



City of Margate

5790 Margate Boulevard
Margate, FL 33063
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Meeting Minutes Regular City Commission Meeting

Mayor Joanne Simone
Vice Mayor Tommy Ruzzano
Commissioners:
Joyce W. Bryan, Lesa Peerman, Frank B. Talerico

City Manager Douglas E. Smith
City Attorney Eugene M. Steinfeld
City Clerk Joseph J. Kavanagh

Wednesday, July 1, 2015

7:00 PM

Commission Chambers

CALL TO ORDER

Present: 4 - Commissioner Lesa 'Le' Peerman, Commissioner Joyce W. Bryan, Commissioner Frank B. Talerico and Mayor Joanne Simone
Absent: 1 - Vice Mayor Tommy Ruzzano

In Attendance:

City Manager Douglas E. Smith
City Attorney Eugene M. Steinfeld
City Clerk Joseph J. Kavanagh

PLEDGE OF ALLEGIANCE

ID 14-1204 BOY SCOUT PACK 836, ASSISTANT SCOUTMASTER STEVE SMITH

1) PRESENTATION(S)

A. ID 14-1199 CERTIFICATE PRESENTATION TO MARGATE COMMUNITY COLLEGE GRADUATES - SPRING 2015

2) COMMISSION COMMENTS

COMMISSIONER PEERMAN said that the Margate College was a great class. She hoped to see everybody at the Fourth of July Parade. She asked the Mayor for a Commission consensus to get behind the Tennis Program in Margate. She noted that things such as backboards were needed to make it a good program. She said that currently only two of the three courts were being used. She explained that this group and others paid 20 percent to the City to have these programs. She said that it was run by two coaches and the kids were amazing. She asked for the support of the Commission so when speaking with Parks and Recreation regarding tournaments, etc., they had the support. She mentioned that some parents informed her today that they were interested in a Pee Wee Flag Football Program in the City, which she also wanted support from the Commission for.

The consensus carried by the following vote:

Yes: 4 - Commissioner Peerman, Commissioner Bryan, Commissioner Talerico and Mayor Simone

Absent: 1 - Vice Mayor Ruzzano

COMMISSIONER PEERMAN thanked the Commission and noted that many children were going to Coral Springs to learn how to play Tennis. She added that the closest Flag Football was in Parkland and was too competitive.

COMMISSIONER TALERICO congratulated the Margate Community College class. He spoke about when the college started and said that this was the fourth class. He noted that Alison Saffold was providing good publicity. He asked when the next class was.

CITY MANAGER DOUGLAS E. SMITH said that at this time another class was not scheduled for later this year, but he would keep the Commission informed.

COMMISSIONER TALERICO wished everybody a happy Fourth of July and hoped everybody would attend, have a good time and be safe.

COMMISSIONER BRYAN said that she and Mayor Simone attended the first class, which was great. She thanked the graduates for following through. She stated that on Saturday, June 20, 2015, the Margate Initiative for Community Action and Hope (MICAHA) had a prayer between 7:00 a.m. and 8:00 a.m. at Cokesbury Church because of Charleston, South Carolina and the nation. She said that on June 22, 2015, she attended the third meeting of the Strengthening Police Community Relations Task Force at Broward College in Coconut Creek. She noted that there were three groups; Training, Communication and Education, and that she was appointed to work with the Education Group. She said that she attended the final Task Force meeting for the National Urban League Conference that was coming to Fort Lauderdale on July 29th to August 1st. She said that with Commissioner Peerman, she attended the Florida League of Cities Police Policy Committee meeting in Orlando on June 26th. She noted that she was appointed to the Transportation and Intergovernmental Relations Policy Committee. She said that she would be visiting there once a month to meet with fellow Commissioners to work on making policies and decisions to bring forth to the legislators. She looked forward to seeing everybody at the July 4th Parade.

MAYOR SIMONE Congratulated the graduating class of the Community College. She wished everyone a happy Fourth of July and hoped to see all at the parade and festivities.

