



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 Douglas R. Gonzales
City Clerk Joseph J. Kavanagh

Wednesday, May 18, 2016

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 Douglas R. Gonzales
City Clerk Joseph J. Kavanagh

PLEDGE OF ALLEGIANCE

TRAYVON MULLEN, COCONUT CREEK HIGH SCHOOL, LED THE PLEDGE OF ALLEGIANCE.

1) PRESENTATION(S)

A. [ID 2016-237](#) RECOGNITION OF LIBERTY ELEMENTARY SCHOOL FOR EARNING THE MAGNET SCHOOLS OF AMERICA 2016 NATIONAL MERIT AWARD AND RECEIVING THE MAGNET SCHOOLS OF EXCELLENCE AWARD

B. [ID 2016-319](#) LEGISLATIVE UPDATE BY CITY LOBBYIST DAVID SIGERSON

LOBBYIST DAVID SIGERSON provided a legislative update and a spreadsheet showing the priority list and how things ended up. He noted that he prepared an outline, which he could send to the Commission with the City Manager's approval. He explained that there was success in passing legislation on the priority list, as well as some success in defeating legislation with things that were opposed to. He stated that the session was dominated by major issues that seemed to pit the Governor against the legislature. He noted that the issues involved tax cuts, the Governor's proposed Gambling Compact with the Seminole Indian Tribe and the Governor's economic development proposals that included a \$250 million dollar request for economic development for his Enterprise Florida Program. He said that legislature rebuffed the Governor on all of the key issues. He noted that the Governor asked for a billion dollars in tax cuts; however, legislature gave him \$129 million. Mr. Sigerson stated that the Governor received zero dollars on his proposed Economic Development Enterprise Florida Fund. He noted that this was important because it affected the City's ability to survive the Governor's Budget veto. He

explained that on the support side, issues were worked on, such as the Charter School Accountability Reform, as follows:

- A Bill to limit or eliminate the discharge of firearms on residential properties in a municipal area
- A Bill to help with economic development in the form of additional tweaking to the public/private partnership Bill. He noted that this had an interesting feature that allowed the Cities to require a fee to be paid by an unsolicited proposal, but if the fee did not cover the cost of processing the fee, an additional fee could be added. He added that another feature of this Bill was that it allowed the City to negotiate with a public/private partnership proposer for a revenue stream from any kind of project that was a fee generating project. He noted that if something generated revenue in the Community Redevelopment Agency (CRA) District, the City could negotiate a cut of that.
- The Pollution Discharge program was expanded and the eligibility criteria and funding was increased slightly. He said that the City was traditionally concerned with youth and a longstanding position of the City was to support the continued fight against synthetic and designer street drugs. He noted that this year, the legislature passed another Bill to include additional items, including Flakka, which was an issue in Broward County.
- The Gaming Bill did not pass, which would have increased the pool of revenue from which the City received a cut as an impacted City.
- The Law Enforcement Service Assessment (LESA) Bill did not pass. He explained that it was being worked on for many years and was ready to pass when a powerful legislator in the House of Representatives put a poison pill amendment on it, which was so bad that the sponsor of the Bill stood up and asked that the Bill be killed. He noted that it was a big disappointment.
- Charter School Accountability Reform was an important topic. He stated that several Bills were filed that were directly involved. He noted that the Bills did not pass; however, the sponsors of the big school choice package took pieces of those Bills and placed them in the Bill that did pass. He explained that some things included were as follows:

-An applicant will now be required to disclose the name of each applicant and the applicant's board members, as well as any education service providers involved with that application and Charter School.

An applicant will now be required to disclose past academic and financial performance of any school that any of the applicants, applicant board members or the service providers, were associated with in the past.

-An applicant will now be required to disclose any past school closures and the reasons for the closures.

Will now require the sponsor or school board to have the factors disclosed to them, and would be authorized to consider those when considering whether or not to approve an application.

-Monthly financials would be required from the time of approval. He noted that previously, financials were only required after money was received from the State. He said that it would also permit the Charter Schools to defer up to two years, their opening, which would allow them to better plan for the facility.

-Charter School was now required to hold a public meeting and notify parents of the meeting and the results, when deciding to voluntarily close the Charter School.

MR. SIGERSON gave the following list of the Bills that were opposed:

- Fracking was an issue the City took a strong position on, which received a vote of 9 yes and 10 no. He noted that the Bill was sponsored by the President Pro tempore of the

Senate, and took the committee a lot of courage to vote down.

