City of Margate

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

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, April 1, 2015 **7:00 PM** **Commission Chambers**

CALL TO ORDER

Commissioner Peerman was present via Skype.

Present: 5 - Commissioner Lesa 'Le' Peerman, Commissioner Joyce W. Bryan, Commissioner Frank B. Talerico, Vice Mayor Tommy Ruzzano and Mayor Joanne Simone

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

PLEDGE OF ALLEGIANCE

ID 14-1013 SHAYLA TIDAS, KINDERGARTEN, ABUNDANT LIFE CHRISTIAN ACADEMY

1) PRESENTATION(S)

STUDENTS AND TEACHERS OF THE MONTH

The following students and teachers were not present and will be recognized at next month's meeting:
HEBREW ACADEMY: STUDENT, RAIZEL KAPLAN
LIBERTY ELEMENTARY: STUDENT, KEYSHAWN CLERISIER; TEACHER, SUSAN COCCIA
MARGATE MIDDLE: STUDENT, GUILHERME SATRUNINO

A. ID 14-1014 ABUNDANT LIFE CHRISTIAN ACADEMY: STUDENT, SHAYLA TIDAS; TEACHER, MICHELLE BARBARAN
(Mrs. Stacy Angier, Principal)

ATLANTIC WEST ELEMENTARY: STUDENT, SHAHZAD JAMALUDIN; TEACHER, CAITLIN DODGE
(Ms. Janette Hameister, Principal and/or Ms. Jounice Lewis, Assistant Principal)

HEBREW ACADEMY: STUDENT, RAIZEL KAPLAN; TEACHER CHLOE

SHAPERO
(Morah Rivka Denburg, Head of School)

HEBREW ACADEMY: STUDENT, ORLY GOLDENHOLZ ; TEACHER MORAH CHAYA ELIEFJA
(Morah Rivka Denburg, Head of School)

LIBERTY ELEMENTARY: STUDENT, KEYSHAWN CLERISIER; TEACHER, SUSAN COCCIA
(David J. Levine, Principal and/or Donna Styles, Assistant Principal)

MARGATE ELEMENTARY: STUDENT, NATHAN VIEIRA; TEACHER, TROY WHEATON
(Thomas Schroeder, Principal and/or Tara Pasteur, Assistant Principal)

MARGATE MIDDLE: STUDENT, GUILHERME SATRUNINO
(Mr. Andrew Bronstein, 6th Grade Assistant Principal)

MARGATE MIDDLE: STUDENT, ERIKA ALBARRAN; TEACHER, NORRISHAWN WASHINGTON
(Mr. Andrew Bronstein, 6th Grade Assistant Principal)

RISE ACADEMY SCHOOL OF SCIENCE AND TECHNOLOGY: STUDENT, DAYANA LEIVA
(Adriana Guerra, School Administrator)

RISE ACADEMY SCHOOL OF SCIENCE AND TECHNOLOGY: STUDENT, JEREMIAS PEREZ; TEACHER, JOAN BROOKES GRANT
(Adriana Guerra, School Administrator)

PROCLAMATION(S)

B. ID 14-939 NATIONAL LIBRARY WEEK - APRIL 12 - 18, 2015 (presented to Susan Hodos, Library Branch Manager II, Margate Catherine Young Branch and Elizabeth Hill, President, Friends of the Margate Library)

C. ID 14-992 NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK - APRIL 12 - 18, 2015 (presented to Tara Thomas, Regional Communications Site Manager Broward Sheriff's Office)

2) COMMISSION COMMENTS

COMMISSIONER PEERMAN noted that this was the first time using Skype. She commended Parks and Recreation Director Mike Jones for a great job with the Egg Hunt. She also commended the Volunteer Band for the great job at the fair.

COMMISSIONER TALERICO commended Parks and Recreation Director Mike Jones for the Egg Hunt and was glad the City was having this event again. He wished everyone a Happy Easter and Happy Passover.

