONS; PROVIDING FOR THE APPOINTMENT OF BOARD MEMBERS; AND PROVIDING FOR AN EFFECTIVE DATE.

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

**MOTION: TO APPROVE THE RESOLUTION.**

**Discussion**

**18. Timeline for Construction of New Homes**

Town Administrator Muñiz introduced the item as an issue that the Town does not have a policy regarding the time frame of the construction of a home and could conceivably be under construction for a long period of time. He stated that there are municipalities in Broward County and the South Florida region that have requirements for the time it takes to construct a home, and that he has spoken to the Town's Building Official to gather more information on the matter. He spoke about instances in the Town that this issue has occurred and the problems it presents to the Town, such as being an eyesore, a home built and finished under an outdated Building Code, persons living in the home even if has not been finalized, and the assessed tax value. He provided the following recommendations:

- Base the timeline on the builder of the home. For a professional contractor or developer, the home must be built within thirty six months and a home built by owner be built within forty eight months.
- Based on the square footage size of the home being built, a larger home should be given a longer time to be built, whereas a smaller home built in a shorter time frame.

Town Attorney Poliakoff advised the Town Council that there could be no distinction between contractor and owner due to State protection to treat them the same. He recommended the Town Council set the timeline for three to four years and if they did not complete the construction at the deadline the Town Council could vote to extend the timeline on a case-by-case basis. He stated that most municipalities treat current permits and new permits differently. Any permits that are open when the ordinance is passed have a set timeline and new permits after the ordinance is passed would be a different timeline. He answered Vice Mayor Hartmann's question regarding what to do if there were multiple extensions for the home and did not seem to make any progress. He said that if the home could not be built after a few extensions then Code Compliance could fine them or deem the structure unsafe and it would have to be demolished.

Council Member Kuczenski spoke about a specific property in Sunshine Ranches that had a home currently under construction, but nothing has been done on it for several years.

Council Member Allbritton raised questions about the process in regard to Broward County's permit process and Building Code. He stated that the Town did not adopt the portion of Broward County's Building Code on the time limit of home construction. He said that square footage should be considered in deciding the time limit and that something should be done to resolve the issue.

Town Attorney Poliakoff addressed the questions and stated that the Town adopted portions of the County Code initially and later made changes to it to relax certain aspects of it.

Mayor Breitkreuz asked Town Planner Katims if he had any recollection of what was adopted by the Town. Town Planner Katims stated that he did not recall but believed it was not part of the Zoning and Land Development Code. He said that during that time, the Town would refer to County regulations if it did not have specific regulations on those issues.

Mayor Breitkreuz said that he had concerns on the matter at this time and said he would need to research it more before making any statements or decisions.

Mayor Breitkreuz asked that the Town Administration provide more information on the matter and that more discussion would be needed on the issue.

## **19. Revision of the Certificate of Use Process**

Town Administrator Muñiz described the current Certificate of Use process to the Town Council. He stated that after the initial process there is no follow-up on the business. He said there is no mechanism to review the business to make sure they are operating as approved under the application. He said he was bringing it to the Town Council for consideration of the process to include annual or bi-annual inspections and apply any fees for those inspections.

Mayor Breitkreuz discussed his experience in 2002 when he spoke with the Assistant Administrator of the City of Weston regarding the business use tax, and that the Administrator believed the process was a drain on the staff and would not recommend it. He stated that a middle ground for annual inspections and what the Town does now needs to be found. He said that there should be an annual review of the Certificate of Use to ensure that the business is still operating as the



original application, and that it should be spread across the year instead of at one specific time of year.

Council Member Allbritton asked if the intent would be to do the review on the anniversary of their application. Mayor Breitzkreuz explained that would probably be the best practice.

Vice Mayor Hartmann asked what the benefit to the Town would be in obtaining the information on businesses within the Town. Administrator Muñiz stated that the intent would be to monitor the businesses and ensure there were no changes. Mayor Breitzkreuz expanded further on the answer and said that it would ensure businesses did not expand into other types of businesses than originally approved and used the example they may be using items such as propane tanks that were not authorized.

Council Member Jablonski stated that the reviews should be done on an annual basis to ensure that the business is operating as intended or that it is still operating. He said that an inspection fee be applied and recommended that fifty percent of the Certificate of Use fee be charged.

The Town Council discussed the item in relation to annual or biannual inspections, the staffing level needed to do the inspections, that it would be on the anniversary of the application, and that it would be an ongoing process throughout the year.

Town Administrator Muñiz answered Vice Mayor Hartmann's question about which types of businesses would need inspections. He said that any business that required a Certificate of Use would need to be inspected.

Council Member Kuczenski raised the concern that if the Town passed an Ordinance and the business owner lets the Certificate of Use to expire so the Town does not continue to do inspections.

Mayor Breitzkreuz agreed that it could be an issue and said that it would need to be researched as well.

Mayor Breitzkreuz asked that the Town Administration provide more information on the matter and that more discussion would be needed on the issue.

## **20. Event Permit Notification Requirement**

Town Administrator Muñiz discussed the Event Permit process and spoke about the ten-day notification requirement for event permits. He said that there is no consideration of applicants if they apply after the ten-day deadline and asked the Town Council to consider amending the Ordinance to say the ten-day requirement would still be in place, but if applying within less than ten days but no less than five days from the event, they use an alternative method of notification which could be defined as requiring the applicant to submit a signed petition from the affected adjacent property owners stating they have no objection to the event or having the Code

Compliance leave notifications at adjacent properties regarding the event and a recovery cost be associated with Code Compliance delivering the notifications.

Town Attorney Poliakoff recommended Town Council amend the Code to reflect the ten-day notification requirement unless the Town Administrator authorizes a lesser time frame for good cause shown which may include additional conditions of approval. He said this would leave the decision to the Town Administrator and give him the ability to approve of the event within less than five days.

