



City of Margate

5790 Margate Boulevard
Margate, FL 33063
954-972-6454
www.margatefl.com

Meeting Minutes Regular City Commission Meeting

Mayor Arlene R. Schwartz
Vice Mayor Anthony N. Caggiano
Commissioners:
Lesa Peerman, Tommy Ruzzano, Joanne Simone

City Manager Samuel A. May
Interim City Attorney Goren, Cherof, Doody & Ezrol, P.A.
City Clerk Joseph J. Kavanagh

Wednesday, December 13, 2017

7:00 PM

Commission Chambers

CALL TO ORDER

Present: 5 - Commissioner Lesa Peerman, Commissioner Joanne Simone, Commissioner Tommy Ruzzano, Vice Mayor Anthony N. Caggiano and Mayor Arlene R. Schwartz

In Attendance:

City Manager Samuel A. May
City Attorney James A. Cherof
City Clerk Joseph J. Kavanagh

PLEDGE OF ALLEGIANCE

[ID 2017-796](#) NATHANIEL LESLIE, 4TH GRADE, A.D. HENDERSON UNIVERSITY SCHOOL

1) PRESENTATION(S)

- A. [ID 2017-667](#) HOME OF THE MONTH - OCTOBER 2017
- B. [ID 2017-784](#) HOME OF THE MONTH - DECEMBER 2017
- C. [ID 2017-786](#) OFFICER OF THE MONTH - OCTOBER 2017 POLICE OFFICER MICHAEL S. SPROUSE

ATHLETES OF THE MONTH

- E. [ID 2017-790](#) SOCCER: NATHANIEL LESLIE
(Margate United FC Travel)

SWIM: ALDAIN CHIN
(Margate Motion Swim Team)

BASEBALL: HUNTER G. PHILLIPS
(Margate Baseball & Softball, Marlins)

EMPLOYEE RECOGNITION FOR YEARS OF SERVICE

F. [ID 2017-779](#) HECTOR CORONA, BATTALION CHIEF - FIRE DEPARTMENT - 30 YEARS

STEVEN T. VASSIL, DIVISION CHIEF - FIRE DEPARTMENT - 25 YEARS

DAVID R. SCHOLL, FIREFIGHTER/PARAMEDIC - FIRE DEPARTMENT - 5 YEARS

2) COMMISSION COMMENTS

COMMISSIONER LESA PEERMAN wished everyone a Happy Hanukkah, Merry Christmas and Happy Kwanzaa. She also said that people should come out on Friday night to see the Winter Festival which was going to be an incredible show. She said that she wanted to give Nick from Public Works the biggest credit concerning the Paintscaping.

COMMISSIONER JOANNE SIMONE said that she believed in being a cheerleader for the City. She explained how Margate Matters worked and distributed which she said pertained to the dates of the water cycles. She advised that a month prior to a City event, there would be an article on the events that would occur in the following month. She said that there was a half-page article in the November edition about the Winter Festival. She explained that although a reminder was in the December edition of Margate Matters of the event taking place, those residents that were at the end of the billing cycle would not see it until the event was over. She said that the Winter Festival was advertised in the Sun Sentinel, a Spanish newspaper, City News, bus benches and corrugated signs at intersections. She advised that those residents who were at the end of the water cycle and wanted to receive an earlier edition of Margate Matters could contact Alison Saffold. She indicated that there was advertisement and promotion of the event which included media releases on the Paintscaping. She advised that at the last meeting, a consensus vote was taken to advertise with an online forum. She explained that it was done without seeing a proposal of the service being offered and without knowing the cost. She advised that it should not have happened and asked that they should refrain from continuing with that practice. She said that they require a written proposal with a cost and indicated that the public had a right to know all items requiring an action and that it should be put on the Agenda. She said that she was looking forward to seeing everybody at the Winter Festival. She wished Happy Hanukkah, Happy Kwanzaa, Merry Christmas and blessings to all in the New Year.

COMMISSIONER TOMMY RUZZANO congratulated fireman Vito Labriola who received top of his class in the National Fire Academy Award. He hoped everyone had a great time when Santa came to their house and said half the residents were at his house. He asked the City Manager if they could have a "Click Here" icon on their website to get to the live streaming of the meetings. He said that the "Merry Christmas" sign was put on the roundabout on Margate Boulevard and that "Happy Hanukkah" was also up. He wished everybody a great holiday, a Merry Christmas, Happy Hanukkah and a Happy Kwanzaa.

CITY MANAGER SAMUEL A. MAY confirmed that he would look into the website.

VICE MAYOR ANTHONY N. CAGGIANO asked the City Manager how much it cost to place the advertisement in MargateNews.net. He also asked whether the City Manager had the ability to spend up to \$50,000 without bringing it to the Commission.

