City of Margate

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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, March 21, 2018 **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 2018-121 DESTINI STEWART, 9TH GRADE, CORAL SPRINGS HIGH SCHOOL

1) PRESENTATION(S)

BARRINGTON A. RUSSELL confirmed that Senator Steube's Bill to pre-empt asking permission to obtain a permit to cut down a tree did not pass. He also confirmed the Bill allowing for kids to marry at age 14 did not pass.

A. ID 2018-096 LEGISLATIVE UPDATE (Presented by Representative Barrington A. Russell, District 95)

B. ID 2018-114 PRESENTATION OF THE FLORIDA CUP TO THE CITY OF MARGATE BY THE MARGATE-COCONUT CREEK FIRE RESCUE ALS TEAM

C. ID 2018-089 HOME OF THE MONTH - MARCH 2018

ATHLETES OF THE MONTH

D. ID 2018-098 BASEBALL: MADDOX MALLAN, 7
(Margate Baseball 7U Travel Team)

CHEERLEADING: VICTORIA JONES AND GIOVANNI JONES
(5 Star Athletics/Exceptional Emeralds)

EMPLOYEE RECOGNITION FOR YEARS OF SERVICE

E. ID 2018-113 GREGORY M. WOOD, POLICE SERGEANT - POLICE DEPARTMENT - 30 YEARS

2) COMMISSION COMMENTS

COMMISSIONER LESA PEERMAN wished everyone a Happy Easter and asked everyone to attend the Springtime Egg Hunt on March 24th.

COMMISSIONER JOANNE SIMONE congratulated the Coconut Creek-Margate Fire ALS team and welcomed the new Public Works Director, Mark Collins. She also mentioned an upcoming Parks and Recreational Input session for a $200,000 grant for capital improvements on March 22nd, the new "Our Margate" app, the Broward Metropolitan Planning Organization (MPO) hosting an e-town hall meeting on Commitment 2045 on March 22nd, The Broward County Charter Review meeting on March 27th in Coral Springs and she mentioned a new business, Iceland, in the Penn Dutch plaza.

COMMISSIONER TOMMY RUZZANO discussed the Mayor's Fitness Challenge and asked about contacting or writing a letter to the School Board to inform them of the poor appearance of the schools and their parking lots in Margate. He talked about the 911 system and a site plan project in Peppertree Plaza which the City Commission had nothing to do with.

VICE MAYOR ANTHONY N. CAGGIANO wished everyone a Happy Easter.

MAYOR ARLENE R. SCHWARTZ said that she wanted to welcome new staff. She explained that the funds from the State legislative session were allocated as $1,000,000 towards the new Fire Station and $500,000 towards relining the pipes.

COMMISSIONER RUZZANO indicated that if they merge with Coral Springs, they would need to add a northern Fire Department which would be placed in a different area.

MAYOR SCHWARTZ explained that there was conversation going on about opting out of the 911 call system that go through the Broward County and also spoke about the prospects of a regional fire department.

3) PUBLIC DISCUSSION

RICH POPOVIC, 6066 WINFIELD BOULEVARD commented on the MPO, the Fire Department and legal issues.

RICK RICCARDI, 4829 SOUTH HEMINGWAY CIRCLE AND CEO OF FELLOWSHIP LIVING FACILITIES, INC. advised that the National Day of Prayer was on May 3rd. He asked about the status of the Downtown Development.

Discussion ensued on the Downtown Development.

RICHARD BROWN, 6695 SW 6TH STREET discussed problems with parking on the grass and commercial vehicles in his community.

Discussion ensued regarding issues with parking, Code Compliance, Southgate Boulevard and 7th Street.

Discussion ensued regarding implementing a plan to prevent residents from parking on the grass on their property.

TONY SPAVENTO, 3194 W. BUENA VISTA DRIVE said he was against term limits. He discussed parking issues in Coral Bay and said streets were too narrow.

MANNY LUGO, 1129 EAST RIVER DRIVE spoke about the Board of Adjustment (BoA) meeting and Commission comments. He commented on the definition of a hardship.

Discussion ensued on development and on hardships that go before the BoA.

CHARLIE ARTNER, 6631 NW 22ND COURT discussed hardships.

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 2018-112 MOTION - APPROVAL OF CITY COMMISSION MINUTES: OCTOBER 30, 2017 - CITY COMMISSION WORKSHOP; NOVEMBER 15, 2017 - REGULAR CITY COMMISSION MEETING; DECEMBER 6, 2017 - REGULAR CITY COMMISSION MEETING; DECEMBER 18, 2017 - SPECIAL CITY COMMISSION MEETING.

