

City of Margate

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

Meeting Minutes Regular City Commission Meeting

Mayor Antonio V. Arserio
Vice Mayor Anthony N. Caggiano
Commissioners:
Tommy Ruzzano, Arlene R. Schwartz, Joanne Simone

City Manager Cale Curtis Interim City Attorney Weiss Serota Helfman Cole & Bierman City Clerk Jennifer M. Johnson

Wednesday, July 6, 2022

6:30 PM

Commission Chambers and Zoom.us Webinar ID: 824 3477 2828

https://us02web.zoom.us/j/82434772828

CALL TO ORDER

MOMENT OF SILENCE - INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

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

1) PRESENTATION(S)

A. ID 2022-273 PRESENTATION - HCA FLORIDA NORTHWEST HOSPITAL

CHIEF EXECUTIVE OFFICE (CEO) OF HEALTHCARE ASSISTANT (HCA) FLORIDA NORTHWEST HOSPITAL, KENNETH JONES, introduced team members, Chief Operating Officer, Kristen Lindenboom, Caren J. Bock and Director of Communications and Community Engagement, Jennifer Barb. He explained the name change from Northwest Medical Center to HCA Florida Northwest Hospital and provided a PowerPoint presentation on the implemented changes together with the hospital's accomplishments.

NORTHWEST MEDICAL CENTER, INTERIM CHIEF NURSING OFFICER, CAREN J. BOCK, expressed how she was honored to be a nurse. She said that the hospital just gave \$1,500,000 to Florida International University (FIU) and that they had just purchased the Galen School of Nursing.

CEO OF NORTHWEST MEDICAL CENTER, JONES, continued with his PowerPoint presentation and highlighted the community impact, graduate medical education for residents, continued growth and renovation works. He thanked Fire Division Chief Villar as well as other first responders who worked to provide safety for their community.

A question and answer session ensued between Mr. Jones and the City Commission.

MAYOR ANTONIO V. ARSERIO forewarned that they had a time-certain for Item 6) A.

ID2022-213 at 7:00pm and that they would have to stop and go to that Item.

B. ID 2022-281 ADAM SPEZIALE - POLICE OFFICER OF THE MONTH - JANUARY 2022

2) PUBLIC DISCUSSION

FREDERICK T. BOURDIN, 6323 HARBOR BEND, discussed his attendance at a City of Coral Springs' City Commission meeting pertaining to the school at Coral Bay and suggested staggering times and arrival/departures as a solution to the traffic.

TERESA L. DECRISTOFARO, 7805 W. ATLANTIC BOULEVARD, read a statement pertaining to her organization and sought approval for ideas on a Rainbow Bridge and Memorial Rock Garden for the City's Dog Park.

TRACY VAN WINKLE, 1020 SW 61ST AVENUE, discussed the HCA Florida Northwest Hospital presentation. She brought paperwork in pertaining to the installation of impact windows at a deceased friend's house. She highlighted the problems that had occurred and referenced the Building Code. She said that the Fourth of July Extravaganza was awesome.

COMMISSIONER TOMMY RUZZANO responded to Ms. Van Winkle's comments.

Public Discussion was paused for Public Hearing to read Item 6) A. ID 2022-213.

6) PUBLIC HEARING(S)

This Item was heard between the two Public Discussions.

A. ID 2022-213 PUBLIC HEARING TIME OF 7:00 P.M.

RESOLUTION **RELATING** TO THE **PROVISION** OF FIRE **RESCUE** SERVICES, FACILITIES AND PROGRAMS IN THE CITY OF MARGATE, FLORIDA; REIMPOSING FIRE RESCUE ASSESSMENTS AGAINST ASSESSED PROPERTY LOCATED WITHIN THE CITY OF MARGATE FOR THE FISCAL **BEGINNING** OCTOBER 1, 2022; **APPROVING** THE RATE ASSESSMENT; APPROVING THE **ASSESSMENT** ROLL; **AND PROVIDING** AN EFFECTIVE DATE.

MAYOR ARSERIO sought clarification that the rates for this Item had not increased and it was the same as last year.

CITY MANAGER CALE CURTIS confirmed that they were retaining the rates from last year.

A motion was made by Commissioner Schwartz, seconded by Vice Mayor Caggiano, that this Item should be approved. This carried as follows:

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

2) PUBLIC DISCUSSION (CONTINUED)

JONATHAN KRALJIC, 7357 FLORES WAY, requested that the City enforce the Zoning Code regarding the placement of campaign signs on commercial property without permits and on public property along with snipe signs on the utility pools and fences. He enjoyed the Fourth of July Extravaganza Parade and made comment on the amount of campaigning, the distribution of candy and the firework Ordinance. He suggested that they should allow members of the public to comment on Zoom.