Council Member Kuczenski spoke about applying a late fee if residents submit after the ten-day deadline.

Mayor Breitzkreuz stated the wording of the amendment was good and said he did not want to motivate people not to follow the rules and that the ten-day requirement may cause people to not apply for the permit. He stated the intent of the event permit was to ensure that neighbors were notified of an upcoming event so they could make any necessary preparations to protect their animals.

Council Member Allbritton asked the question if it would be better that the Town staff make the notification rather than the resident and apply recovery fees when staff was used for the notifications.

Mayor Breitzkreuz stated that the circumstances for each case are going to be different so it may be easier for the residents to notify their neighbors instead of Town staff, and that flexibility would be beneficial.

Council Member Jablonski reminded everyone that the Event Permits were only needed for parties with amplified noise.

Mayor Breitzkreuz verified with Town Administrator Muñiz that the intentions of the Town Council were clear. Town Administrator Muñiz stated that the instructions were clear and that internal procedures would be developed accordingly.

## **21. Vacation of Town Rights-of-Way**

Town Administrator Muñiz introduced the item as a follow up discussion from December 14, 2024, Regular Town Council meeting and that Town Planner Jeff Katims was present to answer any questions of the Town Council on the matter.

Mayor Breitzkreuz stated there were three elements to the discussion. He spoke about individual homeowners that were being penalized because their rights-of-way were taken from them years ago and that the Town does not have a procedure to quickly return them to the owner. He said the second element is that there are certain rights-of-way that the Town would not be developed into roads and used Stirling Road as an example. He stressed that he was only speaking of road

rights-of-ways. He stated that the Town Administration should be able to identify these key roads and have the right-of-ways voted on and not taken by the Town. He stated that element three of the issue was the road rights-of-way that the Town may or may not need and would need additional research.

Council Member Allbritton raised the concern that residents that do not have road right-of-ways returned to them may be upset with the Town because certain residents had special preference, and the right-of-way was returned to them.

Mayor Breitkreuz stated that the intention is to return all the right-of-ways to the residents if the Town did not need them, but the process needed to be started and the easiest way to do it was to start with the obvious right-of-ways the Town did not need.

Vice Mayor Hartmann stated that the best approach for the individual right-of-ways may be to return them to the residents when they apply for building permits. Mayor Breitkreuz replied that he wanted to have the decision already made if that right-of-way was needed by the Town before the residents came in for a permit so it could be released to them without waiting for research to be done.

Council Member Jablonski spoke about the discussions at the last Regular Town Council meeting and stated that he believed the decision was made to put the issue before the Drainage and Infrastructure Advisory Board.

Vice Mayor Hartmann asked Mayor Breitkreuz what should be presented to the Advisory Board and what items should be decided by the Town Council.

Mayor Breitkreuz said that the issue of the right-of-way was taken from residents and needed to be returned to them quickly, the Town Council should make that decision on a case-by-case basis because the research would need to be done quickly. He stated that the Drainage and Infrastructure Advisory Board should review the right-of-ways along Stirling Road and get the decision back to the Town Council within the next couple of months. He said the issue of what right-of-ways the Town needed or did not need would be a piece mail process and Town Planner Katims may be needed to develop a strategy.

Town Attorney Poliakoff advised the Town Council that even if the Town returned the right-of-way to the resident and it was platted by Broward County, the residents would have to go to Broward County for them to replat their properties. He reminded the Town Council that this issue would be a quasi-judicial item, and a unanimous vote would be needed for each case.

Mayor Breitkreuz said the objective of releasing the right-of-way to the residents prevents the Town from constructing a road in that right-of-way, and that if the resident wants to have the County replat the right-of-way, then that would be their responsibility.



Town Attorney Poliakoff addressed Vice Mayor Hartmann's questions regarding right-of-way that the Town released but the resident did not replat it and what happens to right-of-ways that are released by the Town but are not platted to the County. He stated that the right-of-way would be treated as a public right-of-way until the County decided what should be done with it, and regarding the second question he said the resident would need to do nothing if it was just a Town road and the Town vacated it.

Town Attorney Poliakoff verified the intention of the Town Council was to limit the scope of the Advisory Boards to only road right-of-way.

There was a consensus of the Town Council to move forward with the recommendations discussed.

- 22.** Approval of Minutes
- a. September 26, 2024 Regular Meeting Minutes
  - b. October 16, 2024 Regular Meeting Minutes
  - c. October 24, 2024 Regular Meeting Minutes
  - d. November 21, 2024 Regular Meeting Minutes

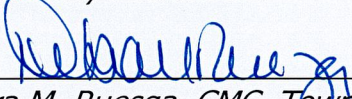
The following motion was made by Council Member Allbritton, seconded by Vice Mayor Hartmann, and passed by a 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Jablonski, Kuczenski, Vice Mayor Hartmann, and Mayor Breitzkreuz voting yes.

**MOTION: TO APPROVE THE SEPTEMBER 26, 2024 REGULAR MEETING MINUTES, OCTOBER 16, 2024 REGULAR MEETING MINUTES, OCTOBER 24, 2024 REGULAR MEETING MINUTES, AND NOVEMBER 21, 2024 REGULAR MEETING MINUTES.**

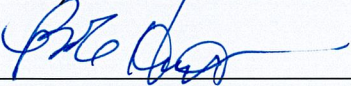
**23.** Adjournment

Meeting adjourned at 10:40 p.m.

*Respectfully submitted:*

  
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Debra M. Ruesga, CMC, Town Clerk

Adopted by the Town Council on this 27<sup>th</sup> day of March, 2025.

  
\_\_\_\_\_  
Steve Breitzkreuz, 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.