



City of Margate

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

Meeting Minutes

Regular City Commission Meeting

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

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

Wednesday, December 9, 2015

7:00 PM

Commission Chambers

CALL TO ORDER

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

In Attendance:

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

PLEDGE OF ALLEGIANCE

[ID 14-1552](#) ALEXA CEDRAS, 3RD GRADE AND MAEL ROCOURT, 7TH GRADE, RISE ACADEMY

1) PRESENTATION(S)

A. [ID 14-1573](#) CIVILIAN OF THE MONTH - OCTOBER - KAREN ALLRED, ACCOUNT CLERK III

CIVILIAN OF THE MONTH - OCTOBER - MARISSA OTERO, COMMUNITY SERVICE AIDE

ATHLETES OF THE MONTH

B. [ID 14-1575](#) BASEBALL: JAVIER SIERRA, 8 YEARS OLD
(Margate Pony Elite Baseball and Softball, Blue Jays)

CROSS COUNTRY: JOEY TIERNEY, 15 YEARS OLD
(Coral Glades High School, Jaguars)

EMPLOYEE RECOGNITION FOR YEARS OF SERVICE

C. [ID 14-1578](#) DANA E. WATSON, POLICE CHIEF - POLICE DEPARTMENT - 30 YEARS

LAURA ANN PASTORE, RISK MANAGER - HUMAN RESOURCES - 25 YEARS

MICHAEL PALMA, POLICE CAPTAIN - POLICE DEPARTMENT - 20 YEARS

2) COMMISSION COMMENTS

COMMISSIONER SIMONE congratulated Dave Nyenbrink for being named Firefighter of the Year by the Fire Chief's Association of Broward County. She reminded everyone that Saturday, December 12, 2015, was the Movies in the Park with Alexander and the Horrible No Good Very Bad Day was showing. She also mentioned Friday, December 18, 2015, as the date of the Winter Festival from 6:00 PM to 10:00 PM.

COMMISSIONER PEERMAN mentioned a Bill submitted by Kristin Jacobs for the Sunshine Protection Act that would provide for Daylight Savings Time year round, which would stop falling back in the winter. She said that the sun would remain until 8:30 PM. She asked whether the Mayor could write a letter in support, if the Commission was in support.

MAYOR RUZZANO questioned whether other States did that.

COMMISSIONER PEERMAN believed that there were two other States; she believed they were Hawaii and another State. She said that as a tourist area, it would remain light later.

CITY MANAGER DOUGLAS E. SMITH said that a letter could be drafted.

COMMISSIONER PEERMAN wished everyone happy holidays.

COMMISSIONER TALERICO congratulated the Police Chief, Laura Pastore and Captain Palma on their years of service. He wished everyone a happy holiday with peace on earth and good will towards all.

VICE MAYOR BRYAN said that she received an e-mail from the Florida League of Cities Transportation and Inter-governmental Relations Committee, which she was a member of, and asked for an over view of the FAST Act.

DIRECTOR OF ECONOMIC DEVELOPMENT BEN ZISKAL explained that the legislation was called Fixing America's Surface Transportation (FAST) Act. He said that it was an update to Federal Legislation regarding federally owned and operated transportation systems, such as the highway systems, bridges and railroads. He stated that there were also components regarding the transport of hazardous waste, bus and truck safety and highway and motor vehicle safety. He noted that the Bill passed the House and the Senate and would move to the President's desk for signature. He said that the impacts related to the State of Florida were not certain yet; however, it looks like there were a number of components to the Bill and it would more flexibility to the States with regards to spending on infrastructure. He explained that though Margate did not have an interstate or a railroad; however, the City did receive money from the Metropolitan Planning Organization (MPO) and the Florida Department of Transportation (FDOT) for State Road 7.

VICE MAYOR BRYAN acknowledged the City of Coral Springs for sending us T-shirts for support of the Dr. Martin Luther King Jr. monument. She congratulated Captain Palma, Chief Watson and Laura Pastore. She read aloud what Christmas was all about with

regard to the Charlie Brown Christmas show. She wished everyone happy holidays.