ELSA J. SANCHEZ, 6930 NW 15TH STREET, echoed comments made by the previous public speaker, Mr. Kraljic, pertaining to political signs. She thanked those who were involved in the Fourth of July Extravaganza.

DONNA L. FELLOWS, 6108 NW 9TH COURT, thanked everybody who was involved in the Fourth of July Extravaganza's fireworks and commented that the display should be longer.

JULIE JONES, wished Chief of Police Galaska a very happy birthday. She explained that Chief of Police Galaska and Police Sergeant Horne found a hidden gem in their City called Gideons Motorcycle Club and referenced helping the homeless. She discussed a recent Public Records Request she made pertaining to election signs.

MARGATE RESIDENT, NINA CULVER, highlighted that there was an initiative with Margate's First Responders to help kids in emergency situations.

WENDY J. LONGLEY, 153 W. HEMINGWAY CIR., read a statement pertaining to the violation of City Code 3925 Regulation of Public Sewer and explained how it affected her property, vehicle and the public sewer.

MAYOR ARSERIO responded to Ms. Longley's comments.

LAUREN BERACHA, 6950 NW 14TH PLACE, echoed Mr. Kraljic's comments' pertaining to Code election signs. She repeated her request for members of the public to speak via Zoom.

3) COMMISSION COMMENTS

COMMISSIONER JOANNE SIMONE highlighted the tax-free holidays that were in effect. She explained a pet tag giveaway event which would take place on July 16th. She announced that the Veteran Home of the Brave yard signs were now available from the City Manager's Communications and Marketing team. She said it was a great job to all the staff who were involved in the Fourth of July Extravaganza and thanked the participants and those residents who attended to show their support. She welcomed incoming Assistant City Clerk Robinson and spoke about two grand openings in Margate. She informed that 140 new laws for the State of Florida came into effect this month. She highlighted that Florida was one of the most independent States according to a study taken by WalletHub.

COMMISSIONER ARLENE R. SCHWARTZ thanked everybody who attended the Fourth of July Extravaganza and those who assisted putting the event together. She commented on the length of the firework display and the long lines for the food trucks. She appreciated hearing alternative items that had not been previously discussed under Public Discussion.

COMMISSIONER RUZZANO echoed comments made about the Fourth of July Extravaganza Parade and stated he had a great time. He requested five of the Veteran Home of the Brave yard signs for distribution. He thanked and appreciated Finance

Director Beazley for the work she had provided for the City.

VICE MAYOR ANTHONY N. CAGGIANO highlighted the National Night Out in August. He said that the Fourth of July Extravaganza was a wonderful evening.

MAYOR ARSERIO thanked staff for all of their hard work for the Fourth of July Extravaganza and provided his feedback on the event.

4) CITY MANAGER'S REPORT

CITY MANAGER CURTIS echoed the City Commission's comments and thanked staff for their efforts that went into the planning and execution of their Fourth of July events.

INTERIM CITY ATTORNEY DAVID N. TOLCES referenced ethics training and highlighted that the Broward League of Cities was hosting a session tomorrow. He offered his services up until year-end if any of the City Commission sought any additional ethics training. He said it was a great Fourth of July parade and that he enjoyed seeing everybody there.

5) 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 2022-284

MOTION - APPROVAL OF CITY COMMISSION MINUTES: MAY 18, 2022 REGULAR CITY COMMISSION MEETING, JUNE 1, 2022 REGULAR CITY COMMISSION MEETING, JUNE 15, 2022 REGULAR CITY COMMISSION MEETING AND JUNE 23, 2022 SPECIAL CITY COMMISSION MEETING

APPROVED

B. ID 2022-294

A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, AMENDING REGULAR CITY COMMISSION MEETING DATES FOR CALENDAR YEAR 2022.

APPROVED AS AMENDED

A motion was made by Vice Mayor Caggiano, seconded by Commissioner Simone, to discuss the Consent Agenda.

A motion to amend was made by Vice Mayor Caggiano, seconded by Commissioner Simone, to change the start time of the August 31st, 2022 City Commission meeting to 6:30pm.

COMMISSIONER RUZZANO asked why there would be two meetings on the same day.

CITY MANAGER CURTIS responded to Commissioner Ruzzano's question and explained that it was more about efficiency of planning their meetings in the Summer.