- He noted that there was bad legislation limiting Home Rule, and one would have limited the manner in which a special assessment could be levied, as well as one that prohibited local governments from imposing special requirements on contractors. He stated that it was a complete invasion of the Home Rule by the legislature, and that Bill did not pass.
 - He explained that a number of revenue limiting Bills did not pass, such as the Communications Service Tax (CST) Bill, which would have reduced CST revenue by 20 to 40 percent.
 - He added that there was Bill that would have prohibited fine and forfeiture revenue from exceeding a certain percent of the City's Budget.
 - He stated that there was a proposed Constitutional Amendment that would have eliminated the Recapture Rule, with regard to property taxes.
 - He said that there was a Bill that had to be fought that would have authorized Counties to create an Economic Development Zone anywhere in the County, and fund it with TIFF without asking the City's permission, if it overlapped on City's jurisdiction. He mentioned the Bill that would have exempted Hospital Districts from TIFF was made prospective so it would not affect existing CRAs. He noted that another provision would have required the CRA to spend 5 percent of its funds on youth programs.
- MR. SIGERSON stated that with regard to funding, the City maintained the money for the Northwest Focal Point Senior Center (NWFPSC). He added that the funds for the Community Care for the elderly (CCE) were increased. He said that the water projects were funded in the amount of \$300,000, but the Governor vetoed \$256 million dollars from the Budget. He stated that the Cities were victimized by the political struggle in Tallahassee. He noted that the Affordable Housing Funds were again increased up to \$200 million dollars from \$175 million dollars. In conclusion, Mr. Sigerson stated that there were some successes in passing some good Bills and defeating some bad Bills. He thanked Mayor Ruzzano, Commissioner Peerman and Commissioner Simone for coming to Tallahassee, which was important for Commissioners to do. He noted that legislators appreciated hearing from Elected Officials. He also thanked the City Manager and Staff for their assistance and support.

ATHLETES OF THE MONTH

EVRETT RIDLEY, MARGATE MOTION SWIM TEAM WAS NOT PRESENT.

- C. [ID 2016-321](#) SWIM: EVRETT RIDLEY, 6 YEARS OLD
(Margate Motion Swim Team)

BASEBALL: SEBASTIAN BAGOON, 8 YEARS OLD
(Margate Pony Elite Baseball & Softball League, Pinto Marlins)

SPECIAL PRESENTATION: TRAYVON MULLEN

PROCLAMATION(S)

- D. [ID 2016-274](#) FLORIDA BUILDING SAFETY MONTH - MAY 2016 (presented to Mary Langley, Building Director/Building Official)
- E. [ID 2016-275](#) KIDS TO PARKS DAY - MAY 21, 2016 (presented to Deborah Winograd, Parks and Recreation Department)

2) COMMISSION COMMENTS

COMMISSIONER SIMONE said that she was contacted by a resident regarding no Forum delivery, and she was working with Alison Saffold and the Forum, but to no avail. She stated that the Forum was not interested in Margate residents receiving the paper. She added that there were other neighborhoods not receiving the paper. She encouraged the residents to call the Forum if they want the paper.

MAYOR RUZZANO added that he spoke to the Forum once and they responded that they only delivered to the nice neighborhoods, which he did not like.

COMMISSIONER SIMONE said that at the Northwest Council of Elected Officials, Commissioner Graziose spoke about an incident happening in many Cities, such as Margate North Lauderdale, Coconut Creek, Lauderhill and other Cities. She noted that the traffic control boxes were being hit with posters from Club Atrium. She said that there were three other clubs that were defacing the traffic control boxes and the safety boxes, as well as the mast arms. She stated that they were unsightly and she provided pictures. She noted that one of the pictures was on Southgate Boulevard and U.S. 441, where the remainder of the poster was there, because it could not be removed. She wanted to ask the City to look into getting vinyl shrink wraps that could be put on the boxes to avoid the posters. She also showed pictures of boxes with the vinyl shrink wraps. She noted that Davie and Fort Lauderdale already had them.

MAYOR RUZZANO asked whether this was something that had to be approved with Broward County.

CITY ATTORNEY DOUGLAS R. GONZALES agreed that if it was their property, approval was required but he did not think it would be a problem.

COMMISSIONER SIMONE noted that they were already in Davie and in Fort Lauderdale, and that the only boxes that could not have them were the electric boxes from Florida Power and Light (FPL).

COMMISSIONER TALERICO agreed with the project, but felt that the people needed to be addressed. He asked whether the County controlled those with regard to fines for posters.

CITY ATTORNEY GONZALES believed that the County did, and that they needed to be informed of what was happening.

COMMISSIONER TALERICO suggested that the fines might be increased.

COMMISSIONER SIMONE stated that there were some products available that would remove the posters relatively easy.

VICE MAYOR BRYAN thanked Commissioner Simone. She noted that she saw the box in Davie, which looked great and was probably a lot cheaper, efficient and effective.

COMMISSIONER SIMONE said that she recently found out that there was no Code requiring roof tiles or shingles to be put on a roof. She noted that the black tar can be left on the roof. She said that it was not a Building or Code violation. She asked the City Staff to research other Cities to determine what their requirements were for roof coatings.

BUILDING DIRECTOR MARY LANGLEY stated that the roof system was complete with

the exception of the roof tiles, but had the rolled surface.

