



City of Margate

5790 Margate Boulevard
Margate, FL 33063
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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, August 31, 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

A. [ID 2016-455](#) BOY SCOUT TROOP 836

1) PRESENTATION(S)

ATHLETE OF THE MONTH

A. [ID 2016-519](#) BASEBALL: MASON SABBAG, 8 YEARS OLD
(Margate Pony Elite Baseball and Softball, Margate Pinto All-Stars)

2) COMMISSION COMMENTS

COMMISSIONER SIMONE mentioned that temporary promotional banners were discussed long ago and the Commission had decided to allow the shopping centers, with permission of the property owners, to put up temporary signs for 30 days at a time, 6 different times a year. She noted that the existing businesses contacted her wanting to know what happened to this program. She said that some business had received the okay from their property managers and were anxious for this to happen. She felt that the City was ready to go now; however, a consensus of the size had not yet been discussed. She asked for consensus on the size of the signs to be 3 feet by 6 feet and vertical, which was the size Coral Springs allowed. She stated that Director Ziskal could show pictures of what Margate's banner size was on the poles, and what Coral Springs had on their ground poles.

DIRECTOR OF ECONOMIC DEVELOPMENT BEN ZISKAL explained that the picture shown was a representation of what Coral Springs allowed for Grand Opening signs. He said that Staff measured the sign today, which was approximately 3 feet by 6 feet for the banner area. He stated that the pole stuck out of the ground about 3 feet, which made the top of the banner about 9 feet. He showed the banner that the CRA recently installed on the City's light poles, which were 24 inches by 50 inches (2 feet by 4 feet). He said that the applications were ready and a couple of the business owners were ready; however, consensus was needed as to which of the two sizes were being recommended and allowed so that permits could be issued as early as tomorrow.

COMMISSIONER SIMONE clarified that this would be for existing businesses that could not be on the monument signs. She said that they would now be allowed to put up their own sign and leave it up for 30 days.

DIRECTOR ZISKAL clarified that the City constructed 4 frames, approximately 4 feet by 6 feet, with the top 1 foot by 6 feet saying Grand Opening, with the individual businesses having the bottom 3 feet by 6 feet available to install their logo and name. He noted that both signs were rented by the City and installed by Public Works. He explained that the program Commissioner Simone was referring to would be for existing businesses that were outside of their Grand Opening period. He said that the Code allowed for the pole to be installed permanently and tenants within the shopping center could occupy the pole for 30 days at a time up to 6 times per year. He stated that the Code allowed the signs 1 every 100 feet if there was enough frontage available; therefore, depending on the size of the shopping center, some would only be allowed to have 1 sign.

COMMISSIONER SIMONE said that she was recommending the 3 foot by 6 foot signs, which allowed people to see the signs.

COMMISSIONER TALERICO said that some larger shopping centers could have 5 along their property. He asked whether the signs were for Grand Openings only.

DIRECTOR ZISKAL noted that they were not for Grand Openings, but were for existing tenants and started as a program for the shopping centers with extreme setbacks and signage was not visible from U.S. 441 or Atlantic Boulevard. He stated that there might not be enough room for a second monument sign or cost and site conditions prohibited an additional monument sign. He stated that the purpose was to provide additional roadway visibility.

COMMISSIONER TALERICO asked how it would be controlled.

COMMISSIONER SIMONE noted that the Commission had already approved doing this and tonight the size must be set.

DIRECTOR ZISKAL explained that the program approved was a Pilot Program. He said that as a Pilot Program, the City was able to build the parameters into the application process; however, the size and length of the program could be tweaked moving forward. He noted that for all sign regulations, each property must be treated the same. He clarified that with any improvement to the common areas of the shopping center, landlord consent was required.

COMMISSIONER TALERICO wanted to know how often it would be looked at and monitored.

DIRECTOR ZISKAL said that he would proceed as the Commission wished. He clarified

that Staff's interpretation was that each business would be allowed to have a sign up for 30 days for a maximum of 6 times. He noted that if a shopping center put up 5 poles, the business could not be on each of the 5 poles every other month totaling 30 signs. He clarified that the sign could be up for 30 days and would then have to wait 30 days for the next sign.