CITY MANAGER MAY said that the advertisement was \$500 and confirmed that it was not against the Charter. He advised that they did have the ability to spend up to \$50,000 but there were certain conditions and confirmed that \$3,500 could be spent without getting a second quote.

VICE MAYOR CAGGIANO wished everybody Happy Holidays and invited everyone to the Winter Festival.

MAYOR ARLENE R. SCHWARTZ wished everybody Season's Greetings, Happy Hanukkah, Merry Christmas, Happy Kwanzaa and a Happy New Year. She complimented the departments that were responsible for doing the lights on Margate Boulevard. She said that both she and Vice Mayor Caggiano did the ribbon cutting at Liberty Elementary on their Science, Technology, Engineering and Mathematics (STEM) Museum Showcase Night. She said that great things were going on in schools which needed to be applauded.

FIRE CHIEF DAN BOOKER explained that when a team wins the Florida Cup, the former team gives it to the new winner. He said that the presentation would take place at the EMS Sub Committee luncheon which was part of the Broward County Fire Chief's Association.

3) PUBLIC DISCUSSION

JOHN HALL, 6421 FRENCH ANGEL TERRACE congratulated the new Mayor and Vice Mayor. He said that some City staff did not recognize that they worked for the residents and that they should be treated with respect. He said that he had previously attended a City Commission meeting and spoke about an issue he had with a nearby Charter School in Coral Springs but had not received an update from the City Staff on that matter. He said that he had not been represented well as a Margate resident.

CITY MANAGER MAY explained that Police Chief Watson reached out to the Coral Springs' Police Chief about the situation and said that the answer was pretty much the same as what Mr. Hall stated. He advised that he was due to have a meeting with the City Manager of Coral Springs and would discuss that issue with him. He confirmed that he had looked at the site in Coral Springs and had seen the situation.

RICK RICCARDI, 4829 SOUTH HEMINGWAY CIRCLE said that he also represented Pompano Margate Chamber. He explained that they had a lot of thefts of bicycles and scooters at Fellowship Living Facilities in Bank Road. He said that he had called the Police and since then, they had not had an incident since and thanked the Police Department for their support. He also advised that the Pompano/Margate Chamber breakfast would be held at John Knox Village on December 21st at 7:30am. He indicated that they had approximately 600 members at the Pompano/Margate Chambers. He said that he would like to invite the Mayor to attend a future joint Chamber breakfast where she could report on the City.

RICH POPOVIC, 6066 WINFIELD BOULEVARD said that he had a problem with them getting rid of the CRA. He advised that they needed a competency board for electing officials so that they understood what they were getting into.

COMMISSIONER PEERMAN reminded staff and the Commission about the Lion's Christmas event on December 23rd at the Lion's Club.

JULIE JONES, 7871 NW 1ST STREET thanked the Ruzzanos for putting on an awesome

Christmas event. She thanked the Police Chief for arranging for a Police Officer to walk her out from an evening meeting. She asked for an update on the five day work week which would include the Building Department.

CITY MANAGER MAY confirmed that City Hall were starting the five day operation beginning January 1st. He said that the inspections for the Building Department would also commence on January 1st but the five day operation would start by March 1st.

The conversation continued as to what departments would open and how they would operate from January 1st.

CHARLIE ARTNER, 6631 NW 22ND COURT asked the Commission to reconsider voting on the Medical Marijuana Dispensaries (MMD). He said that the recent Workshop was very interesting. He read an extract from a study taken at The University of Ohio. He said that he hoped that the Commission could bring it back and that they would vote to deny dispensaries.

COMMISSIONER RUZZANO explained that they had a Workshop on Monday and he learned a lot from it.

CITY ATTORNEY JAMES A. CHEROF advised that any member that voted on the prevailing side could bring it back by requesting reconsideration at the next Commission meeting. He stated that due to the Roberts Rules, you would have to add it onto the next Agenda.

SENIOR PLANNER ANDREW PINNEY explained that they had the Marijuana Dispensary Ordinance scheduled for January 9th at the Development Review Committee, February's Planning and Zoning Board meeting and the two readings in March for the Commission. He advised that if it was brought back on January 24th, he was unsure if there would be enough time to adopt an Ordinance before the Moratorium which needed to be inserted in the Code if it was prohibited.

The conversation continued on how they could expedite and proceed with a further meeting on Medical Marijuana Dispensaries.

MAYOR SCHWARTZ asked the City Commission if they would like to hold a Special City Commission meeting on Monday, January 18th, 2018, at 6:30pm to discuss a motion regarding Medical Marijuana Dispensaries. The consensus to proceed followed by the following vote:

Commissioner Peerman - YES
Commissioner Simone - YES
Commissioner Ruzzano - YES
Vice Mayor Caggiano - NO
Mayor Schwartz – YES

CITY ATTORNEY CHEROF said that the intent of the Commission collectively was to reach the issue to ban or not to ban. He advised that he would word the Agenda item appropriately to dispose of what they recently did and take affirmative action. He said that they would do it in a manner so the public would know what would happen when they had a Special Meeting. He confirmed that it would be in the form of a Resolution.