MAYOR RUZZANO asked is that was the final roof when submitting the plans.

DIRECTOR LANGLEY said no and explained that the roof system was supposed to be a tile system. She noted that the roof was completed up to the point of the tile installation. She said that she did not know whether the homeowner ran out of money or there was a problem with the contractor, but she would look further into that.

MAYOR RUZZANO said that if the plan was submitted as a tile roof and the permit expired, a new roof permit must be pulled.

DIRECTOR LANGLEY agreed, but stated that the City could not force someone to pull a permit. She said that the roof structure was water tight and was not unsafe.

MAYOR RUZZANO said that it was not only for roofs, but could also be for an addition or anything.

DIRECTOR LANGLEY stated that it could be anything that would be left unfinished. She added that the roof system was not complete.

MAYOR RUZZANO said that this might need to be addressed differently and just as a roof.

DIRECTOR LANGLEY added that there was no Homeowner's Association requiring a certain roof finish in this particular area; therefore, she felt that the City's hands were tied.

CITY MANAGER DOUGLAS E. SMITH said that he would do some research of other Cities and how they handle the matter.

COMMISSIONER SIMONE said that the swing benches on Rock Island Road needed sprucing up, because the paint was peeling and there was rust. She did not know what needed to be done or if they needed to be pressure washed or repainted, but they were unsightly now. She added that there was a picnic bench at Open Space 75 that was missing the seat plank.

COMMISSIONER PEERMAN thanked whoever was responsible for the mail out of flyers regarding the Dog Park, which she received today in the mail.

VICE MAYOR BRYAN stated that she went to Wheelabrator Garbage and Trash and said that the cranes were amazing. She noted that one of the tour guides lived in Margate and thanked her for coming. She said that she went to Broward Housing Solutions on NW 14th Street and met another Margate resident who was a Planner with Broward County. She added that she attended the Evening among the Stars with the School Board for the first time. She noted that this was for children who had no absences. She stated that there were two people who had no absences from Kindergarten to 12th Grade. She noted that one of them went to school in Coral Springs, but lived in North Lauderdale. She noted that the students received an iPad, a date with the Marlins and personalized Marlins shirts. She added that the families were invited to meet the players and attend a dinner. She explained that she also went to Coconut Creek High School's top ten students who were doing an amazing job. She commended the interaction between the Staff and students. She added that she visited the business Urbano Furniture, which has been a Brazilian business in Margate for eight years.

MAYOR RUZZANO stated that he attended the Fellowship Living Golf Outing, which the City sponsored. He added that he also had a foursome from his company, which came in second place. He noted that he was beaten by Lawrence Taylor, one of the greatest football players ever, who attended. He said that the City would have the big parade on the Fourth of July and anybody wanting to enter could do so. He noted that there would be floats, food, music and a ceremony, followed by the Fireworks display that night. He explained that the Commission recently proposed and passed the Margate Mayor's Fitness Challenge, which would be held at Margate Elementary School for the Third Graders. He noted that it was a mock program to see if schools would pick up on it and expand it. He stated that it was being held on June 2nd, and children would receive T-Shirts with the City emblem on the back. He said that there would be about six events such as, jump rope, long run, short run, obstacle courses and other events. He further explained that on June 3rd, all the children would be recognized with participation certificates. He stated that the students with the top three best scores or times would receive medals. He hoped other Cities would also get involved. Mayor Ruzzano explained that the June 1st tax estimates were received and the taxable value was estimated to increase by 7.85 percent and was up from last year by \$1 million dollars. He stated that Margate had the best public safety program in Broward County, which he wanted to keep that way. He noted that the Commission would determine how to use the money.

CITY ATTORNEY DOUGLAS R. GONZALES said that when doing the Consent Agenda items, the City Attorney read the titles even when the items were not pulled from the Consent Agenda. He stated that there were alternate ways to handle the Consent Agenda, and explained that years ago the legislature mandated that all items on an Agenda be open for discussion. He noted that he had proposed language he drafted and used in the past before calling the Consent Agenda, which stated that, "Items listed under Consent Agenda are viewed to be routine and a recommendation will be enacted by one motion in the forum listed below. If discussion is desired by the Commission, the items will be removed from the Consent Agenda and will be considered separate. Anyone wishing to comment on any item on the Consent Agenda should approach the podium now." He explained that the statement would give the residents the ability to discuss what they want on the Consent Agenda. He said that after that, the Commission had the opportunity to pull whatever items they wanted to pull, if any, and the Mayor would then announce that there was a motion on the balance of the Consent Agenda. He stated that he would not have to read the titles of all of those items, and the items pulled would be addressed separately. He felt that this would save time and he suggested that the City consider moving some of the items that would presently be under Resolutions, to be part of the Consent Agenda instead. He noted that very few items needed to be a Resolution. He felt that the meetings would go quicker and would add uniformity.

COMMISSIONER TALERICO said that the Commission could try it to see how it worked out.