COMMISSIONER PEERMAN felt that this would help places like Latin Fusion.

MAYOR RUZZANO felt that it was a great idea; however, he expressed concern about plazas without green scape out front. He questioned whether they could put them in the asphalt.

DIRECTOR ZISKAL stated that setbacks must still be met and the signs would have to be in grassed or landscaped areas. He said that it could not be in the public right-of-way and must be on private property. He added that they could not obstruct any required parking or block sidewalk areas. He explained that the pole would have to be permitted and anchored into the ground with concrete holding it in place.

VICE MAYOR BRYAN also felt it was a great idea and was thankful for the enlargement of the signs.

CONSENSUS was given and all agreed 5-0.

COMMISSIONER SIMONE wanted to clarify for the record, that when she was Mayor, she never denied a Commissioner or Staff from placing anything on the Agenda.

COMMISSIONER PEERMAN also stated that she never pulled anything or kept anything off of the Agenda when she was Mayor.

COMMISSIONER PEERMAN said that she read a comment about the Dive-In Movie and why the Margate residents had to pay a fee. She questioned and found out that the fee supplemented the pay for the Lifeguards. She did not feel residents should have to pay; however, because the Dive-In Movie was scheduled for Saturday, it was too late to add something. She asked for a consensus to take out \$500 from the Resident Project Fund to pay for any Margate residents that attend that event so that 250 people would be covered up to \$500. She asked that the next Budget indicate that the fee was not included.

COMMISSIONER TALERICO clarified that it would be on a first come first serve basis.

COMMISSIONER PEERMAN agreed up to \$500.

VICE MAYOR BRYAN stated that the residents would need to provide proof of residency.

COMMISSIONER PEERMAN noted that they had to provide proof of residency currently in order to get the discount.

CONSENSUS was taken and all agreed.

COMMISSIONER PEERMAN asked the City Clerk to make sure there was \$500 available, and asked the City Manager to let Mike Jones know what was being done. She reminded everyone that the event was this Saturday and the movie was Angry Birds.

COMMISSIONER PEERMAN mentioned comments made at the last meeting that should

not have been allowed about a specific person. She quoted, "No common sense when she wrote a letter of recommendation for a convicted murderer who was kicking the crap out of an old man at her friend's restaurant bar across the street." She clarified that the individual was convicted and given probation. She said that when someone was arrested in this Country, they were innocent until proven guilty; therefore, Mr. Caggiano was being Judge and Jury when saying what he did. She noted that with research, Mr. Caggiano would have found out that the case was thrown out because the victim lied. She felt that slanderous comments should not have been allowed. She stated that the individual was just given an early end to his probation. She felt that the individual deserved an apology, but felt that Mr. Caggiano would not give one. She apologized to her friend for what was said.

COMMISSIONER TALERICO noted that Leslie Tobin, 73, wife of State Representative Jack Tobin, recently passed away Friday. He stated that she was a long time Margate resident who was very active in community affairs. He sent his condolences to the family.

VICE MAYOR BRYAN said that two weeks ago she brought a concern to Director Ziskal's attention. She stated that her concern pertained to businesses designated as massage/spas in the City. She showed pictures of these businesses throughout the City. She expressed concerns regarding prostitution and human trafficking. She asked that a moratorium be placed on these businesses by ordinance. She noted that there had been Police action on one of the institutions in the City.

CITY ATTORNEY DOUGLAS R. GONZALES explained that at the next meeting the ordinance would be brought forward for a first reading to institute a 6 month moratorium on the approval of any new massage parlors, massage spas and similar massage service type businesses. He noted that there was an arrest made last evening at the Jade Massage Parlor, which was the second such arrest at that location, which he would be taking to court.

COMMISSIONER TALERICO mentioned schools of beauty that did legitimate training of people for massages, and he asked whether the City would be able to differentiate between those. He asked whether they came under personal care services.