MAYOR RUZZANO wished Vice Mayor Bryan the best for the presentation she was making tomorrow at Liberty Elementary School. He mentioned receiving all good phone calls about the lights on Margate Boulevard, Royal Palm Boulevard and Southgate Boulevard. He said that the sidewalk at Toscana was fixed and looked great. He wished everyone a great, safe holiday. He also congratulated everyone on their awards tonight.

CITY ATTORNEY EUGENE STEINFELD wished everyone a happy holiday and noted that this was his last holiday in Margate. He congratulated Chief Watson, Captain Palma and Laura Pastore.

CITY CLERK JOSEPH J. KAVANAGH wished everyone happy holidays and congratulated the employees who received recognition.

3) PUBLIC DISCUSSION

RICH POPOVIC, 6066 Winfield Boulevard, commented on public discussion and that it was an improper forum for Commissioners to respond to the public. He asked how much money was spent on Christmas lights.

CITY MANAGER DOUGLAS E. SMITH said that it was approximately \$30,000.

MR. POPOVIC commented on the lights not saying Merry Christmas.

COMMISSIONER TALERICO said that the public needed to abide by the rules when speaking during a Commission meeting.

RICH ALIANIELLO, 7631 NW 23rd Street, said that the Commission was doing a great job. He stated that he liked the Charlie Brown Christmas speech Vice Mayor Bryan provided. He congratulated Chief Watson, Laura Pastore and Captain Palma. He wished everyone happy holidays.

4) CONSENT AGENDA

MAYOR RUZZANO REQUESTED THAT ITEM 4A BE PULLED FOR DISCUSSION.

- A. [ID 14-1593](#) **MOTION** - AUTHORIZATION TO ADVERTISE AN ORDINANCE TO AMEND ELEMENT I OF THE MARGATE COMPREHENSIVE PLAN IN ORDER TO INCREASE THE RESERVATION OF DEVELOPABLE RIGHTS WITHIN THE TOC LAND USE BOUNDARY.

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

MAYOR RUZZANO questioned whether the City was trying to get more units approved by the County, and whether the units would all be used in the Downtown area or along the Transit Oriented Corridor (TOC).

DIRECTOR OF ECONOMIC DEVELOPMENT BEN ZISKAL explained that the request was for an increase to the number of residential dwelling units that can be built within the

TOC District, which would include the entire 1,200 acre site. He noted that it started at the north end of the City and went along U.S. 441 to the southern border. He added that it flanked along Atlantic Boulevard to the east and west including the entire industrial area to the west of Banks Road.

MAYOR RUZZANO questioned whether if using what there was currently in the Downtown area in the future, someone wanting to build on the south end or north end would not be able to.

DIRECTOR ZISKAL agreed and explained that there was a process for private property to obtain entitlements; however, the problem with not having them ahead of time was that it was about 1-1/2 year process. He explained that property under construction now, such as the Celebration Point project, increased their density by themselves with a 1-1/2 year process. He stated that this entitlement would provide the units throughout the entire TOC District so the developer could build residential units outside the City Center, there would be units available and the entitlements would already be within the District.

COMMISSIONER TALERICO questioned whether the County was originally asked for the units and if they were taken away.

DIRECTOR ZISKAL explained that in 2007, when the TOC was created to allow mixed use development within the City and the 1,184 acre site was established, there was a Feasibility Study conducted showing the maximum development potential within the District. He noted that the potential was 3,000 units. He said that at that time, Atlantic West Elementary School was overcrowded and to move forward it was necessary to reduce the maximum number down from 3,000 units to 1,849 units. He said that when talking with Broward County Planning Council Staff, and evaluating other data, it was determined that there was a calculation error and a number of residential units were counted as existing commercial space. He noted that due to that error, the 1,849 units were reduced to 710 units. He stated that this amendment would bring it back to 1,849.