CITY ATTORNEY GONZALES said that he would provide the City Clerk with the language tomorrow.

MAYOR RUZZANO mentioned that the City received a letter from Brenda Snipes, Supervisor of Elections, regarding polling changes in the City. He noted that he spoke with Ms. Snipes at a recent event and was told to call her with any concerns. City Clerk Joseph J. Kavanagh called to clarify and determined that there were two new polling areas and new polling precincts.

CITY CLERK JOSEPH J. KAVANAGH explained that the letter was received May 4th, the morning before the Commission meeting. He said that a discussion about changing a

polling location came up during the meeting, but at that time, not enough information was obtained to communicate effectively to the Commission what the impact would be on the City. He stated that after researching and communicating with Dr. Brenda Snipes, Supervisor of Elections, and her Director of Polling, Pat Nesbitt, he was able to ascertain information. He provided a packet and provided a brief overview of the three maps included in the packet. He showed a map of the polling location for the voting districts in 2012, which showed 23 polling locations. He noted that the voting district shown as G 007, which was Royal Springs South, and that in 2012, voters had to travel across to vote at Abundant Life Church. He said that the G 007 polling location was not actually located in G 007 voting district, but was located outside of G 007. He showed sections G 004 and G 003, which was the north side of Royal Palm Boulevard running west to east. He noted that in 2012, those two voting districts voted at Saint Vincent's Church. He said that district G 015 voted in their district at Cokesbury Church. He explained that of the three specific locations impacted by the change, only one of the three voted within their voting district, which was Cokesbury Church at G 015. City Clerk Kavanagh further explained that in 2013, the Broward Supervisor of Elections worked on redistricting the polling places and voting districts in Margate and all other Cities. He noted that this was done in the name of financial savings and voting efficiency. He showed the map indicating the 23 previous locations consolidated down to 16 locations. He noted that G 005, which was previously G 007, was now voting south at Oriole Golf and Tennis Phase One Condominium, instead of voting at Abundant Life, which was not a polling location at that time. He stated that G 002 was consolidated from the previous G 003 and G 004 making a long track east to west for one voting district. He noted that with no other polling place in G 002, those voters traveled east then south to vote at Saint Vincent's Church. He clarified that it was Royal Springs North and all areas north of Royal Palm Boulevard would be in that area. He further explained that G 010, which was previously G 015, was the surrounding area around Cokesbury Church continued to vote at Cokesbury Church in 2014. City Clerk Kavanagh further provided an overview to the proposed change in 2016. He stated that at G 005 nothing was changed from the 2014 voting and they will continue to vote in the southern area at Oriole Golf and Tennis Phase One Condominium. He noted that the big change was that G 002, which previously voted at Saint Vincent's Church but had now been replaced with Abundant Life. He pointed out that now that whole tract of voting district had its own location inside of G 002 itself. He believed that it was the intention of the Broward Supervisor of Elections to put the voting district inside of the designated district. He further explained that G 010 had remained unchanged since 2012, and that the surrounding area of Cokesbury Church would continue to vote at Cokesbury Church.

3) PUBLIC DISCUSSION

RICH ALIANIELLO, 7631 NW 23rd Street, said that a new card would be received in the mail regarding the voting change from Saint Vincent's Church to Abundant Life. He stated that he received his postcard regarding the Dog Park today. He mentioned having a Dog Park where he lived in New Jersey, which was a disaster. He noted that dogs ran wild without leashes and owners could not control them. He said that children were bit and the dogs caused havoc to families. He recommended terminating the Dog Park and spoke about a child attacked by a Pit Bull. He stated that he wanted to see roofs replaced with the same type of material, such as tiling in a neighborhood where all roofs were tiled.

CAROLYN O'MALLEY, STEM Magnet Coordinator of Atlantic West Elementary School, informed everybody of a program at the school to help raise funds for the Sciences, Tech, Engineering and Math (STEM) Education for the students to help them become future problem solvers. She noted that the school recently partnered with a Florida Textile Recycling company and now had a bin outside the school for collecting. She said that for

every 1,000 pounds, money was received from the recycling company. She hoped to help with going green by keeping the landfills clean of the textiles. She said that she would leave some flyers.

ROB HANNER, 3168 Bayberry Way, thanked Commissioner Simone for mentioning the eyesore of advertisements all over the City. He stated that the City was having a problem with trash for many years on U.S. 441. He said that when riding around the City he saw a lot of trash in the medians. He showed trash that was sitting in the median for six months; therefore, he felt whoever's job it was to pick up the trash was not doing a good job. He felt that it was simple to pick up the trash to improve the curb appeal of the City. He suggested that the City hire someone full time within the City to do nothing but pick up trash around the City. He noted that Coconut Creek recently did that and it made a big difference.

CITY MANAGER DOUGLAS E. SMITH said that he would check into the issue and get back with the Commission.