MITCH PELLECCCHIA, 6890 NW 9TH STREET said that he hoped that they could adequately explain to the public how they denied voters their right to Medical Marijuana.

He advised that on January 9th, the Broward County Commissioners were voting on putting dispensaries in unincorporated areas of Broward.

4) CONSENT AGENDA

Items listed under Consent Agenda are viewed to be routine and the recommendation will be enacted by one motion in the form listed below. If discussion is desired by the Commission, the item(s) will be removed from the Consent Agenda and will be considered separately. Anyone wishing to comment on any item on the Consent Agenda should approach the podium now. Each speaker is limited to three (3) minutes.

- A. [ID 2017-793](#) RESOLUTION - AWARDING BID NO. 2018-006 - WEST WASTEWATER TREATMENT PLANT INJECTION WELL MECHANICAL INTEGRITY TESTING TO ALL WEBBS ENTERPRISES, INC., IN AN AMOUNT NOT TO EXCEED \$78,096.00; PROVIDING FOR AN EFFECTIVE DATE.
- RESOLUTION 17-153
- APPROVED**
- B. [ID 2017-794](#) RESOLUTION - AWARDING BID NO. 2018-002 - LIFT STATION NO. 21 RENOVATION TO SOUTHEASTERN ENGINEERING CONTRACTORS, INC., IN AN AMOUNT NOT TO EXCEED \$298,216.60; PROVIDING FOR AN EFFECTIVE DATE.
- RESOLUTION 17-154
- APPROVED**
- C. [ID 2017-781](#) RESOLUTION - APPROVING THE CITY OF MARGATE CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORTS (CAPER) FOR PROGRAM YEARS 2016; AUTHORIZING THE CITY MANAGER AND STAFF TO SUBMIT SAID REPORT TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AFTER A FIFTEEN (15) DAY PUBLIC COMMENT PERIOD; AND AUTHORIZING THE CITY MANAGER TO EXECUTE AND/OR SUBMIT ANY AND ALL RELATED DOCUMENTS TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.
- RESOLUTION 17-155
- APPROVED**
- D. [ID 2017-797](#) RESOLUTION - AMENDING THE AGREEMENT BETWEEN THE CITY OF MARGATE, FLORIDA AND THOMPSON CONSULTING SERVICES, APPROVED BY CITY RESOLUTION NO. 12-386; PROVIDING FOR THE ACCEPTANCE AND RATIFICATION OF THOMPSON'S OPTIONAL HOURLY RATES OF \$105.00 FOR THE SERVICES OF A GRANT MANAGEMENT CONSULTANT AND \$75.00 FOR A GRANT MANAGEMENT ANALYST WHICH WERE INITIALLY PROPOSED UNDER RFP 2013-005; PROVIDING FOR INCLUSION OF A PUBLIC RECORDS CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.
- RESOLUTION 17-156

APPROVED

Approval of the Consent Agenda

A motion was made by Commissioner Simone, seconded by Vice Mayor Caggiano, to approve the Consent Agenda. The motion carried by the following vote:

Yes: 5 - Commissioner Peerman, Commissioner Simone, Commissioner Ruzzano, Vice Mayor Caggiano and Mayor Schwartz

5) CITY MANAGER'S REPORT

CITY MANAGER MAY said Merry Christmas, Happy Hanukkah and Happy Kwanzaa. He said that they would have the greatest show in Broward County on Friday night and invited everyone. He said that it was going to be phenomenal and that they were expecting over 10,000 people. He thanked everyone who helped them put the event together.

6) RESOLUTION(S)

- A.** [ID 2017-795](#) APPROVING THE AWARD OF BID NO. 2018-007, MARGATE SPORTS COMPLEX RENOVATIONS TO PE SERVICES, LLC, IN AN AMOUNT NOT TO EXCEED \$430,000; PROVIDING FOR THE REMOVAL OF BID ITEMS NO. 15 AND 16 WHICH WILL BE PERFORMED IN-HOUSE; PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION 17-157

A motion was made by Commissioner Peerman, seconded by Commissioner Ruzzano, that this Resolution, be approved.

The motion carried by the following vote:

Yes: 5 - Commissioner Peerman, Commissioner Simone, Commissioner Ruzzano, Vice Mayor Caggiano and Mayor Schwartz

- B.** [ID 2017-788](#) CONSIDERATION OF A TEMPORARY USE PERMIT (TUP), TO ALLOW A CARNIVAL AT 1000 N STATE ROAD 7, FROM DECEMBER 22 - DECEMBER 31, 2017.