COMMISSIONER BRYAN noted that Herman Acosta was the first winner of Curb Appeal, and she thanked him for a great picture. She stated that the Margate Middle School Business Expo was phenomenal and a great success. She reminded everyone that the Relay for Life was scheduled for April 11, 2015, at Monarch High School. She said that she was recently in Tallahassee and met many influential people and people from all over the State. She stated that the Egg Hunt was stupendous and the children had a great time. She wished everyone a Happy Easter and Happy Passover.

VICE MAYOR RUZZANO stated that the Egg Hunt was great and he hoped the City would continue having it. He reminded everyone that the fair was still taking place this week with contributions going to the Relay for Life. He commended the Chamber of Commerce for doing a great job. He also thanked City Clerk Joseph J. Kavanagh for the trivia questions he asked and noted that the amount of registered voters voting in the first election in 1957 was 22. He stated that the Movies in the Park, the Sandlot, was shown on the Margate Sports Complex on April 18, 2015 at 8:00 p.m. He noted that he received several compliments regarding the signs for the UAAA Fast Pitch World Series Champions, Lady Titans and the National Champions, the Margate Inferno. He mentioned the upcoming Margate College classes. He mentioned being at a women's convention at Palm Springs Two and speaking about the Community Redevelopment Agency (CRA), which he enjoyed doing. He wished everyone a Happy Easter and safe holidays.

MAYOR SIMONE reminded everyone about the Coconut Creek/Margate Relay for Life event on Saturday, April 11, 2015, at Monarch High School. She added that the Sounds at Sundown were also scheduled for April 11, 2015, with the food trucks from 5:30 p.m. to 8:30 p.m., featuring the Big City Dogs Rock and Blues. She said that the Movies in the Park was coming on Saturday, April 18, 2015, and the Margate Community College was scheduled to begin on May 4, 2015, from 6:00 p.m. to 8:30 p.m. She noted that the applications were available at City Hall and online. She noted that the classes were limited to 20 students; therefore, anyone interested should sign up soon. She commended Director of Parks and Recreation Mike Jones for the Egg Hunt and wished everyone a Happy Easter and Happy Passover.

COMMISSIONER BRYAN wanted to thank the Assistant City Manager Adam Reichbach and Communications and Marketing Coordinator Alison Saffold for their work with Curb Appeal.

3) PUBLIC DISCUSSION

TONY SPAVENTO, 3194 West Buena Vista Drive, recommended that some Town Hall meetings be scheduled to allow the public to speak on issues. He suggested having the meetings four times a year.

ANTHONY CAGGIANO, 7856 NW 1st Street, spoke about a comment made to him last week regarding when the City was letting another $500,000 walk out the back door. He said that the City Attorney wrote up the agreement, but had no idea who was responsible for carrying it out. He said that the Accounting Department did not know how to count, and that the cutoff was at $75,000. He stated that the City Manager knew about the situation when the amount was $300,000, but did nothing. He added that a sitting Commissioner approved the agreement in 2007; however, never checked to see if it was being implemented correctly. He said that the situation showed incompetence and criminality.

RICK RICCARDI, 4829 South Hemingway Circle, President of the Chamber of Commerce, thanked everyone who assisted with the fair. He mentioned the Salvation Army Fashion Show that did well. He noted that the winds prevented having the fair on

Friday; therefore, he asked to keep the stage through the week. He asked whether one of the additional days, Saturday or Sunday, which was to have the proceeds going to the Relay for Life, could be given back to the Chamber to make up for the Friday lost.

CITY MANAGER DOUGLAS E. SMITH said that providing the City Commission was in favor of granting the extension of the approval for the waiving the hourly rental fee for the stage, Staff would work with the Chamber regarding the Staff coverage cost for the Saturday event. He noted that City Staff could support the Saturday request; however, he asked that Sunday not be included. He said that the Commission could provide approval for the Chamber to work out the day with the Relay for Life.