APPROVED

B. ID 2018-099 MOTION - ACCEPTING THE COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR FISCAL YEAR ENDED SEPTEMBER 30, 2017.

APPROVED

C. ID 2018-081 RESOLUTION - APPROVING THE ACQUISITION AND WAIVING OF BIDDING FOR VARIOUS CRITICAL INCIDENT EQUIPMENT TO INCREASE RESPONSE EFFECTIVENESS FOR INVESTIGATIVE CAPABILITIES, WITH THE ACQUISITION BEING FUNDED FROM THE STATE LAW ENFORCEMENT TRUST FUND AT A COST NOT TO EXCEED $35,000.00.

RESOLUTION 18-027

APPROVED

D. ID 2018-084 RESOLUTION - APPROVING THE ACQUISITION AND WAIVING OF BIDDING FOR VARIOUS CRITICAL INCIDENT EQUIPMENT AND SUPPLIES TO INCREASE RESPONSE EFFECTIVENESS FOR ACTIVE EMERGENCY SITUATIONS, WITH THE ACQUISITION BEING FUNDED FROM THE FEDERAL LAW ENFORCEMENT TRUST FUND AT A COST NOT TO EXCEED $117,000.00.

RESOLUTION 18-028

APPROVED

E. ID 2018-110 RESOLUTION - AWARDING BID NO. 2018-008 - FURNISH AND INSTALL TWO (2) HVAC SYSTEMS FOR THE DEES ADMINISTRATION BUILDING TO CLIMATE TEMP, INC.; NOT TO EXCEED $59,680.00; PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION 18-029

APPROVED

F. ID 2018-116 RESOLUTION - SUPPORTING THE WYLAND NATIONAL MAYOR'S CHALLENGE FOR WATER CONSERVATION.

RESOLUTION 18-030

APPROVED

Approval of the Consent Agenda

A motion was made by Commissioner Peerman, seconded by Commissioner Simone, 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 mentioned the following items:

- Advised about applying for landwater conservation grant for Southgate Park and that the public meeting would be on Thursday March 22nd.
- Mayor's Water Challenge from April 1st.
- Prescription Drug Take Back Day on April 28th.
- Introduced new Public Works Director, Mark Collins and thanked Nick Cucunato for stepping in as the Acting Public Works Director.

6) RESOLUTION(S)

A. ID 2017-782 APPROVING AN INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY AND CITY OF MARGATE PROVIDING FOR FUNDING AND ADMINISTRATION OF 41ST AND 42ND YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM; PROVIDING FOR AMENDMENT AND EXTENSION OF THE AGREEMENT WITHOUT FURTHER COMMISSION ACTION; PROVIDING FOR TERMINATION; PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION 18-031

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

COMMISSIONER RUZZANO said that he was not a big fan of this program and asked if

they had given out any loans.

Discussion ensued regarding how this program should be administered and what projects the funds could be utilized for.

Discussion ensued on a home with a seawall issue and how it could be rectified.

MR. POPOVIC commented on the funding of the item.

This motion carried by the following vote:

Yes: 4 - Commissioner Peerman, Commissioner Simone, Vice Mayor Caggiano and Mayor Schwartz

No: 1 - Commissioner Ruzzano

B. ID 2018-091 AUTHORIZING THE ADDITION OF THE POSITION OF ACCOUNT CLERK I FOR THE PUBLIC WORKS DEPARTMENT; PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION 18-032

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

Yes: 4 - Commissioner Peerman, Commissioner Simone, Commissioner Ruzzano and Mayor Schwartz

No: 1 - Vice Mayor Caggiano

C. ID 2018-109 APPROVING COLLECTIVE BARGAINING AGREEMENT WITH THE FEDERATION OF PUBLIC EMPLOYEES FOR THE PERIOD FROM OCTOBER 1, 2017 THROUGH SEPTEMBER 30, 2020; PROVIDING FOR EFFECTIVE DATE.

RESOLUTION 18-033

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

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

D. ID 2018-124 ANNOUNCING ZONING IN PROGRESS RELATED TO PENDING CITY-WIDE RESIDENTIAL PARKING REQUIREMENTS AND PROVIDING AN EFFECTIVE DATE.

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

COMMISSIONER SIMONE said she believed the Commission did not have enough data to vote on this item and provided a handout to the City Commission with parking regulations for Coconut Creek and Coral Springs.

Discussion ensued on the mechanics involved for this agenda item and how it impacts development in Margate.

Discussion ensued regarding parking requirement calculations.