Discussion ensued including incorporating or holding a future Code Workshop.

The amendment and the Consent Agenda carried by the following vote:

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

7) RESOLUTION(S)

A. ID 2022-247

A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, DESIGNATING A VOTING DELEGATE AND AN ALTERNATE FOR THE FLORIDA LEAGUE OF CITIES' 96TH ANNUAL CONFERENCE BEING HELD IN HOLLYWOOD, FLORIDA FROM AUGUST 11-13, 2022; PROVIDING FOR AN EFFECTIVE DATE.

VICE MAYOR CAGGIANO said that he would like to insert Mayor Arserio as the Voting Delegate.

MAYOR ARSERIO said that he would like to insert Vice Mayor Caggiano for alternate.

Discussion ensued.

A motion was made by Commissioner Schwartz, seconded by Mayor Arserio, to insert Mayor Arserio as the Voting Delegate and Vice Mayor Caggiano as the Alternate Delegate.

MR. BOURDIN asked about this Item.

The motion carried by the following vote:

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

B. ID 2022-293

RESOLUTION - APPROVING PAID PARENTAL LEAVE BENEFITS FOR CITY EMPLOYEES FOR THE BIRTH OR ADOPTION OF A CHILD, OR PLACEMENT OF A FOSTER CHILD SUBJECT TO ANNUAL FUNDING AND APPROPRIATION; PROVIDING FOR AN EFFECTIVE DATE.

MAYOR ARSERIO explained that several months ago, he brought this initiative to the City Commission's attention and discussed the importance of providing these type of benefits to staff. He indicated that they would be one of the first cities in Broward County to implement this Item.

CITY MANAGER CURTIS explained how the Family and Medical Leave Act (FMLA) payout would work for employees:

- The first four weeks would be at 100 percent pay;
- The second four weeks would be at 50 percent pay;
- The final four weeks would be at 25 percent pay; and
- The employee could subsidize that balance with accrued leave.

Discussion ensued.

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

VICE MAYOR CAGGIANO highlighted the importance of implementing this Item.

Discussion ensued including the dollar value, the rolling 12 month period and bi-weekly accruals.

MR. BOURDIN explained how it was a great, excellent idea.

The motion carried by the following vote:

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

Meeting went into Recess.

Meeting Reconvened.

8) RESOLUTION(S) - QUASI-JUDICIAL HEARING

A. ID 2022-282

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF MARGATE, FLORIDA, CONCERNING A SPECIAL EXCEPTION USE FOR A PRIVATE SCHOOL WITHIN THE CF-1 COMMUNITY FACILITY ZONING DISTRICT FOR ABUNDANT LIFE CHRISTIAN CENTRE, INC., LOCATED AT 1490 BANKS ROAD; PROVIDING FOR AN EFFECTIVE DATE.

INTERIM CITY ATTORNEY TOLCES read the Quasi-Judicial statement and asked the City Commission to reveal any disclosures.

VICE MAYOR CAGGIANO said that he had discussed this with senior staff but he did not submit any comments on Facebook Messenger.

COMMISSIONER SIMONE said that she spoke with Abundant Life Christian Academy (ALCA) Principal, Angier and discussed it with City Manager Curtis during her Agenda review.

COMMISSIONER SCHWARTZ said that other than the Agenda Review, she spoke with Abundant Life's Bishop Rick Thomas.

COMMISSIONER RUZZANO confirmed that he had spoken to everybody.

MAYOR ARSERIO said that to the best of his knowledge, he had only spoken to the staff on the third floor.

INTERIM CITY ATTORNEY TOLCES directed the City Commission that their decision at the conclusion of the hearing must be based on competence of substantial evidence related to the City's Code and not generalized support or opposition that was not fact based.

ASSISTANT CITY CLERK JOHNSON swore in those offering testimony.

MAYOR ARSERIO explained that if there were any members of the public who wished to be heard, he would advise them of a time before the close of the hearing to speak.

INTERIM CITY ATTORNEY TOLCES read the Resolution for this Item.

A motion was made by Commissioner Schwartz, seconded by Vice Mayor Caggiano, to open up the Quasi-Judicial hearing.

DEVELOPMENT SERVICES (DS) SENIOR PLANNER, ANDREW PINNEY, hoped to cover both Items (ID 2022-282 and ID 2022-283) in a single PowerPoint presentation for the Abundant Life Christian Center private school. He explained the application process for the two Items for the Plat Note Amendment and a Special Exception use. He provided a description of the subject property and went over the process and criteria of the applications.