COMMISSIONER PEERMAN noted that there was currently a pile of kids at the sand volleyball court at Firefighters Park right now.

3) PUBLIC DISCUSSION

MARIO IMPERATORE, 7690 NW 29th Street, wanted to discuss a topic he spoke with the former City Manager about in May of 2014, which was the Carolina Golf Course. He stated that earlier this evening it was stated that biking and walking trails were needed for the parks. He said that the golf course was 110 acres of green space with lakes and trails that were accessible. He noted that there were approximately 2,000 homes near the golf course that could provide access to approximately 4,000 to 6,000 people. He explained that it would be like a County Park, and was the best deal because it had restaurants, a snack bar, mobile food and drink service, water stations, rest areas and restrooms. He said that although there was a deed restriction due to Arsenic, which all golf courses had, he believed the City would have no problem adding more restrooms, pavilions and rehabilitating the golf cart paths to allow Police patrols. He noted that a few

areas already had electricity. He understood the City would have to pay some percentage, because it was very expensive to maintain property, which he said that the City could negotiate. He felt that for a fair price the City would get the use of the land far beyond anything else the City could ever buy to use for passive things such as biking, running, walking, canoes and kayaking because the lakes were big and interconnected.

COMMISSIONER TALERICO stated that whenever he golfed there he had to stop and wait because of people walking around. He noted that it was a golf cart path and he did not know how the Carolina Club would allow that or what liabilities were involved.

MR. IMPERATORE believed that it would be safer than bicycling or walking anywhere else. He stated that to walk or bicycle on the Greenway you need a vehicle to transport the bicycle. He noted that with the golf course, people could come out their back door and get to the trails, because it was accessible by foot or bicycle. He added that the Greenway had strong winds with steep banks and alligators. He stated that the golf course banks were shallow. He said that nothing was perfect, but golfers had been on golf courses for decades without hitting each other with golf balls.

COMMISSIONER TALERICO said that he could not see the Carolina Club allowing walking, bicycling, kayaking on their golf course, and he expressed concern regarding liability.

MR. IMPERATORE stated that the liability had been looked at and can be handled. He added that the deed restriction could be worked around because the City was not digging anything up.

JOHN HALL, 6421 French Angel Terrace, wanted the Commission to consider having an open forum Town Hall meeting, where the residents could address their concerns with the Commission without being on an Agenda or a three minute clock. He explained that when campaigning, the Commissioners asked the residents about their issues and concerns; however, once elected, the residents were limited to three minutes and the Commission might not answer the concerns. He felt there should be consistency, and that either everybody was answered or nobody was answered. He said that he was very upset about the \$511,000 and that the residents did not know what was going on or who was being held accountable. He stated that he read that the City Manager knew it was in excess of \$300,000 when he took over; however, he chose not to bring it to the Commission until it was \$511,000. He said that in private industry, individuals would be reprimanded or fired. He explained that he was not as upset about David McLean's use of the credit card as he was about or three or four years before informing the Commission. He said that Vice Mayor Ruzzano spoke about the misappropriation of cash coming in for cell phone antennas that should have gone to Parks and Recreation. He stated that it appeared the Commission had lost control of the City to the Staff, and that Staff did what they want when they want. He noted that the Commission in 2007, voted not to exceed a \$75,000 loan to the Alzheimer Center, but nothing was said publicly until it was \$511,000. He stated that somebody was doing all of these things, and that he was upset because the Commission did not seem to want to hold people accountable. He noted that he was preparing a complaint to file with the Inspector General of Broward County.

COMMISSIONER PEERMAN said that she had "Coffee with the Commish" the second Monday of every month at 10:30 a.m. at Holiday Springs, except during the summer months. She noted that it was open to anyone in Margate and she never turned a resident away. She stated that the City Manager had provided an update at every meeting regarding the Alzheimer situation; however, he did not mention that it was noted in the Alzheimer's 2013, Budget that they owed the City \$300,000. She noted that she accepted

responsibility two meetings ago. She explained that the City had no written, formal documentation of something that was being done for years, but in 2007, it was finally put down on paper. She noted that the documentation stated that the Commission may cancel the contract if it went over \$75,000.