CITY ATTORNEY JAMES A. CHEROF said he did not recommend approving this item until the City Commission knew more about this item's details.

Discussion ensued on the impact of the item.

CITY ATTORNEY CHEROF said he could meet with staff and bring back a Resolution for the April 4th Agenda and work on a future Ordinance.

Discussion ensued on residential parking and how numbers should be calculated.

DEPARTMENT OF ENVIRONMENT AND ENGINEERING SERVICES (DEES) DIRECTOR REDDY CHITEPU commented on the parking regulations.

Discussion ensued on parking regulations in single family homes and whether garages should be calculated in parking.

Discussed ensued on the Transit Oriented Corridor (TOC) parking.

A motion was made by Commissioner Peerman, seconded by Commissioner Simone, to table this item.

Commissioner Peerman pulled the motion to table.

MR. ARTNER discussed his ideas for parking spaces.

MR. RICCARDI discussed tabling of the item.

MR. LUGO said his recommendation was not to table the item.

Discussion ensued on having a City Commission Workshop.

Commissioner Peerman, seconded by Commissioner Simone, made a motion to table the item to April 4th, 2018, Regular City Commission meeting. This carried by the following vote:

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

7) ORDINANCE(S) - SECOND READING

A. ID 2018-107 CONSIDERATION OF AN ORDINANCE TO BAN MEDICAL MARIJUANA TREATMENT CENTERS AND DISPENSARIES.

ORDINANCE 2018-1500.641

A motion was made by Commissioner Simone, seconded by Commissioner Ruzzano, that this Ordinance, Second Reading, be approved. This carried by the following vote:

Yes: 4 - Commissioner Simone, Commissioner Ruzzano, Vice Mayor Caggiano and Mayor Schwartz

No: 1 - Commissioner Peerman

8) DISCUSSION AND POSSIBLE ACTION

A. ID 2018-108 OPTIONS REGARDING THE TRANSIT-ORIENTED CORRIDOR (TOC) - PRESENTATION BY JEFF KATIMS OF THE MELLGREN PLANNING GROUP.

DEES DIRECTOR CHITEPU introduced the item.

MELLGREN PLANNING GROUP MANAGING PRINCIPAL JEFFREY N. KATIMS reviewed the PowerPoint presentation regarding Transit-Oriented Corridor (TOC) zoning. He explained that they previously had a Workshop concerning the TOC and that they had two options by either repealing the TOC or they could address the issues by amending the Code. He explained that they recommended him to fine tune those recommendations but also analyze the TOC as compared to B2 and B3. He also recapped from the first Workshop.

Discussion ensued regarding distance setbacks in the TOC and apartments on 441 in the TOC.

MAYOR SCHWARTZ said that the surgical approach may want to be considered as it was a faster option than a repeal of the TOC.

Discussion ensued on legal ramifications on both the surgical approach and repealing of the TOC.

COMMISSIONER SIMONE discussed the benefits of the TOC.

Discussion ensued on comparisons between 441 and University Drive.

Discussion ensued regarding Land Use in the TOC, B-2 and B-3 zoning districts.

COMMISSIONER SIMONE requested that a past and future Land Use map along the current TOC be distributed to the Commission.

Discussion ensued on the impact of leaving the TOC.

DEVELOPMENT SERVICES SENIOR PLANNER ANDREW PINNEY commented on TOC zoning and charter schools.

Discussion ensued on repealing the TOC and implementing the surgical approach presented by Mr. Katims.

Discussion ensued regarding Mixed Use and Margate businesses.

A motion was made by Commissoner Simone, seconded by Commissioner Peerman, to proceed with the surgical approach to the Transit-Oriented Corridor (TOC) as presented by Mr. Katims.

CITY ATTORNEY CHEROF clarified that a surgical approach can be done while also getting rid of the TOC.

MR. LUGO discussed the agenda item.

Discussion ensued on performing both the surgical approach and getting rid of the TOC.

MR. ARTNER discussed residents in Margate supporting businesses.

Discussion ensued regarding residents in various cities supporting local businesses.

COMMISSIONER SIMONE described her vision for Margate and mentioned the 2003 Charrette.

MAYOR SCHWARTZ discussed traffic congestion and working within the current limitations of the City.

DEES DIRECTOR CHITEPU said staff had enough information to proceed forward with bringing back an agenda item.

Commissioner Simone withdraw her motion.

ADJOURNMENT

There being no further business, the meeting adjourned at 11:40pm.

Respectfully submitted, Transcribed by Salene E. Edwards

Joseph J. Kavanagh, City Clerk Date: 5/15/18

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.