VICE MAYOR BRYAN remembered that the School Board disagreed, which was because of the population of Atlantic West Elementary School.

DIRECTOR ZISKAL agreed that Atlantic West Elementary School was overcrowded, and explained that the City tried to negotiate an agreement with the School Board to allow the City to build within the Liberty Elementary School or Margate Elementary School District. He noted that the School Board, at that time, took the position that they wanted all or nothing and the City was not able to isolate one School District; therefore, the solution was to reduce the units.

MAYOR RUZZANO asked how rating took place when there was no High School. He also questioned what would happen if the schools became over capacitated.

DIRECTOR ZISKAL explained that the housing units were evaluated based on the School District the property falls into. He said that though the City did not have a High School, all of the housing units fell into Coconut Creek High School, Coral Springs High School or Monarch High School. He said that the residential units fell into one of the High School Districts. He noted that the three High Schools were evaluated for capacity. He explained that when a new project came in, it would still go through a site plan review and school capacity review. He noted that there would be a fee assessed to any residential unit, similar to an impact fee. He said that if additional capacity was needed the fees paid to the School Board would have to be levied and capacity would have to be increased.

RICH POPOVIC, 6066 Winfield Boulevard, felt that school capacity should not be relevant to the Redevelopment Program. He said that schools were losing students because they were going to private schools. He felt that the City should stay with the reduced units, because of the congestion. He said that there were not enough jobs for the existing people; therefore, he did not think 20,000 more people should be brought in. He mentioned the congestion when driving down U.S. 441.

RICK RICCARDI, 4829 South Hemingway Circle, President of the Chamber of Commerce, felt that the City should be pushing to make things work. He said that it did not make sense to him to give up, and that the City should do what it could, rather than let the County have the power to stop Margate.

RICH AIIANIELLO, 7631 NW 23rd Street, asked whether Margate was in the market for a High School someday.

MAYOR RUZZANO responded that Margate did not have the property right now.

The motion carried by the following vote:

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

B. [ID 14-1597](#) RESOLUTION - AMENDING REGULAR CITY COMMISSION MEETING DATES FOR CALENDAR YEAR 2016.

Resolution 15-135

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

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

5) CITY MANAGER'S REPORT

CITY MANAGER DOUGLAS E. SMITH mentioned the upcoming Dr. Martin Luther King Jr. Day event that was planned for January 18, 2016. He said that it would be known as, "Together We Make It Great Day." He said that it would be a service project that the City was hosting to create a Butterfly Garden at Southgate Park. He stated that there would be opportunities for volunteers to participate. He added that he would be also reaching out for business participation and support. He noted that there was information on the website, and individuals could register to participate. He added that they could also register their own service project throughout the City. He stated that those participating would be recognized at a future Commission meeting. City Manager Smith stated that City Staff identified discrepancies in the management of the housing grants. He noted that the Police Department was working with the State Attorney's office on an active investigation. He said that he would potentially be authorizing expenditure of funds for services to assist with reviewing the Housing Grants Administration. He said that he would not exceed the dollar level of his authority for authorizing such expenditures without prior approval of the Commission; therefore, he may bring something back to the Commission.

6) RESOLUTION(S)

A. [ID 14-1598](#) ACCEPTING A GRANT AGREEMENT WITH GREENFIELDS OUTDOOR

FITNESS AND APPROVING AN EQUIPMENT PURCHASE IN THE AMOUNT OF \$33,690 FROM GREENFIELDS OUTDOOR FITNESS.

Resolution 15-136

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

COMMISSIONER SIMONE asked whether the apparatus with the chin ups, squats and sit ups could be changed to a different piece of equipment more modern. She stated that the other equipment looked to be State of the Art, but this piece did not.

MAYOR RUZZANO agreed.