COMMISSIONER TALERICO stated that when he was first elected, the Commission held Neighborhood Meetings. He said that at the first meeting maybe four or five people showed up and at the next meeting two or three people showed up. He said that the City could have these meetings again; however, he would like to have about 20 people interested like Mr. Hall.

COMMISSIONER PEERMAN added that in the past two months, the Fire Department and Police Department did outreaches for Hurricane Preparedness. She said that she and Commissioner Bryan attended those meetings and answered any questions. She stated that if the Commission was invited, they would come.

RICK RICCARDI, 4829 South Hemingway Circle, Founder and CEO of the Fellowship Living Facilities, stated that he sat through three meetings where the Detox Center had been brought up as something awful for the City. He said that he had not heard anyone speak of it as something good. He needed the Commissioners to know that he was a recovered Alcoholic with 21 years of sobriety and had seen hundreds of lives saved through Detox Centers. He explained that emergency rooms were not equipped; therefore, people went to Detox Centers. He said that he did not care about the Detox Center, but what concerned him was what was being said about people in recovery who were trying to save their lives and get out of the problem and into a solution. He stated that they were talked about as if they were criminals. He spoke about people's concerns with the Detox Center ruining the neighborhood, the businesses, and children could not be near the Detox Center. He questioned why people put up with discrimination when people had a disease that was killing them. He stated that these people needed help in a medical building, and he noted that the residents did not get upset about Animal Hospitals. He did not understand how the City tolerated people being so discriminatory, and he would fight to have that discrimination removed from the City.

NORMAN GRAD, 7460 NW 18th Street, Palm Springs III Condominium Association, read aloud a commendation from Palm Springs expressing sincere thanks for the contribution of time, information and suggestions at the annual Hurricane Preparedness meeting. He thanked all who attended. He urged the City to have all officers attend Crisis Intervention Training (CIT). He mentioned hiring officers who were not properly screened. He noted that he mailed a letter to Vice Mayor Ruzzano regarding a lawsuit pertaining to Fire Assessment in either Cooper City or Davie. He asked that the City make sure the Fire Assessment was being used properly. He mentioned Marijuana legalization and decriminalizing it and making it a civil offense. He noted that other Cities were on board.

THE FOLLOWING IS A VERBATIM TRANSCRIPT INCLUDING RICH POPOVIC'S COMMENTS, AS WELL AS ANTHONY CAGGIANO'S COMMENTS:

RICH POPOVIC: Rich Popovic, 6066 Winfield Boulevard, anybody listening out there Happy Fourth of July in the land where we used to have free speech but we don't really anymore, and uh, the bottom line is, is that uh, I notice at the beginning of the meeting the Mayor wanted to re-correct the audience, well not, what we're permitted to talk about. What issue she thought that we should talk about and you can't deviate from any of it. But I noticed that nothing comes upon the Commissioners when they want to sit around and lie about anybody or say anything they want. They never have anything to say. That's wrong. You're not supposed to do that. You're supposed to pay