MAYOR RUZZANO felt that Mr. Hanner had a great idea about hiring someone to clean up the City. He noted that the City had an app and he asked that Mr. Hanner use the app to take a picture and send it to the department to be handled.

MR. HANNER mentioned the entry sign on the south end of U.S. 441 in the median near the thrift store, which was missing for a long time.

CITY MANAGER SMITH said that might have been involved with a vehicle accident. He noted that when the new Signage Program was done, a new sign would be installed.

ARLENE SCHWARTZ, 7800 NW 1st Street, former Mayor of Margate, said that she was thrilled about Liberty Elementary School's award. She noted that she and Commissioner Talerico were the two people who convinced the Commission to vote for the school in 2000, because nobody wanted a third elementary school in Margate. She mentioned that the Coral Springs Forum no longer came to her home, and mentioned an article about Parkland introducing a rule limiting alcohol sales with regard to the 24 hour convenience store WaWa. She noted that Parkland adopted a rule based on Coconut Creek's rule, to limit the alcohol sales to convenience stores between 11:00 AM and 8:00 AM. She noted that Coconut Creek limited between 12:00 AM to 8:00 AM. She felt that the City needed to look into this matter prior to WaWa coming to Margate.

MAYOR RUZZANO asked Ms. Schwartz to explain prior discussion she had with him pertaining to impact fees.

MS. SCHWARTZ explained that between 1997 and 2004, the City patterned a law after Coral Springs and other communities, that said if someone was building residential homes or apartment units in the City, they either had to provide a park in their development or pay the City a fee per unit for the Parks and Recreation Fund, as well as a fee per unit to be used for the Education Fund for the City of Margate. She noted that an Education Advisory Fund was set up, which was chaired by David Brown, who determined where the money was funded based on the needs of the schools. She noted that after she left office in 2004, the money was depleted because there was no building taking place in Margate. She stated that currently there was plenty of building taking place such as Toscana Villas with over 200 units and Celebration Pointe with over 500 units. She also mentioned the 1,300 units that were previously approved in Margate. She said that she mentioned it because Commissioner Peerman spoke about funding of the Mayor's Fitness Challenge. She noted that there should be plenty of money because the

ordinance was in place and the City should be able to collect on that.

COMMISSIONER SIMONE noted that the Forum which Ms. Schwartz provided was the same one she received at her home and Margate as well.

MS. SCHWARTZ said that it used to be called the Coconut Creek/Margate Forum, but now said Coral Springs also serving Coconut Creek/Margate.

COMMISSIONER SIMONE said that she would provide Ms. Schwartz the phone number.

MS. SCHWARTZ said that she called and was promised it would be delivered, but had not received it.

COMMISSIONER SIMONE said that she spoke with the Director of Economic Development Ben Ziskal regarding the impact fees and she felt that there might have been some misinformation.

MS. SCHWARTZ suggested not advertising in the Forum if the residents could not receive it at their homes.

COMMISSIONER SIMONE agreed.

CITY MANAGER SMITH said that the City Attorney could discuss the matter with Director Ziskal and report back at the next meeting.

COMMISSIONER PEERMAN questioned why it needed to be brought back at the next meeting and she felt that Director Ziskal should discuss it now.

DIRECTOR OF ECONOMIC DEVELOPMENT BEN ZISKAL explained that Code language was found regarding impact fees to be paid by residential development for park improvements. He stated that the language in the Code regarding that specific fee was limited to the platting procedure. He noted that both projects currently under construction, Celebration Pointe and Toscana Villas, did not go through the platting procedure; therefore, that section of the Code was not applicable. He noted that he worked with the City Clerk's office and the Municode Consultant to review the history of fees and Codes to determine when the Codes might have been enacted and when they might have changed over time. He said that with regard to the park fees, he was unable to find a specific section of the Code related to when the fees would be collected for other than platting. He stated that with regard to the school fees, he reviewed the School Advisory Committee records and minutes indicating where certain fees were collected. He noted that he was in the process of reviewing other sections of the Code that changed over time that might have either added or deleted fees. He said that there was not a definitive answer as far as when that might have been deleted from the Code, but his review with the City Attorney found that right now, there was nothing in the Code to collect those fees. He stated that once he was able to work the Code backwards to determine when they may have been deleted, he could provide a more detailed report.

MAYOR RUZZANO noted Director Ziskal was referring to Code, and he asked whether there was a difference between an ordinance and Code.

DIRECTOR ZISKAL noted that an ordinance adopted a Code. He said that though there might be an ordinance adopted between 1997 and 2004, there might also have been a series of ordinances adopted after that changed fees. He noted that the section of the Code that was revised and updated frequently was the fee schedule, such as the Building

fees and Development Review Committee (DRC) fees. He explained that information found when reviewing minutes of the School Advisory Committee indicated that a fee was collected at the time of a Building permit; therefore, he was currently researching the Building permit reschedule to see how it had changed from 1997 through today to see if the fee was ever added into the Code and subsequently deleted.