CITY MANAGER DOUGLAS E. SMITH noted that Director of Parks and Recreation Mike Jones was not present; however, he spoke with him earlier today. He said that he would discuss with the company the trading options to change the piece of equipment. He mentioned possible additional costs and suggested that the Commission set an amount not to exceed \$5,000 so that it could be handled administratively.

An amendment was made by Commissioner Talerico, seconded by Commissioner Peerman, to allow the City Manager to spend up to \$5,000.

COMMISSIONER SIMONE thanked Mike Jones for his work on the project.

VICE MAYOR BRYAN clarified that the location was on Rock Island Road next to Fire Station 58.

MAYOR RUZZANO suggested having canopies over the top in the future.

CITY MANAGER SMITH said that he would look into the surfacing as part of this project.

RICH POPOVIC, 6066 Winfield Boulevard, questioned what piece of equipment was to be replaced.

MAYOR RUZZANO said that it was a chip up bar that did not go along with the whole concept, but was a package deal.

MR. POPOVIC continued speaking about exercising.

The amendment carried by the following vote:

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

The original motion as amended carried by the following vote:

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

- B. [ID 14-1521](#) APPROVING EXTENSION OF THE UNIFORM RENTAL AGREEMENT WITH ARAMARK UNIFORM SERVICES, AS PER THE SAME TERMS AND CONDITION AS THE CURRENT AGREEMENT, UNTIL SUCH TIME AS A NEW AGREEMENT IS AWARDED.

Resolution 15-137

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

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

- C. [ID 14-1570](#) RESOLUTION APPROVING MULTIPLE AWARD OF REQUEST FOR PROPOSAL (RFP) NO. 2016-002 SUPPLY AND DELIVER AFTERMARKET VEHICLE PARTS AND ACCESSORIES, VEHICLE, LIGHT AND HEAVY TRUCKS, AND OFF ROAD VEHICLES TO BENNETT AUTO SUPPLY, INC., AND M & H AUTOMOTIVE INC., FOR THE DEPARTMENT OF PUBLIC WORKS; PROVIDING FOR WAIVING OF BIDDING AND AWARD OF SOLE SOURCE PART SUPPLIERS AS PER THE ATTACHED LIST.

Resolution 15-138

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

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

- D. [ID 14-1571](#) APPROVING THE WAIVING OF BIDDING FOR THE SOLE SOURCE PURCHASE OF VARIOUS MYERS BRAND PUMPS; APPROVING AWARD TO CUSTOM PUMP AND CONTROLS, INC., ONE OF TWO SOLE SOURCE DISTRIBUTORS OF MYERS PUMPS IN THE SOUTHEASTERN MUNICIPAL MARKET, IN AN AMOUNT NOT TO EXCEED \$40,700, FOR THE DEPARTMENT OF ENVIRONMENTAL AND ENGINEERING SERVICES (DEES); PROVIDING FOR COMPETITIVE QUOTATIONS; PROVIDING FOR AWARD OF THE LOW QUOTE.

Resolution 15-139

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

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

- E. [ID 14-1572](#) AUTHORIZING THE MAYOR AND CITY MANAGER TO NEGOTIATE AND EXECUTE A SITE LEASE WITH T-MOBILE SOUTH, LLC FOR 625 SQUARE FEET AT AN EXISTING WIRELESS COMMUNICATIONS FACILITY LOCATED AT 2500 ROCK ISLAND ROAD.

Resolution 15-140

A motion was made by Commissioner Simone, seconded by Commissioner

Peerman, that this Resolution be approved. The motion carried by the following vote:

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

- F.** [ID 14-1576](#) APPROVAL TO PIGGYBACK AN "AGREEMENT BETWEEN BROWARD COUNTY AND BRYANT MILLER OLIVE, PA FOR LEGAL SERVICES" TO PROVIDE FOR BOND COUNSEL AND DISCLOSURE COUNSEL.

Resolution 15-141

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

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

- G.** [ID 14-1577](#) APPROVING THE AGREEMENT WITH BROWARD COUNTY FOR TRAFFICWAY BEAUTIFICATION FOR COPANS ROAD FROM STATE ROAD 7 TO HAMMOCKS BOULEVARD.