COMMISSONER TALERICO agreed with the suggestion for Saturday.

COMMISSIONER BRYAN agreed and said she believed something could be worked out with the Relay for Life.

VICE MAYOR RUZZANO also agreed with the City Manager regarding Saturday, and he asked whether Mr. Riccardi wanted the stage on Sunday also.

MR. RICCARDI said that the band was paid to perform on Friday. He asked that the band come back on Saturday and Sunday and the band would be paid for both days. He said that if the City could not provide the stage for Sunday, he would inform the band about that.

COMMISSIONER PEERMAN also agreed.

A motion was made by Vice Mayor Tommy Ruzzano, seconded by Commissioner Joyce W. Bryan, to allow the Chamber of Commerce to use the stage this Saturday and to work with the charity, Relay for Life, to allow for division of proceeds. The motion carried by the following vote:

Yes: 5 - Commissioner Peerman, Commissioner Bryan, Commissioner Talerico, Vice Mayor Ruzzano and Mayor Simone

TERESA DECRISTOFARO, 6600 Brandywine Drive South, recommended that everybody consider to the Margate Community College. She stated that she and her husband were the Community Champions of the Relay for Life, which was being held on Saturday, April 11, 2015, from 11:00 a.m. to 11:00 p.m. She invited Mayor Simone and Commissioner Talerico to the Survivor Dinner. She stated that she had additional invitations available for anyone wishing to attend the Dinner. She said that she would leave some information regarding the Relay for Life at the front desk of City Hall. She announced that the Coconut Cree/Margate Relay for Life was the first event in Broward County to reach its goal. She noted that the aim was for $100,000 to become one of the top teams in the State of Florida. She said that currently the goal was met with $75,000. She commended the Wynmoor Team and the fair for their help with the success.

RICH ALIANIELLO, 7631 NW 23rd Street, mentioned the ordinance on tonight's Agenda regarding sheds. He noted that the second shed was accepted, which he felt was ridiculous and made the City look ugly. He mentioned deterioration taking place in Royal Springs North, such as adding sheds. He mentioned that on the north side of the parking lot at Peppertree Plaza there was a road going towards the Golden Corral, which had a hedge on the right side that was blocking a small intersection. He asked to hear more information on Mr. Caggiano's comments regarding the money. He wished everyone a

Happy Easter and Happy Passover.

RICH POPOVIC, 6066 Winfield Boulevard, stated that the $40,000 spent on the Lobbyist and going to Tallahassee was a waste of money. He felt that the Republican House would not pass anything. He mentioned GMO foods and Global Warnings, which made no sense. He noted that the City had representatives to represent us in Tallahassee. He commented on the Commission looking at the Budget. He mentioned hidden money for the Field of Dreams. He said that blaming the past Commission did not work.

VICE MAYOR RUZZANO noted that the $450,000 for Field of Dreams came from the Recreation Trust Fund. He asked whether that money went back into the Fund.

CITY MANAGER DOUGLAS E. SMITH clarified that the money was currently in the Capital Improvements Fund; however, it would be allocated and assigned in accordance with the Commissioner's desires as we move into the Budget process this year. He noted that a block of money would be allocated to the Parks Master Plan Projects.

VICE MAYOR RUZZANO questioned why it did not go into the Recreation Fund.

CITY MANAGER DOUGLAS said that it went back in originally; however, it was then moved to the other fund.

FINANCE DIRECTOR MARY BEAZLEY explained that the Recreation Trust Fund always transferred money to the Capital Projects Fund and that money could be allocated for any Capital Project that revolved around recreation. She clarified that here was a transfer done every year.

VICE MAYOR RUZZANO said that he saw Fire Department money out of the Fund.

DIRECTOR BEAZLEY explained that the money from the Recreation Trust Fund was specifically for recreation projects. She noted that there was other money that went into the Fund as well and was for any Capital Projects.