RESOLUTION 17-158

A motion was made by Commissioner Ruzzano, seconded by Vice Mayor Caggiano, that this Resolution be approved.

An amendment was made by Commissioner Ruzzano, seconded by Vice Mayor Caggiano, to extend both Sundays to 12:00 midnight.

The amendment carried by the following vote:

Yes: 3 - Commissioner Ruzzano, Vice Mayor Caggiano and Mayor Schwartz

No: 2 - Commissioner Peerman and Commissioner Simone

An amendment was made by Commissioner Peerman, seconded by Vice Mayor Caggiano, to make an amendment to #3 on the Resolution to add "provide private security and police detail" and add "as determined by the Police Chief". This carried by the following vote:

Yes: 3 - Commissioner Ruzzano, Vice Mayor Caggiano and Mayor Schwartz

No: 2 - Commissioner Peerman and Commissioner Simone

An amendment was made by Vice Mayor Caggiano, seconded by Commissioner Ruzzano, to change the hours to 11:00pm, Monday - Thursday.

The amendment carried by the following vote:

Yes: 3 - Commissioner Ruzzano, Vice Mayor Caggiano and Mayor Schwartz

No: 2 - Commissioner Peerman and Commissioner Simone

A motion was made by Commissioner Peerman, seconded by Vice Mayor Caggiano, to approve as amended.

The original motion, as amended, carried by the following vote:

Yes: 3 - Commissioner Ruzzano, Vice Mayor Caggiano and Mayor Schwartz

No: 2 - Commissioner Peerman and Commissioner Simone

- C.** [ID 2017-783](#) APPROVING A TWO PERCENT (2.0%) COST OF LIVING (COLA) FOR THE PERIOD FROM OCTOBER 1, 2017 THROUGH SEPTEMBER 30, 2018, FOR ALL NON-BARGAINED FOR PERSONNEL (INCLUDING PART-TIME AND SENIOR MANAGEMENT); PROVIDING FOR EFFECTIVE DATE.

RESOLUTION 17-159

A motion was made by Commissioner Simone, seconded by Commissioner Peerman, that this Resolution be approved.

A motion was made by Vice Mayor Caggiano, to move to table. The motion died for a lack of a second.

An amendment was made by Vice Mayor Caggiano, seconded by Commissioner Ruzzano, to separate Senior Staff from the rest of Non-Bargained and bring back Senior Staff when the City Manager has completed evaluations.

The amendment carried by the following vote:

- Yes: 3 - Commissioner Ruzzano, Vice Mayor Caggiano and Mayor Schwartz
- No: 2 - Commissioner Peerman and Commissioner Simone

A motion was made by Commissioner Ruzzano, seconded by Commissioner Peerman, to approve as amended.

- Yes: 5 - Commissioner Peerman, Commissioner Simone, Commissioner Ruzzano, Vice Mayor Caggiano and Mayor Schwartz

7) ORDINANCE(S) - SECOND READING

- A. [ID 2017-791](#) APPROVAL OF AN ORDINANCE TO AMEND SINGLE FAMILY HOME FENCE REGULATIONS ON SYMMETRICAL CORNER LOTS.

ORDINANCE 2017-1500.640

A motion was made by Vice Mayor Caggiano, seconded by Commissioner Peerman, that this Ordinance, Second Reading, be approved.

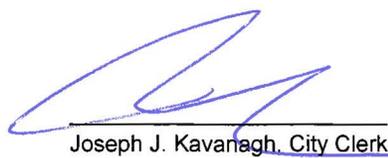
- Yes: 5 - Commissioner Peerman, Commissioner Simone, Commissioner Ruzzano, Vice Mayor Caggiano and Mayor Schwartz

ADJOURNMENT

There being no further business, the meeting adjourned at 10:29pm.

Respectfully submitted,

Transcribed by Salene E. Edwards



 Joseph J. Kavanagh, City Clerk

Date: 4/10/18

PLEASE NOTE:

If a person decides to appeal any decision made by the City Commission with respect to any matter considered at this meeting, the person will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Anyone desiring a verbatim transcript shall have the responsibility, at his/her own expense, to arrange for the transcript.

[Appendix A – Zoning – Section 3.3] Any representation made before any City Board, any Administrative Board, or the City Commission in the application for a variance, special exception, conditional use or request for any other permit shall be deemed a condition of the granting of the permit. Should any representation be false or should said representation not be continued as represented, same shall be deemed a violation of the permit and a violation of this section.

Any person with a disability requiring auxiliary aids and services for this meeting may call the City Clerk's office at (954) 972-6454 with their request at least two business days prior to the meeting date.