A question and answer session ensued between the City Commission and DS Senior Planner Pinney including a traffic study.

ABUNDANT LIFE CHURCH (ALC), SENIOR PASTOR, BISHOP RICK THOMAS, 1490 BANKS ROAD, introduced himself, provided history about this site and explained why they were requesting a Special Exception. He informed that they would not be in attendance if it was something they felt would hurt the community. He referenced the economy and expressed his concerns that the site plan would be approximately \$80,000 which was cost prohibited as they were a non-profit organization.

ALCA, PRINCIPAL, STACY L. ANGIER, 1913 NW 79 TER, appreciated the opportunity to attend and discussed why they did not have legal counsel at the Quasi-Judicial hearing. She explained that in the last two years, they have paid approximately \$65,000 trying to get this approved and the Plat Note changed. She also gave the background history of the school. She handed out a document pertaining to an article on an Abundant Life student who was recognized for academic achievement by Step Up For Students which was the largest scholarship funding organization in the State of Florida. She explained their reluctance not to do another traffic study and discussed other areas where they would make compromises to adhere to their recommendations.

A question and answer session ensued between the City Commission, ALCA Principal Angier and ALC Bishop Thomas.

MAYOR ARSERIO asked if City staff had questions for the applicant.

DS SENIOR PLANNER ANDREW PINNEY had no questions for the applicant and discussed Commissioner Ruzzano's reference to making a motion without restrictions and referred to the attached draft Resolution pertaining to a capacity of 465 students.

MAYOR ARSERIO confirmed that there were no affected parties and then explained the protocols for the general public to speak in support of this Item.

MR. BOURDIN referenced the Coral Springs' system. He provided his thoughts on this Item.

CYNTHIA R. SNELL, 6670 FERN STREET, CORAL BAY expressed her love for ALCA and discussed how the school had changed their family's life.

SAMANTHA SNELL read a statement expressing her love and support for ALCA.

MS. SANCHEZ explained that she was on the Board of Adjustment (BOA) when this Item came through and said that it was a hard decision to make. She believed that this should be approved.

MS. JONES echoed Ms. Sanchez's comments and explained that she was the Chair of the BOA when they originally discussed this Item. She believed that they should approve them all.

MS. FELLOWS supported this Item and said that they should go ahead and approve it.

MAYOR ARSERIO invited the general public if they chose to speak against this Item but this did not occur. He asked the City staff and the applicant thereafter if they had any rebuttal desired but they acknowledged that they did not have any.

COMMISSIONER SCHWARTZ suggested that the school should look into having the flashing lights pertaining to speeding cars.

CITY MANAGER CURTIS advised that Chief of Police Galaska and Public Works were able to install some flashing signs which said "slow down" and that they were looking at obtaining the computer module or program that would allow them to change the message to flash the school zone during times needed.

Discussed ensued.

INTERIM CITY ATTORNEY TOLCES advised the City Commission as to the standard for decision making.

A motion to amend was made by Commissioner Ruzzano, seconded by Commissioner Simone, that they approve the Special Exception use for a private school within the Community Facility-1 (CF-1) pertaining to this Item without any exceptions.

Discussion ensued on the motion.

A motion to amend was made by Commissioner Schwartz, seconded by Mayor Arserio, to include the flashing light as an exception but remove the capacity exception.

Discussion ensued.

DS SENIOR PLANNER PINNEY referenced the Special Exception application and advised that in Chapter 31, Section 3154, there were limitations for what staff could approve after they had approved it. He also spoke about the next Item on the Plat Note Amendment.

Discussion ensued.

The motion to include the flashing light as an exception but remove the capacity exception failed by the following vote:

Yes: 2 - Commissioner Schwartz and Vice Mayor Caggiano

No: 3 - Commissioner Simone, Commissioner Ruzzano and Mayor Arserio

The original motion to amend and approve without conditions followed by the following vote:

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

B. ID 2022-283

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF MARGATE, FLORIDA, CONCERNING A PLAT NOTE AMENDMENT ON THE "CENTRAL PARK OF COMMERCE" PLAT, RECORDED IN PLAT BOOK 119, PAGE 27 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, FOR ABUNDANT LIFE CHRISTIAN CENTRE, INC., TO REPLACE A CHURCH USE WITH A PRIVATE SCHOOL USE; LOCATED AT 1490 BANKS ROAD; PROVIDING FOR AN EFFECTIVE DATE.