CITY ATTORNEY GONZALES agreed that they did come under personal care services, and that the intent of the moratorium was designed to prevent new spas or massage parlors. He noted that there was an existing massage school that would not be affected in any manner. He added that Jade Massage would also not be affected. He explained that there were sometimes Grand Openings at these facilities though they were open for a while. He reiterated that the ordinance was designed to address any new businesses of that nature.

COMMISSIONER TALERICO asked whether it could be added to an existing business, such as a hair boutique.

CITY ATTORNEY GONZALES said that it would be prohibited under the moratorium. He said that included under personal care services were businesses like hair and nail salons, as well as massage parlors. He said that there would be guidelines provided as to how the City would move forward once there was a moratorium.

VICE MAYOR BRYAN handed out packets regarding a presentation to be shown on the Mondopad. She stated that the residents elected the Commission to foster, encourage and implement change. She explained that children who were read to were more likely to become good readers. She said that children reading at grade level by fourth grade were

four times more likely to graduate from High School. She stated that 1/3 of Florida's third graders attending public schools cannot read at minimally proficient levels. She mentioned the United Way Program Reading Pals, was an early illiteracy initiative for children kindergarten through third grade. She explained that the program focused on ensuring children had been exposed to literature and were reading at grade level at the end of third grade. She stated that United Way engaged, trained, and deployed volunteers to dedicate one hour a week for 25 weeks to read to a child. She said that Reading Pals also provided 15 books for each child to take home for their home library. She stated that this year Reading Pals was in 14 public schools and 6 child care sites, and was reaching more than 300 children throughout Broward County. She showed information about the Budget. She highlighted the effectiveness of the Reading Pals Program. She referred to the chart on Page 3 of the program, which showed the graph of the Reading Pals Program from only three sites, from 2012 to 2013 and 21 sites in 2015 to 2016, which was impressive. She stated that even more amazing were the results of the program. She noted that in 2012 to 2013 first grade student assessments increased by 12.5 percent; in 2013 to 2014 first grade student assessments increased by 260 percent; in 2014 to 2015 first grade student assessments increased by 160 percent. She stated that the program showed results since its inception. She asked the Commission to supplement the implementation of a Reading Pals Program at a Margate school in this year's Budget for the amount of \$10,000 per year. She explained that the \$10,000 covered the following expenses for 20 to 30 children: marketing costs, program supplies, family activities, curriculum materials and various other administrative costs. She stated that not all children were provided with an equal chance to read. She said that the American Academy of Pediatrics was outspoken about the importance of reading at home throughout infancy and early childhood. She noted that it could improve language skills, foster literacy development and help with other less tangible qualities. She mentioned an article in Time Magazine in 2015, regarding what happened to children when read to, such as teaching rules of syntax, expanding vocabulary and helping children bond with others. She spoke about her experience when at Pompano Beach Elementary School in 2011 to 2012, with regard to the Reading Pals Program. She also explained that she became a Reading Pal as well.

COMMISSIONER TALERICO questioned what Reading Specialists did in the public schools?

COMMISSIONER SIMONE explained that the Reading Specialists were more like coaches for the teachers now. She said that she was interested in signing up for the program.

COMMISSIONER TALERICO asked about parents and grandparents coming in and reading to the children and be incorporated into the program.

VICE MAYOR BRYAN noted that they would have to pass a background check and it was an extremely structured program.

COMMISSIONER TALERICO said that he wanted the efforts to continue at home with the parents.

VICE MAYOR BRYAN said that the parents were encouraged to get involved; however, it was sometimes difficult if the parents did not speak English well.

COMMISSIONER PEERMAN asked whether the Vice Mayor was referring to the upcoming Budget.

VICE MAYOR BRYAN agreed and explained that the program would begin every year in September. She said that it was too late for this year. She stated that Liberty Elementary and Atlantic West were approached and were interested.

COMMISSIONER PEERMAN asked that the City Manager look into the Budget for the \$10,000.

COMMISSIONER SIMONE asked whether it was too late to become a Reading Pal for this year and if applications were still being taken.

VICE MAYOR BRYAN said that she would look into that.

CONSENSUS was given and all were in agreement 5-0.

