



# City of Margate

5790 Margate Boulevard  
Margate, FL 33063  
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## 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*

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Wednesday, November 16, 2016

7:00 PM

Commission Chambers

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#### CALL TO ORDER

**Present:** 4 - Commissioner Joanne Simone, Commissioner Lesa Peerman, Vice Mayor Joyce W. Bryan and Mayor Tommy Ruzzano  
**Not Present:** 1 - Commissioner Frank B. Talerico

In Attendance:

City Manager Douglas E. Smith  
City Attorney Douglas R. Gonzales  
City Clerk Joseph J. Kavanagh

#### PLEDGE OF ALLEGIANCE

[ID 2016-710](#) NOAH GUPTILL, 3RD GRADE, MARGATE ELEMENTARY

#### ATHLETES OF THE MONTH

**A.** [ID 2016-711](#) BASEBALL: HOLDEN ZELTNER, AGE 10  
(Margate Pony Elite Baseball and Softball, Bronco Royals)

SWIM: MADISON BARNETT, AGE 10  
(Margate Motion Swim Team)

#### EMPLOYEE RECOGNITION FOR YEARS OF SERVICE

**B.** [ID 2016-712](#) JASON TYLER AGOSTINELLI, FIREFIGHTER/PARAMEDIC - FIRE  
DEPARTMENT - 10 YEARS

#### PRESENTATIONS(S) - Continued

**A.** [ID 2016-650](#) READING PALS PROGRAM (Presented by Adriana LeCorgne, ReadingPals  
Manager, United Way of Broward County)

- B. [ID 2016-716](#) RECOGNITION OF MARGATE BRONCO MARLINS FOR EXEMPLARY PLAY AND SPORTSMANSHIP DURING THE 2016 FALL SEASON.

## 1) PRESENTATION(S)

*Meeting went into Recess*

*Meeting Reconvened*

- B. [ID 2016-707](#) PRESENTATION TO OUTGOING MAYOR TOMMY RUZZANO AND OUTGOING VICE MAYOR JOYCE W. BRYAN

***RECESS - Cake and Refreshments will be served.***

THE MEETING RECONVENED FOLLOWING THE RECESS AND REFRESHMENTS.

## 2) COMMISSION COMMENTS

COMMISSIONER SIMONE wished Vice Mayor Bryan good luck and noted that she would be missed as a positive cheerleader for the City. She congratulated Commissioners Elect Arlene Schwartz and Anthony Caggiano. She said that she looked forward to having them on the dais. She noted that the Movies in the Park, Finding Dory, was scheduled for November 19th at 6:00 PM. She added that the Winter Festival was on Friday, December 16th, and noted that something new was planned. She said that today was the groundbreaking for Rising Tides Car Wash, which would be opening in mid-2017, and was a great partnership for the City working with Autism.

COMMISSIONER PEERMAN stated that there was no sound on Channel 78. She congratulated the Commissioners Elect. She said that she would miss Vice Mayor Bryan at the conferences. She applauded her for all the classes she took and all she learned. She also appreciated the amount of events she attended representing Margate. She wished her the best.

VICE MAYOR BRYAN spoke about Gwen Ifill, Veteran Journalist and Newscaster, who passed away on Monday. She noted that she co-anchored PBS News Hour and broke gender and racial barriers becoming a role model for women in journalism across the Country. She said that Gwen worked at the Washington Post, the New York Times and became the moderator of PBS Washington Week in Review. She noted that she and her co-anchor were the first women to jointly lead a national nightly news broadcast. She added that Gwen moderated the 2004 and 2008 Vice Presidential debates, as well as the 2016 Democratic Primary Debate. She saluted her for handling difficult situations with quiet dignity and grace. Vice Mayor Bryan explained that she strived to be soft and light on the Commission. She accomplished her goal of being the first African American Commissioner, as well as the first African American Mayor. She spoke of the great times and many learning experiences she had. She felt that due to her education and life experiences she was able to handle obstacles in office with grace and kindness. She gave a brief description of her background from New Jersey. She stated how proud she was of both her mother and father. She spoke about her many degrees and her heritage, which included African American, Caucasian and American Indian. She stated that her husband of 20 years was from Jamaica and was also multi-racial. She noted that these were the reasons she was so passionate about multiculturalism. She stated that she enjoyed representing the City and that the City was outstanding. She commended the City Manager, City Attorney, City Commission and all Staff and employees. She

commended the Police and Fire and all Department Heads. She added that the City Clerk's office Staff with City Clerk Joseph J. Kavanagh was incredible while assisting her in becoming the best Commissioner she could be. She thanked her husband for his love and support.