VICE MAYOR RUZZANO questioned whether the Recreational Trust Fund would no longer exist.

DIRECTOR BEAZLEY said that it existed, collected the money and then transferred the money to the Capital Projects Fund. She noted that the Recreational Trust Fund was a Special Revenue Fund that collected money and the Capital Project Fund was the fund that paid for the projects as they were assigned. She clarified that the $450,000 was currently in the Capital Project Fund.

CITY MANAGER SMITH clarified that the $450,000 had not currently been budgeted for any projects, which would take place during this upcoming Budget.

COMMISSIONER PEERMAN said that the money had not been spent because no one came up with a project yet. She noted that the cell tower money was sitting there.

VICE MAYOR RUZZANO said that he thought the $450,000 was for the improvement of the fields.

COMMISSIONER PEERMAN said that it was for Parks and Recreation, but not specifically for the fields.

VICE MAYOR RUZZANO reiterated that some of the money from the cell towers went to the Fire Department, which he did not understand.

CITY MANAGER SMITH clarified that there were multiple different types of projects in the Capital Projects Fund. He added that to fund the Parks and Recreation Projects, a source of money to use could be the Recreation Trust Fund monies. He noted that the money would have to be spent in accordance with the guidelines.

VICE MAYOR RUZZANO felt that if the cell towers brought in $200,000, that money should go into the parks.

CITY MANAGER SMITH said that he could walk through the Budget with the Vice Mayor.

COMMISSIONER PEERMAN asked that the City Manager bring clarification to the next meeting to share with the Commission, and CITY MANAGER SMITH agreed to do so.

4) CONSENT AGENDA

No items on Consent Agenda.

5) CITY MANAGER'S REPORT

CITY MANAGER DOUGLAS E. SMITH stated that the Margate Community College information was on the City website, and applications were also available at City Hall. He said that Coral Gate Park playground was currently closed for the installation of the shade canopy improvements. He noted that there would be a major emergency sewer repair project on Southgate Boulevard, which would cause traffic disruptions. He stated that the repairs would begin on April 6, 2015, and be completed by April 18, 2015. He explained that the eastbound lanes on Southgate Boulevard between Rock Island Road and U.S. 441 will be closed except for local traffic. He added that one westbound lane would be closed in the area and the roadside message boards will be out for notifications. He stated that notification was also being sent to Broward County Public Schools and other sources as well.

CITY MANAGER SMITH said that he was not going into an in depth discussion regarding the Alzheimer Family Center, and noted that it was discussed at the last Commission meeting, which was available on the website. He added that the Staff memorandum was also available in the Agenda backup. He stated that it was a serious and critical issue for the City. He said that Staff brought it forward and the Commission made the decision in accordance with the Agreement, to give the 60 day Notice of Termination and to stop paying out additional funds unless the Center was providing the funds to cover those expenses. He stated that the Commission gave specific direction regarding working towards addressing the outstanding balance, which would be discussed at an upcoming meeting with the Alzheimer Family Center and reported back to the Commission.

COMMISSIONER PEERMAN requested that Director of Parks and Recreation Mike Jones e-mail someone at Coral Gate regarding the Shade Cover, and Director Jones agreed.

6) RESOLUTION(S)

A. ID 14-1001 APPROVING WORKER'S COMPENSATION WASHOUT SETTLEMENT AGREEMENT WITH MARTIN ORLANDO IN THE AMOUNT OF $37,422.00

WITHOUT ADMISSION OF COMPENSABILITY.