MAYOR RUZZANO questioned whether it would be a line item,

CITY MANAGER DOUGLAS E. SMITH said that it would either be a line item or come out of what was determined to be the appropriate account.

MAYOR RUZZANO said that the new City of Margate Logo was in effect, "Together We Make it Great." He added that there were new banners throughout the City. He mentioned Channel 78.

CITY MANAGER SMITH explained that the City was waiting on a delivery of equipment from Comcast.

MAYOR RUZZANO noted that yesterday was the Primary Elections, and he congratulated the two people who won.

3) PUBLIC DISCUSSION

ARLENE SCHWARTZ, 7800 NW 1st Street, wanted to remind the Commission of the ordinance regarding new construction of residential housing and collecting money for the School Advisory Board. She said that because the City approved 968 residential units, it might be possible to rewrite the ordinance to allow for the collection of the money to put the Reading Pals Program in all Margate schools.

ANTHONY CAGGIANO, 7856 NW 1st Street, wished everyone a healthy and happy Labor Day weekend. He commented on Commissioner Peerman's two Ethics violations and writing a letter for a convicted murderer.

4) CONSENT AGENDA

Items listed under Consent Agenda are viewed to be routine and the recommendation will be enacted by one motion in the form listed below. If discussion is desired by the Commission, the item(s) will be removed from the Consent Agenda and will be considered separately. Anyone wishing to comment on any item on the Consent Agenda should approach the podium now. Each speaker is limited to three (3) minutes.

- A. [ID 2016-450](#) MOTION - APPROVAL OF CITY COMMISSION MINUTES.
- B. [ID 2016-495](#) RESOLUTION - APPROVING THE FUNDING OF THE NATIONAL NIGHT OUT EVENT THAT WAS HELD ON AUGUST 2, 2016, TO PROMOTE COMMUNITY INVOLVEMENT IN CRIME PREVENTION AND NEIGHBORHOOD SPIRIT AND POLICE-COMMUNITY RELATIONS, AND TO

ENCOURAGE NEIGHBORHOOD CAMARADERIE AS PART OF THE FIGHT FOR SAFER STREETS, AT A COST NOT TO EXCEED \$13,000.00; PROVIDING FOR FUNDING FROM THE STATE LAW ENFORCEMENT TRUST FUND.

RESOLUTION 16-269

APPROVED

- C. [ID 2016-522](#) RESOLUTION - APPROVING THE PURCHASE OF A FORD EXPLORER FROM DON REID FORD UTILIZING THE FLORIDA SHERIFF'S ASSOCIATION BID NO. 15-23-0904 WITH EXCEPTION FOR ITEMS NOT INCLUDED IN THE STATE CONTRACT PRICING FROM DON REID FORD, IN AN AMOUNT NOT TO EXCEED \$30,298.00; PROVIDING FOR BUDGET TRANSFER.

RESOLUTION 16-270

APPROVED

Approval of the Consent Agenda

A motion was made by Commissioner Simone, seconded by Vice Mayor Bryan, 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 mentioned the CRA Grant Application with the Stage Door Theater for the Arts on the Boulevard Grant Program request to the National Endowment for the Arts. He noted that a sample letter was provided from Denise Saint Patrick Bell, who was working with the CRA on the project. He asked for the Commission's consensus to support the letter. He said that after discussing with the City Attorney, it was determined it was something that could come from the Mayor, though it was a CRA project.

CONSENSUS was given and all agreed 5-0.

CITY MANAGER SMITH said that he provided backup material on the Broward County United Way Mayor's Gala event on October 22, 2016, which included recognition of Veterans. He noted that United Way provided the City with a request for a nomination for either a family who previously lost a Veteran or for a Veteran. He asked if the Commission was in support of the City reaching out to a Veteran. He noted that if selected, the Veteran would receive two complimentary tickets to the event. He added that at an appropriate point in time, the Commission could discuss the additional purchase of tickets if they wanted to attend, but currently the name of the Veteran needed to be submitted.

COMMISSIONER PEERMAN asked that the City Manager bring the cost of a table back to a future meeting.

MAYOR RUZZANO asked whether the individual had been notified.