MAYOR RUZZANO asked whether Director Ziskal felt that it was something that should be implemented going forward in the future if it was deleted.

DIRECTOR ZISKAL said that was a decision the Commission would make regarding adding a fee for residential development. He noted that impact fees were charged for a multitude of reasons and he previously discussed a Public Art Program, which would add a specific fee for funding the Art Program. He felt that it was something that could be explored because it was a way of collecting fees from developers so the developers and new construction was funding the future impacts to the City.

COMMISSIONER TALERICO asked whether there were still Police and Fire impact fees and questioned what could be done now to install a fee or ordinance with new construction, if he could not substantiate the fees.

DIRECTOR ZISKAL agreed that there were still Police and Fire impact fees. He said that once the research was completed, or if the research was called off to move forward with implementing a new fee, a proposal would come before the Commission for consideration.

COMMISSIONER TALERICO suggested checking into what fees could be done with regard to any new construction for Parks and Recreation.

MAYOR RUZZANO asked what would happen if the research provided that the developers should have paid a fee because the ordinance was still in place.

CITY ATTORNEY DOUGLAS R. GONZALES said that depended on when the ordinance was in effect or if it was in effect at the time. He stated that if it was not, the City could not go back and collect now.

MAYOR RUZZANO asked what could be done if it was not collected and was overlooked or missed.

CITY ATTORNEY GONZALES would research that and determine whether the City would be able to charge, depending on how long ago it was, because there would be a Statute of Limitations. He said that the City might be able to go back and collect.

COMMISSIONER SIMONE noted that the Forum article mentioned that the City of Parkland made a deal with the WaWa station regarding an entrance sign in the City. She felt that the City had leeway to negotiate with the developer.

RICH POPOVIC, 6066 Winfield Boulevard, said that the City spent \$40,000 on a Lobbyist. He mentioned Palm Lakes and the Alzheimer Family Center.

SYDNEY KING, 2111 NW 76th Avenue, stated that he was the President of the Margate Lions Club. He said that the Lions would like to welcome the new City Attorney and offered any help. He stated that the Lions would be in attendance at the Memorial Day ceremony. He noted that he was in Toronto, Canada, at the same time Prince Harry was there as a guest speaker for the Invictus Games, which was for handicapped veterans

who served in Syria, Iraq and Afghanistan. He stated that the Lion's Club came up with the Prince Harry South Florida Team and wanted to ask for help from the City to find Veterans to join the team. He introduced his grandson Ben.

4) CONSENT AGENDA

A. [ID 2016-308](#) MOTION - APPROVAL OF CITY COMMISSION MINUTES

Approval of the Consent Agenda

A motion was made by Vice Mayor Bryan, seconded by Commissioner Simone, to approve the Consent Agenda. 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 said that the upcoming meeting to discuss the proposed Dog Park was scheduled for Wednesday, May 25th, at City Hall from 5:00 PM to 8:00 PM. He thanked everyone involved with getting the postcard mailing out, which was sent to a one mile radius around the site. He stated that the 5th Annual Margate Academic Scholarship Program had a submission deadline of June 9th, 2016, and that there was information available on the website. He announced a new project available, which was the Wi-Fi installation at Firefighters Park that was now online. He mentioned the entry way sign on Coconut Creek Parkway had been trimmed back. He noted that there was discussion at a prior Commission meeting regarding walls and fences. He explained that the Economic Development Staff researched the Code and found that there was a provision requiring walls that applied to sub divisions of developments that went through the Development Review Committee (DRC) and required site plan approval. He said that would include projects such as planned residential communities, planned unit development and multi-family dwelling projects; however, the Code specifically exempted single and two family dwelling units from the requirement. He noted that communities that were designed, constructed, or managed through an association that had unified control, would require these types of walls. He said that other neighborhoods with single family homes constructed independently would not require the uniform design. He stated that there was discussion at a prior Commission meeting regarding missing residential property addresses or addresses painted the same color as the structure, which was hard to identify. He noted that the Police Department previously conducted a review and met with the Economic Development Staff reviewing the City Code. He wanted to bring forward a proposed ordinance change that would require addresses to display a contrasting color from the structure. He said that if the Commission was amenable to bringing this ordinance back directly as a first reading, the authorization to advertise could be skipped.

CONSENSUS was given and all agreed 5-0.