Resolution 15-029

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

Yes: 5 - Commissioner Peerman, Commissioner Bryan, Commissioner Talerico, Vice Mayor Ruzzano and Mayor Simone

B. ID 14-1022 APPROVING SUPPLEMENTING THE STREET NAME OF NW 61ST AVENUE, FROM NW 15TH STREET TO NW 15TH COURT WITH "FANNIE FINNO DRIVE", IN HONOR OF LONG-TIME RESIDENT FANNIE FINNO

Resolution 15-030

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

Yes: 5 - Commissioner Peerman, Commissioner Bryan, Commissioner Talerico, Vice Mayor Ruzzano and Mayor Simone

C. ID 14-1016 APPROVING APPOINTMENT OF _____ TO THE CIVIL SERVICE BOARD FOR THE TERM COMMENCING APRIL 1, 2015, THROUGH MARCH 31, 2017.

Resolution 15-031

A motion was made by Commissioner Peerman, seconded by Commissioner Bryan, to insert the name of Paul Barasch. The motion carried by the following vote:

Yes: 5 - Commissioner Peerman, Commissioner Bryan, Commissioner Talerico, Vice Mayor Ruzzano and Mayor Simone

7) ORDINANCE(S) - FIRST READING

A. ID 14-955 CONSIDERATION OF AN ORDINANCE TO REVISE BUILDING HEIGHT REQUIREMENT IN TOC-G GATEWAY DISTRICTS.

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

Yes: 5 - Commissioner Peerman, Commissioner Bryan, Commissioner Talerico, Vice Mayor Ruzzano and Mayor Simone

B. ID 14-956 CONSIDERATION OF AN ORDINANCE TO REVISE THE DEFINITION OF "SHED".

A motion was made by Vice Mayor Ruzzano, seconded by Commissioner Bryan, that this Zoning-Related Ordinance - 1st Reading be approved on first reading. The motion carried by the following vote:

Yes: 5 - Commissioner Peerman, Commissioner Bryan, Commissioner Talerico, Vice Mayor Ruzzano and Mayor Simone

8) ORDINANCE(S) - SECOND READING

A. ID 14-1008 CONSIDERATION OF A REZONING FOR PROPERTIES 451, 461, AND 471 BANKS ROAD.

Ordinance 2015-RZ-1

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

Yes: 5 - Commissioner Peerman, Commissioner Bryan, Commissioner Talerico, Vice Mayor Ruzzano and Mayor Simone

B. ID 14-1017 CONSIDERATION OF AN ORDINANCE PROVIDING FOR APPROVAL OF A SECOND AMENDMENT TO THE AMENDED AND RESTATED FRANCHISE AGREEMENT FOR SINGLE FAMILY RESIDENTIAL AND COMMERCIAL COLLECTION; PROVIDING FOR SHORT TERM EXTENSION.

Ordinance 2015-1

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

Yes: 3 - Commissioner Talerico, Vice Mayor Ruzzano and Mayor Simone

No: 2 - Commissioner Peerman and Commissioner Bryan

9) DISCUSSION AND POSSIBLE ACTION

A. ID 14-1007 PURCHASE OF TICKETS TO THE 4TH ANNUAL MAGNOLIA LUNCHEON RECOGNIZING WOMEN OF DIGNITY, STRENGTH AND PERSEVERANCE.

A motion was made by Commissioner Peerman, seconded by Vice Mayor Ruzzano, that one ticket be purchased for the event and have Commissioner Bryan attend to represent the Commission.

MAYOR SIMONE said that she applauded Commissioner Bryan for her stand; however, she was not in favor of spending $100 when the market value of the ticket was $30 with $70 being tax deductible. She did not see how it helped Margate; however, she did value Commissioner Bryan's opinion.

COMMISSIONER BRYAN said that she appreciated the Mayor's opinion, but she felt it needed to be discussed.

The motion carried by the following vote:

Yes: 3 - Commissioner Peerman, Commissioner Talerico and Vice Mayor Ruzzano

No: 2 - Commissioner Bryan and Mayor Simone

ADJOURNMENT

There being no further business, the meeting adjourned at 9:55 p.m.

Respectfully submitted, *Transcribed by Carol DiLorenzo*

Joseph J. Kavanagh, City Clerk *Date:* 7/22/15