CITY MANAGER SMITH noted that would be done as early as tomorrow.

CITY MANAGER SMITH mentioned that there were some ongoing projects in the City. He stated that a contractor was working on an ongoing water main replacement project along NW 65th Avenue and NW 65th Terrace. He said that an equipment staging area was being used on the Florida Power and Light (FPL) easement near Margate Boulevard and Rock Island Road. He added that there was another upcoming project for Cathedral Drive and West River Drive. He said that a staging area was needed there as well, which residents had been notified of. He mentioned prior discussions pertaining to the possibility of a wall or fence at the Southgate area. He noted that there was limited space available with pavement and adjoining properties at the intersection. He added that there were also various underground utilities. He said that there was a possibility to look into a decorative PVC fence as an option rather than a wall. Staff currently recommended delaying doing anything specifically due to some upcoming County projects, such as the mast arm replacements and a City sewer force main rehabilitation. He noted that Staff would continue to look into alternatives and easements that might be required.

MAYOR RUZZANO asked how long the wall was.

CITY MANAGER SMITH said that depended on whether it would go around the corner, which would need to be discussed.

VICE MAYOR BRYAN pointed out the PVC fence on McNab and 31st Avenue going west, and said that it looked good.

CITY MANAGER SMITH stated that the Self-Storage facility on Coconut Creek Parkway and the Dollar General on U.S. 441 were both progressing in the construction phase. He added that there was an upcoming movie at the pool this week and Margate under the Moon on September 10th. He stated that there would be another Hazardous Waste Collection on September 24th.

CITY ATTORNEY DOUGLAS R. GONZALES said that he was directed at the last meeting to prepare a resolution concerning having a School Nurse in all public schools, which was completed and would be routed for execution. He reported that he had applied to the Florida League of Cities (FLOC) for several policy committees, and that he received the Finance and Education Policy Committee. He stated that he would be required to attend two Orlando visits, which he would drive to the morning of the meeting and return right after the meeting.

COMMISSIONER PEERMAN noted that the City Attorney did not have a Travel Budget; however, she spoke with the City Manager about finding money for his travel.

VICE MAYOR BRYAN stated that she was happy about the School Nurse resolution.

6) RESOLUTION(S)

- A. [ID 2016-510](#) APPROVING A FIRST AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY AND THE CITY OF MARGATE FOR DISBURSEMENT OF THE HOME PROGRAM FUNDS HOUSING REHABILITATION PROGRAM - MINOR HOME REPAIR FY 2014 FUNDING IN THE AMOUNT OF \$78,448.00; PROVIDING FOR EXTENSION UNTIL SEPTEMBER 30, 2017.

RESOLUTION 16-271

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

- B.** [ID 2016-512](#) APPROVING THE SECOND AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY AND THE CITY OF MARGATE FOR DISBURSEMENT OF HOME PROGRAM FUNDS FOR MINOR HOME REPAIR/WEATHERIZATION FOR FY 2013-2014 FUNDING IN THE AMOUNT OF \$74,749.00; PROVING FOR EXTENSION UNTIL SEPTEMBER 30, 2017.

RESOLUTION 16-272

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

7) RESOLUTION(S) - QUASI-JUDICIAL HEARING

- A.** [ID 2016-469](#) APPROVING WITH CONDITIONS A SPECIAL EXCEPTION USE FOR NUVO MARGATE SELF STORAGE IN ORDER TO PERMIT A LIMITED ACCESS SELF-SERVICE STORAGE FACILITY, SUBJECT TO THE FINDINGS OF THE DEVELOPMENT REVIEW COMMITTEE.

CITY MANAGER DOUGLAS R. GONZALES stated that the applicant desired to seek a variance and would like to go through the City approval process prior to coming back for this hearing. He stated that the City and the applicant have both requested a continuance to this item to a time specific, September 21, 2016, at 7:00 PM.

A motion was made by Commissioner Talerico, seconded by Commissioner Peerman, to grant the continuation. 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 8:12 PM.

Respectfully submitted,

Transcribed by Carol DiLorenzo

Joseph J. Kavanagh, City Clerk

Date: _____