attention to them too when they're misbehaving, but you're not doing that and they, then they sit around and act like everybody else is acting wrong and you buy right into it. That's not how you're supposed to run these meetings. As a matter of fact, if you're gonna permit free speech for all those City Commissioners then you should permit it for all of us. Having said that I noticed at the last meeting that the Attorney was sitting around doing (inaudible) about his, just information that he gave you about uh, talking at Quasi-Judicial Hearings. He originally came up and started talking about how right he was and how smart he is and how wrong everybody else was and all that stuff and he advised you the same way cause he told what you wanted to hear and then you ran the meetings the same way and you sat there and told me that publicly that you might not pay attention to anything that I had to say, that I had no interest in anything, that I had nothing to do. Well, it turned out at the end of the meeting it all happy horse (inaudible), let's just put it that way, he changed his mind. He told you that you should allow people to speak, talk at Quasi-Judicial Hearings. They, you know, but the bottom line it is, was that he was wrong to begin with. He was wrong all the time. I said this at the meeting, that he was wrong and that you were wrong for not allowing anybody to talk. You should apologize to everybody that you never permitted to speak at those hearings, because you were wrong and you took his advice and it was wrong, and he made a total fool out of you, and you know what, and it was funny listening to him do that, because you all gave him a raise at the meeting before. You gave him more money and then he came up and told you how smart and wonderful you were. It was really a sickening and revolting thing that happened. Him sitting here and telling you how smart you are, and you giving him more money, and he's telling you the wrong thing to do, really? This only happens in the twilight zone.

CITY ATTORNEY EUGENE STEINFELD: Uh, as I said at the last meeting, we have been, and you have been correct in the procedure that we had been following. As I said before, I've drafted new rules simply because people like Mr. Popovic keep bringing this issue up. Like I said, it will be one more issue that a disgruntled or individual who doesn't get what they want in front of this Commission. That's all. But, again, procedures that we have been following are correct.

MAYOR JOANNE SIMONE: Thank you, and our last speaker, Mr. Caggiano.

ANTHONY CAGGIANO: Good evening. Anthony Caggiano, 7856 NW 1st Street. Good evening Commissioners. Happy Fourth of July to everybody. I would like to take this opportunity to express my sincere thanks to both the City Manager Doug Smith and the Finance Director Mary Beazley, for meeting with me and answering a great many questions I had for them about the Alzheimer financial fiasco. Director Beazley walked into a buzz saw when she took over the Finance Director job and had this cesspool of a situation dropped into her lap. I regret that the previous Finance Director and City Manager are not readily available for in-depth questioning. I walked out of the meeting feeling that the Finance Director was steering us, the taxpayers, in a correct and new direction. But, Ms. Beazley's cost correction would never have been needed if a current City Commissioner and four past City Commissioners hadn't made a deal with the Alzheimer Center that no other business or charity in this City has ever gotten. Political cronyism may well cost us, the taxpayer, and the City a lot of money. I use the word, "may" because this is a word a certain Commissioner uses as a life vest to protect the Commissioner that has still not come clean on why this group got a deal that no one else in our City has ever gotten. The word, "may" to use as a shield for overpaying invoices 6.6 percent, times, the \$75,000 now we know soft limit. The word, "may" that we might still all get our money back. The word, "may" that enough time will pass and I will stop talking about it. The Fourth of July is a time to celebrate our independence from economic oppression, economic oppressors. We need to celebrate Commissioners who

treat our money like it was their money. Not as a slush fund to help political cronies or Commissioners who want to get to the bottom of odd behavior and not paper it over. If that was to happen we may have something really special and worth celebrating for this Fourth of July. Thank you very much.

MAYOR SIMONE: Thank you. Public Discussion is now closed.

COMMISSIONER TALERICO: Wait.

MAYOR SIMONE: Oh I'm sorry.

COMMISSIONER TALERICO: My light's on.

MAYOR SIMONE: Commissioner Talerico?

COMMISSIONER TALERICO: Yes. Mr. Steinfeld. The uh, the deal we kind, we had in the past, when did our first deal start with the Alzheimer Center? What year was that?

CITY ATTORNEY STEINFELD: 1986.

COMMISSIONER TALERICO: 1986, okay, we were paying their bills for them?

CITY ATTORNEY STEINFELD: Yes.

COMMISSIONER TALERICO: Is that pretty much what we were doing?

CITY ATTORNEY STEINFELD: In fact, the City of Margate, based upon the history, uh, started up, we fronted the money for the very startup in 1986.