Resolution 15-142

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

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

- H.** [ID 14-1579](#) APPROVING WAIVING OF BIDDING FOR THE PURCHASE OF A STERILMATIC STERILIZER AUTOCLAVE FROM DAIGGER SCIENTIFIC, INC. IN AN AMOUNT NOT TO EXCEED \$12,730.34.

Resolution 15-143

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

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

- I.** [ID 14-1582](#) APPROVING AN ADDENDUM TO THE CONTRACT WITH SEVERN TRENT ENVIRONMENTAL SERVICES, INC. (STES) TO PROVIDE FOR WATER METER DISCONNECTIONS, WATER METER RESTORATIONS, AND ADDITIONAL SERVICES.

Resolution 15-144

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

An amendment was made by Commissioner Peerman, seconded by Commissioner Talerico, that this item be approved contingent upon approval by

Severn Trent. The amendment carried by the following vote:

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

The original motion as amended carried by the following vote:

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

- J.** [ID 14-1585](#) AUTHORIZING THE RECLASSIFICATION OF THE ACCOUNTANT POSITION, WITHIN THE FINANCE DEPARTMENT, TO THE POSITION OF TREASURY MANAGER.

Resolution 15-145

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

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

- K.** [ID 14-1589](#) DECLARING PROPERTY AS SURPLUS TO THE NEEDS OF THE CITY

Resolution 15-146

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

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

- L.** [ID 14-1590](#) AWARDING BUDGETED MATCHING FUNDS TO THE BROWARD REGIONAL HEALTH PLANNING COUNCIL, INC. FOR CHILDREN SERVICES IN THE AMOUNT OF \$5,000.

Resolution 15-147

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

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

- M.** [ID 14-1595](#) APPROVING WORKER'S COMPENSATION SETTLEMENT AGREEMENT WITH LONDA S. DONAHUE IN THE AMOUNT OF \$40,000, WITHOUT ADMISSION OF COMPENSABILITY.

Resolution 15-148

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

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

N. [ID 14-1548](#) APPROVING SUBMITTAL OF PROJECTS TO THE STATE LEGISLATURE FOR STATE APPROPRIATION CONSIDERATION.

Resolution 15-149

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

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

O. [ID 14-1587](#) APPROVING RULES OF CONDUCT OF THE PUBLIC AT PUBLIC MEETINGS AND RULES OF PROCEDURE AT MARGATE CITY COMMISSION MEETINGS FOR 2015-2016.

MAYOR RUZZANO noted that the Mayor set the Rules of Procedure and the Rules of Conduct every year. He reviewed the Rules of Conduct and said that he wanted to see some changes. He referred to Item 2G, Political Campaigning, and noted that candidates could not publicly campaign; however, he wanted them to be able to speak about ballot items. He mentioned the School Board Bond on last year's ballot, which the Commission was not able to talk about. He reviewed the Rules of Procedure and referred to Item 4, and that stated Commissioners could attend a meeting via telephone or conference for a reason approved by the Commission. He said that if attending by telephone or video conference, a Commissioner could present and vote on items, but shall not count as part of the quorum. He further explained that if only two Commissioners were present, the Commissioner calling in was not considered part of the quorum because they were not physically in attendance.

CITY ATTORNEY EUGENE STEINFELD noted that this was considered housekeeping that just put into writing what the procedure was.

MAYOR RUZZANO mentioned Item 5, Roll Call, and said that the change was from, "roll call for the vote on each Agenda item" to "Resolution and Ordinance." He stated that Public Discussion allowed individuals to speak one time per item for three minutes. He requested that sign up cards be removed. He said that the paragraph that read Regular, Special and Workshop meetings of the City Commission were intended to conduct City Business to benefit all residents and taxpayers within the City of Margate, was to remain.