CITY MANAGER SMITH said that the Economic Development Department was happy to welcome the new Grants Manager, Elimaris Fernandez, who started this week. He explained that she had brought knowledge and expertise on State and Federal Housing Grants, and previously worked at the City of Deerfield Beach. He added that she also previously worked with Housing and Urban Development (HUD) and Florida Emergency Management Agency (FEMA). He explained that the DRC reviewed site plans for expansion for Floribbean Seafood on NW 17th Street and for the 100 unit senior residential development at the corner of State Road 7 and NW 31st Street. He stated

that the Board of Adjustment (BOA) granted variances allowing a chain link fence for the proposed Dog Park at the Toscana Project, as well as design standards for the proposed Burger King and retail development at State Road 7 and NW 29th Street. He noted that Dollar General final site plans were approved for State Road 7 and NW 7th Street. He said that construction was still to be completed for the South Florida Laser Institute at Penn Dutch Plaza, the Dominion Storage Facility on Coconut Creek Parkway and the BB&T Bank on the corner of Coconut Creek Parkway and State Road 7. City Manager Smith explained that the slide refurbishment was taking place at Calypso Cove. He added that trees would be replaced at the activity pool, though additional work and digging was needed. He said that the activity pool would need to be closed this upcoming weekend to be able to get the work completed prior to Memorial Day weekend. He stated that Calypso Cove would not be open for general admissions this weekend, but was still available for swim lessons and reserved rental use. He said that once the activity pool was operational, he would have it advertised. He explained that swim lessons at Calypso Cove were beginning June 20th. He added that there was a Fishing Clinic coming up on May 21st from 9:00 AM to 11:00 AM. He noted that the Tennis Tournament was taking place at Firefighters Park on May 21st as well. City Manager Smith said that there was reference to landscaping at the Wastewater Treatment Plant fence at the last Commission meeting. He noted that Director of Environmental and Engineering Services (DEES) Reddy Chitepu provided the Commission with an email response regarding his review of the site. He noted that Director Chitepu found the trees to be in good condition with new growth, though some were shredding leaves. He said Director Chitepu noted that some shrubs were stressed but still had new growth. He added that temporary drip irrigation was being installed and services were being procured to convert the potable water irrigation system to the canal water. City Manager Smith also mentioned prior discussion regarding the wall on Southgate Boulevard. He noted that there were utilities under the area and easements would need to be secured from residents. He said that the next step would be for the City to see what the charge would be for an Engineering Consulting Group to provide a feasibility study of the wall.

COMMISSIONER SIMONE asked what type of wall was being looked into.

CITY MANAGER SMITH said that was not determined yet, but he would discuss it with the Director.

COMMISSIONER SIMONE mentioned that communities were now putting up PVC white fences that did not require any painting.

MAYOR RUZZANO suggested that the fence at the new development near Atlantic Boulevard in the west be looked into, because it mimicked a concrete wall, had a stone look, came in colors, was cheaper than the vinyl fencing and was beautiful. He mentioned that the slides at Calypso Cove were 48 inches; however, he noted that at Broward County Parks and at Disney World the slides were five times bigger. He asked whether making the slides higher could be looked into.

CITY MANAGER SMITH said that he would discuss the issue with the Director and the City Attorney with regard to a possible liability component and report back at the next meeting.

MAYOR RUZZANO mentioned Burger King and asked whether fast food restaurants were being allowed in the Transit Oriented Corridor (TOC).

ECONOMIC DEVELOPMENT DIRECTOR BEN ZISKAL explained that it was still in process. He noted that a fast food restaurant with a drive through was a special exception

use, which would require City Commission approval. He noted that the first two steps the project took were review of the site plan by the DRC and an application to the BOA for variances; however, final approval was not yet received. He added that because it had to come before the Commission, he felt that whether or not the project was supported or recommendations were being made should not be discussed until it was before the Commission in a Quasi-Judicial setting.

COMMISSIONER TALERICO left the Commission Chambers at 9:01 PM and returned at 9:03 PM.

ITEM 8.A. DISCUSSION AND POSSIBLE ACTION WAS HEARD PRIOR TO ITEM 6. RESOLUTIONS.

8) DISCUSSION AND POSSIBLE ACTION

A. [ID 2016-317](#) SPECIAL EVENTS FUNDING/DONATION REQUEST PROGRAM - VANESSA VIXAMAR

VANESSA VIXAMAR stated that she was seeking funding for a Study Abroad Program. She explained that the Study Abroad Program she wanted to take part in would look at health and community development in Cape Town, South Africa. She said that she would be going into clinics, hospitals and other non-governmental organizations to get experience with issues of non-communicable diseases, as well as infectious diseases in the area, such as HIV, Aids and Tuberculosis. She noted that Tuberculosis was a major issue in Cape Town. She further explained that she would be working with Doctors, Nurses and other health professionals and people of the community of Cape Town. She stated that this experience would provide her a broader understanding of her earth, experience with her career goal of holistic medicine and allow her to do community outreach, which was something she was very passionate about. She felt that people should not limit themselves to the communities they were in, but go to other communities to get a global perspective of issues facing the world. She said that it was an importance experience and she was doing whatever she could to take part in it. She appreciated the Commission's time.

MAYOR RUZZANO noted that Vanessa did fill out the application and he was very impressed with it.

COMMISSIONER SIMONE noted that Vanessa was previously in her Kindergarten class.