COMMISSIONER TALERICO: And I don't know, why, you know I guess it kind of bothers me a little bit that we're political cronyism. That's a pretty dangerous uh, word to say, I mean, something how, cronyism, you help somebody because they were helping you, I mean, I don't know what any Commissioners here got out of the Alzheimer Center other than the fact that it was helping people in the community with Alzheimer's Disease. I mean, it's a good, it was a good organization that in retrospect there were some problems, but deep down inside they were doing a great job helping these people and I guess in the past it was something where, I love that, I love your attitude Rich. Just love it. (laughing) Anyway...

MR. POPOVIC: (inaudible)

COMMISSIONER TALERICO: Excuse me?

MR. POPOVIC: You started to say that about me?

MAYOR SIMONE: Excuse me. Please don't call out.

MR. POPOVIC: (inaudible calling out) I never said ...

MAYOR SIMONE: Please. Please don't call out. If you call out again, we go through this every meeting.

MR. POPOVIC: I'm (inaudible) So (inaudible yelling)

MAYOR SIMONE: You know the rules. I'm gonna ask you to leave.

MR. POPOVIC: I don't (inaudible)

MAYOR SIMONE: I'm gonna ask you to leave.

MR. POPOVIC: But you know what, that's what you want.

MAYOR SIMONE: Thank you.

MR. POPOVIC: He's allowed to make fun of me.

COMMISSIONER TALERICO: No you started.

MAYOR SIMONE: Thank you.

RICH POPOVIC: She's allowed to try to make a fool out of me.

MAYOR SIMONE: Please leave.

RICH POPOVIC: Something definitely wrong with you.

COMMISSIONER TALERICO: You don't have to say anything. It's those smug

...

RICH POPOVIC: You cracked.

COMMISSIONER TALERICO: You go like this ...

RICH POPOVIC: You shouldn't said shit about me. I'm sitting up, I didn't say one word to you.

COMMISSIONER TALERICO: You're going like this and making faces.

RICH POPOVIC: I didn't say one word to you.

COMMISSIONER TALERICO: You're making faces.

RICH POPOVIC: I didn't say one word to you.

COMMISSIONER TALERICO: Just as bad.

RICH POPOVIC: Turning into a God damn woman.

COMMISSIONER TALERICO: Okay. (laughter) anyway, no one back then, even now, I mean nobody wants to pull the plug on the Alzheimer Center with all those people who are in need of help, and hopefully we'll get this thing straightened out and I don't know if there's any updates we have on the latest, I haven't heard too much but I'm sure we're trying to get this thing resolved in the right direction. That's all, and political cronyism? That's a tough one to swallow.

RICH POPOVIC: (inaudible) left the meeting.

4) CONSENT AGENDA

- A. ID 14-1200 RESOLUTION - VACATING, RELEASING, AND ABANDONING OF
RIGHT-OF-WAY IN THE PALM BEACH FARMS COMPANY PLAT NO. 3;
HSQ GROUP, INC., PETITIONER.

Resolution 15-063

Approval of the Consent Agenda

A motion was made by Commissioner Peerman, seconded by Commissioner Bryan, to approve the Consent Agenda. The motion carried by the following vote:

Yes: 4 - Commissioner Peerman, Commissioner Bryan, Commissioner Talerico and Mayor Simone

Absent: 1 - Vice Mayor Ruzzano

5) CITY MANAGER'S REPORT

CITY MANAGER DOUGLAS E. SMITH provided the following update:

- *The Fourth of July Parade will start at 9:00 a.m. with Calypso Cove event from 10:00 a.m. to 5:00 p.m. The Fireworks will begin at 9:00 p.m. at Margate Boulevard and U.S. 441.*
- *The Chicken Wing Cook-off will not take place this year as there was only one entry.*
- *The Celebrate 60 Event Series Theme will continue with a Sock Hop on July 18, 2015, at the Community Center. Because of space limitation, there will be 100 tickets available and tickets will be \$10 per person. The Happy Daze Band will perform and it will be a 50's type event.*
- *The Police and Fire Departments are available to meet with associations and neighborhood groups regarding Hurricane Preparedness. Fire Administration can be contacted to schedule the presentations.*
- *Thanked all of the Staff that participated in the Community College this year, as presenters. He noted that one of the students informed him that all the presentations and speakers were great.*
- *Thanked the Stage Door Theatre for opening up their facility so the City could do the presentation from the Community Redevelopment Agency (CRA) and the Economic Development.*
- *Reported information pertaining to prior discussion regarding options for bridges at Firefighters Park. For a Pedestrian Bridge from the Winfield area the updated cost estimate from the Director of the Department of Environmental and Engineering Services (DEES) was \$293,000. An older estimate from 2011, for a bridge connecting over to Doggywood Park was \$120,000; however, an updated cost was not available. There were other cost options in 2011, which he would e-mail to the Commission so they may look over some of the past options that were done. The City Manager noted that these items could be considered as the Parks Master Plan moved forward. He noted that there would be an easement issue with the Carolina Maintenance Association regarding the*

connection from Winfield.

• At this time, the City Manager noted that a conclusion to the negotiations with regard to the Alzheimer's Family Center was not available to report back publicly at this time. At the point that the negotiation process was completed, the issue would come back before the Commission publicly with a final report.

6) RESOLUTION(S)

- A. ID 14-1203 APPROVING AWARD OF BID NO. 2015-014, EAST WASTEWATER TREATMENT PLANT (WWTP) STEEL CLARIFIER REHABILITATION, TO ANZCO, INC., IN THE AMOUNT OF \$279,792.00, FOR THE DEPARTMENT OF ENVIRONMENTAL AND ENGINEERING SERVICES (DEES).

Resolution 15-064

A motion was made by Commissioner Peerman, seconded by Commissioner Bryan, that this Resolution be approved. The motion carried by the following vote:

Yes: 4 - Commissioner Peerman, Commissioner Bryan, Commissioner Talerico and Mayor Simone

Absent: 1 - Vice Mayor Ruzzano

- B. ID 14-1208 APPROVING A CHANGE ORDER IN THE AMOUNT OF \$5,470.00 TO PARKSON CORPORATION FOR ADDITIONAL REPAIRS REQUIRED TO COMPLETE REHABILITATION OF THE MECHANICAL BAR SCREEN.

Resolution 15-065

A motion was made by Commissioner Bryan, seconded by Commissioner Peerman, that this Resolution be approved. The motion carried by the following vote:

Yes: 4 - Commissioner Peerman, Commissioner Bryan, Commissioner Talerico and Mayor Simone

Absent: 1 - Vice Mayor Ruzzano

7) ORDINANCE(S) - FIRST READING

- A. ID 14-1202 CONSIDERATION OF AN ORDINANCE TO REVISE THOSE TERMS DEFINED "ACCESSORY BUILDING OR STRUCTURE" AND "ACCESSORY USE"

A motion was made by Commissioner Talerico, seconded by Commissioner Peerman, that this Ordinance - 1st Reading be approved on first reading. The motion carried by the following vote:

Yes: 4 - Commissioner Peerman, Commissioner Bryan, Commissioner Talerico and Mayor Simone

Absent: 1 - Vice Mayor Ruzzano

8) ORDINANCE(S) - SECOND READING

**A. ID 14-1201 APPROVAL OF AN ORDINANCE TO REVISE ARTICLE XXXIX. SIGN CODE
OF THE MARGATE ZONING CODE.**

Ordinance 2015-1500.615

**A motion was made by Commissioner Talerico, seconded by Commissioner
Peerman, that this Ordinance - 2nd Reading be approved on second reading. The
motion carried by the following vote:**

**Yes: 4 - Commissioner Peerman, Commissioner Bryan, Commissioner Talerico and Mayor
Simone**

Absent: 1 - Vice Mayor Ruzzano

ADJOURNMENT

There being no further business, the meeting adjourned at 8:12 p.m.

Respectfully submitted,

Transcribed by Carol DiLorenzo


Joseph J. Kavanagh, City Clerk

Date: 8/27/15