INTERIM CITY ATTORNEY TOLCES read the Quasi-Judicial statement and explained the protocols therein.

MAYOR ARSERIO confirmed that there were no additional members that would be testifying to be sworn in.

INTERIM CITY ATTORNEY TOLCES read the Resolution and directed the City

Commission that their decision at the conclusion of the hearing must be based on competence of substantial evidence related to the City's Code and not generalized support or opposition that was not fact based.

A motion was made by Commissioner Simone, seconded by Commissioner Schwartz, to open up the Quasi-Judicial hearing.

MAYOR ARSERIO invited City employees for the staff presentation.

DS SENIOR PLANNER PINNEY confirmed that he would rely on the presentation that he made in the prior hearing for presentation for this Plat Note Amendment. He explained that the Plat Note Amendment was contingent on the approval of the previous Item.

MAYOR ARSERIO invited the applicants to provide a presentation.

ALC SENIOR PASTOR, BISHOP THOMAS, relied upon everything that had already been sent.

MAYOR ARSERIO asked if City staff had questions for the applicant or whether there were any affected parties but there were none. He invited the general public to speak in support of this Item.

MR. BOURDIN was in favor of this Item as he said it was a good Christian school.

DS SENIOR PLANNER PINNEY advised that this draft Resolution had similar conditions with the capacity to the last Item. He explained that if the City Commission made a motion similar to the last Item, to open it to that condition.

MAYOR ARSERIO confirmed that there was no one that wanted to speak against the application and that there were no rebuttals from either the City staff or the applicant. He confirmed that there was no further discussion by the City Commission.

INTERIM CITY ATTORNEY TOLCES advised the City Commission as to the standard for decision making.

Discussion ensued on how to make the motion.

A motion was made by Commissioner Ruzzano, seconded by Commissioner Simone, to approve the Resolution without the conditions.

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

9) DISCUSSION AND POSSIBLE ACTION

A. ID 2022-285 APPROVAL OF A REQUEST TO WAIVE FEES FOR BOY SCOUT TROOP 360, FOR THE USE OF ANDREW'S BASEBALL FIELD, FOR A ROCKET DERBY EVENT.

COMMISSIONER SCHWARTZ wanted to know how high up the rockets were going and if there was going to be a member of the Fire Department present.

CITY MANAGER CURTIS said that he would find out more information.

Discussion ensued on the safety concerns of the event and who would pay for the fire detail.

MAYOR ARSERIO voiced his concerns on the number of events that they have waived fees for. He suggested creating a policy to only waive fees for a limited number of events per year or set to a certain dollar threshold amount.

COMMISSIONER SCHWARTZ questioned whether the waived fees included the deposit to ensure that they cleaned-up.

CITY MANAGER CURTIS said that they would still take the deposit but it was the fee for the actual use of the field.

COMMISSIONER RUZZANO repeated previous requests that when they go over their budget, that respective City Commissioners were allocated a certain amount of money to help out charities or an Item such as this.

Discussion ensued.

A motion was made by Vice Mayor Caggiano, seconded by Commissioner Schwartz, to waive the fee.

MR. KRALJIC questioned whether this Item would cause a precedent if they requested to do this event for future years.

MAYOR ARSERIO responded to Mr. Kraljic's comments.

MS. SANCHEZ supported waiving the fee but questioned who was liable if something occurred.

COMMISSIONER SCHWARTZ responded to Ms. Sanchez's comments.

INTERIM CITY ATTORNEY TOLCES advised that the City would require any organization to show proof of insurance and that they would also agree to indemnify and hold the City harmless if there were any incidents that occurred.

MS. FELLOWS explained the rocket process.

COMMISSIONER SCHWARTZ responded to Ms. Fellows.

MR. BOURDIN made a comment pertaining to this Item.

The motion carried by the following vote:

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

ADJOURNMENT

There being no further business, the meeting adjourned at 9:45pm.	
Respectfully submitted,	Transcribed by Salene E. Edwards
Jennifer M. Johnson, City Clerk	Date:

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.

One or more members of the City of Margate advisory boards may be in attendance and may participate at the meeting.

Members of the public are invited to view this meeting through Zoom using Webinar ID: 824 3477 2828 or can listen via telephone by calling one of the following phone numbers: US: +1 312 626 6799 or +1 929 205 6099.

• A copy of the Agenda for this Meeting is posted on www.MargateFL.com and on the main bulletin board outside City Hall located at 5790 Margate Blvd, Margate, FL 33063.

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