A motion was made by Commissioner Simone, seconded by Vice Mayor Bryan, to provide \$1,000 for Vanessa to study in South Africa. The motion carried by the following vote:

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

6) RESOLUTION(S)

A. [ID 2016-325](#) APPOINTING A REPRESENTATIVE FROM THE CITY OF MARGATE TO THE BROWARD METROPOLITAN PLANNING ORGANIZATION'S CITIZENS' ADVISORY COMMITTEE.

RESOLUTION 16-214

A motion was made by Commissioner Talerico, seconded by Commissioner Simone, that this Resolution be approved to appoint Wanda Catalan. The motion

carried by the following vote:

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

- B.** [ID 2016-320](#) AUTHORIZING THE RECLASSIFICATION OF THE ACCOUNT CLERK III POSITION TO AN ACCOUNT CLERK I POSITION WITHIN THE FINANCE DEPARTMENT.

RESOLUTION 16-215

A motion was made by Vice Mayor Bryan, 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

- C.** [ID 2016-281](#) WAIVING OF BIDDING FOR ORIGINAL EQUIPMENT MANUFACTURER (OEM) FORD AND DODGE AUTOMOTIVE PARTS AND ACCESSORIES FROM THE LOCAL AUTONATION FORD OF MARGATE DEALERSHIP AND THE LOCAL ARRIGO DODGE OF SAWGRASS DEALERSHIP; PROVIDING FOR ACCEPTANCE OF THE FORD DEALER'S TEN (10) PERCENT ABOVE DEALER COST PRICING AND THE DODGE DEALER'S TWENTY-FIVE (25) PERCENT OFF OF LIST COST PRICING; PROVIDING FOR BOTH ARRANGEMENTS TO SUNSET CONCURRENTLY WITH THE RELATED NON-OEM AFTERMARKET AUTOMOTIVE PARTS CONTRACTS AWARDED TO OTHER PROVIDERS UNDER RFP NO. 2016-002 PURSUANT TO RESOLUTION 15-138 OR ON DECEMBER 8, 2020, WHICHEVER OCCURS FIRST.

RESOLUTION 16-216

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

- D.** [ID 2016-322](#) APPROVING AGREEMENT BETWEEN THE CITY OF CORAL SPRINGS AND THE CITY OF MARGATE FOR FIRE ACADEMY TRAINING HOURS AND PROMOTIONAL EXAM SERVICES VALUED AT \$15,000.00; PROVIDING FOR THE DECLARATION OF SURPLUS AND TRANSFER OF QUINT 2 (Q2) (City asset No. 09664) AN EMERGENCY ONE AERIAL FIRE TRUCK (VIN 4ENRAAA83R1003867) FROM MARGATE TO CORAL SPRINGS IN EXCHANGE FOR THE STIPULATED VALUE OF THE TRAINING HOURS AND EXAM SERVICES.

RESOLUTION 16-217

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

- E. [ID 2016-318](#) APPROVING THE PURCHASE OF A FORD EXPLORER FROM DON REID FORD UTILIZING THE FLORIDA SHERIFF'S ASSOCIATION BID NO. 15-23-0904, IN AN AMOUNT NOT TO EXCEED \$28,717.00; PROVIDING FOR BUDGET TRANSFER.

RESOLUTION 16-218

A motion was made by Commissioner Talerico, 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

- F. [ID 2016-314](#) AUTHORIZING THE ADMINISTRATION TO NEGOTIATE A CONTINUING SERVICES AGREEMENT WITH CPZ ARCHITECTS, INC. AS THE NUMBER ONE RANKED ARCHITECTURAL FIRM FOR THE REQUEST FOR QUALIFICATIONS (RFQ) 2016-012 - ARCHITECTURAL SERVICES.

RESOLUTION 16-219

A motion was made by Commissioner Talerico, 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

7) ORDINANCE(S) - SECOND READING

- A. [ID 2016-309](#) AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$25,000,000 OF THE CITY OF MARGATE, FLORIDA GENERAL OBLIGATION REFUNDING BONDS, SERIES 2016 FOR THE PURPOSE OF REFUNDING A PORTION OF THE ISSUER'S GENERAL OBLIGATION BONDS, SERIES 2007.

ORDINANCE 2016-3

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

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

- B. [ID 2016-311](#) AN **ORDINANCE** TO INTRODUCE THE 11CG ALCOHOL LICENSE FOR GOLF COURSES.

ORDINANCE 2016-1500.620

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

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

- C. [ID 2016-312](#) AN **ORDINANCE** FOR A CITY-WIDE MORATORIUM ON CHARTER SCHOOLS.

ORDINANCE 2016-1500.621

A motion was made by Commissioner Simone, seconded by Vice Mayor Bryan, that this Ordinance - 2nd Reading be approved on second reading. 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 9:21 PM.

Respectfully submitted,

Transcribed by Carol DiLorenzo

Joseph J. Kavanagh, City Clerk

Date: _____

DRAFT