COMMISSIONER TALERICO asked whether an item that provided a consequence to the City, such as a Bond Referendum, could no longer be endorsed.

CITY ATTORNEY STEINFELD clarified that the Commission could not spend money to endorse a Bond Referendum. He stated that money could be expended to educate the public; however, there was a fine line.

COMMISSIONER SIMONE asked for additional clarification regarding the political campaigning, because she felt that the way it was written might have unintended consequences. She understood that if the party came up and wanted to solicit for a funded event or campaign related issue not having to do with the candidate was okay.

MAYOR RUZZANO clarified that he wanted the candidate to be able to come up and

promote something on the ballot, such as the School Board Bond.

COMMISSIONER SIMONE noted that it read, "Solicit for politically funded events or campaign related issues."

CITY ATTORNEY STEINFELD read and clarified, "Speaker shall not make any political campaign statements for candidates, nor solicit for politically funded events, nor campaign related issues for candidates, at any public meeting, nor political campaign statements for or against any candidate. This shall not affect the right of any person to discuss political issues, not candidates, which specifically affect the City of Margate." He stated that something about an issue in front of Congress would not be specific to the City of Margate; however, a Bond issue regarding a School Board was specific. He added that a Broward County issue that changed the Charter, which related to the City, could be discussed.

MAYOR RUZZANO asked whether under the old rules someone could now voice their opinion of the Kristen Jacob's Bill regarding Daylight Savings.

CITY ATTORNEY STEINFELD said technically not.

COMMISSIONER SIMONE still believed it would have consequences because it specified that it was just for candidates.

COMMISSIONER PEERMAN noted that when the City Attorney read it aloud he read the word "nor"; however, she did not see the word nor.

CITY ATTORNEY STEINFELD said that the word "nor" was not grammatically necessary, because when putting a comma, what was subsequent to the comma was the same thing that would have been prior to the comma; therefore, it was still talking about the same thing. He clarified that the word, "nor" could be added, but grammatically you did not have to.

COMMISSIONER SIMONE said that her issue was with regard to the wording, "for candidates." She questioned whether the Democratic Party or the Tea Party wanted to make a campaign related issue, but not for a candidate.

CITY ATTORNEY STEINFELD reiterated that "this shall not affect the right of any person to discuss political issues, which specifically affect the City of Margate." He said that it would up to the discretion of the Mayor to be overruled by a majority of the Commission

A motion was made by Commissioner Peerman, seconded by Commissioner Talerico, that this item be approved.

RICH POPOVIC, 6066 Winfield Boulevard, remembered when people could say what they wanted because there was Freedom of Speech.

COMMISSIONER PEERMAN stated that since 2003, campaigning was never allowed in this Chamber as a matter of respect.

COMMISSIONER TALERICO agreed that the Commission never campaigned on the dais.

MR. POPOVIC LEFT THE MEETING AT 8:58 PM, AS ASKED BY MAYOR RUZZANO.

CITY ATTORNEY STEINFELD said that he was the City Attorney for 38 years and campaigning was never allowed in the Commission Chambers. He did remember a candidate, Mr. Yardley, who would quickly say, "Yardley for City Commission", but it was too fast to stop.

RICH ALIANIELLO, 7631 NW 23rd Street, agreed with everything the City Attorney said. He asked whether someone who was repeatedly annoying to the Commission could be suspended from attending.

CITY ATTORNEY STEINFELD said that there was a case in Florida; whereby, there was an attempt to suspend an individual who was asked to leave the Chambers. He noted that the individual was suspended for three or four sessions, which was considered a violation of Freedom of Speech. He stated that an individual could be ejected for the session or even arrested, but could not be barred for more than the particular session.

Resolution 15-150

The motion carried by the following vote:

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

ADJOURNMENT

There being no further business, the meeting adjourned at 8:52 PM.

Respectfully submitted,

Transcribed by Carol DiLorenzo

Joseph J. Kavanagh, City Clerk

Date: _____