MAYOR RUZZANO said that Vice Mayor Bryan would be missed because of her enthusiasm and positivity. He noted that he was also from New Jersey. He thanked her for doing so much good for the City. He congratulated Commissioner Elect Arlene Schwartz and Commissioner Elect Anthony Caggiano. He noted that the swearing-in would take place next Tuesday.

VICE MAYOR BRYAN also congratulated Commissioner Elect Schwartz and Commissioner Elect Caggiano. She encouraged them to attend the classes available.

CITY ATTORNEY DOUGLAS R. GONZALES said that it was a pleasure working with Vice Mayor Bryan and appreciated her guidance. He congratulated the Commissioner Elects.

CITY CLERK JOSEPH J. KAVANAGH congratulated Commissioner Elects Arlene Schwartz and Anthony Caggiano and looked forward to working with them. He stated that he was a better person because of Vice Mayor Bryan who was always there and was amazing.

### 3) PUBLIC DISCUSSION

OSVALDO ALBERTY, 400 SW 68th Terrace, said that he was a resident for more than 20 years and was a Viet Nam Veteran. He stated that he was having a problem in his neighborhood with a corporation working out of the house with trucks and trailers, which he reported to Code Compliance. He provided pictures. He stated that the problem was getting worse over the past two years and nobody was doing anything to help the problem.

MAYOR RUZZANO asked whether Mr. Alberty had contacted the Commission previously.

MR. ALBERTY said that he did not know the procedure, but he came to some Special Magistrate Hearings. He believed the corporation was packing and sending things to Haiti. He said that he was not able to get an appointment with the Commissioners. He noted that he left a message with Officer Fix.

MAYOR RUZZANO thanked Mr. Alberty for speaking and said that the Commissioners always acted on emails received. He apologized and said that the City Manager would look into the issue.

CITY MANAGER DOUGLAS E. SMITH said that the Police Department was aware of the issue and Lieutenant Fix tried to reach out, but did not connect with Mr. Alberty. He stated that he was happy to meet with Mr. Alberty along with the Police Department to speak further about the issue. He said that he would then provide an update to the Commissioners.

COMMISSIONER SIMONE noted that if Mr. Alberty did not have access to email, he could call the City Clerk's office who would contact the Commission.

ANTHONY CAGGIANO, 7856 NW 1st Street, thanked Vice Mayor Bryan for her service to the City and wished her future success in her endeavors.

ARLENE SCHWARTZ, 7800 NW 1st Street, stated that it was an honor to follow Vice Mayor Bryan into her seat and she hoped to continue with the things Vice Mayor Bryan cherished when she was sitting on the dais. She thanked the Vice Mayor for her service.

RICH POPOVIC, 6066 Winfield Boulevard, spoke about the redevelopment and mentioned the Sun Sentinel article about Cities jamming development into urban areas affecting traffic. He noted that Commissioner Simone sat on the Metropolitan Planning Organization (MPO) Board that was voting for all of the redevelopment. He said that the MPO wanted to over develop Margate as well. He was against the City signing with the Transit Oriented Corridor (TOC) and the MPO. He said that it was not a good plan.

MAYOR RUZZANO stated that Commissioner Simone did a good job for the City while sitting on the MPO Board. He said that the Commission was not in favor of traffic and maybe something needed to be tailored, but it would have to be addressed. He noted that the Commissioners all felt different about it, but he thanked Mr. Popovic for informing him of the article and being passionate about his City.

#### 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 2016-686](#) MOTION - APPROVAL OF CITY COMMISSION MINUTES

**APPROVED**

- B. [ID 2016-679](#) RESOLUTION - DECLARING CITY PROPERTY (AS PER THE ATTACHED SURPLUS PROPERTY LIST) SURPLUS TO THE NEEDS OF THE CITY; AND AUTHORIZING THE ADMINISTRATION TO PROVIDE FOR DISPOSAL AS NEEDED BY BEST METHOD; VIA PUBLIC AUCTION, ON-LINE AUCTION, TRADE-IN, DONATION, SALE OR SCRAPPING OF ITEMS; PROVIDING FOR A PUBLIC PURPOSE.

RESOLUTION 16-307

**APPROVED**

#### Approval of the Consent Agenda

**A motion was made by Commissioner Simone, seconded by Commissioner Peerman, to approve the Consent Agenda. The motion carried by the following vote:**

**Yes:** 4 - Commissioner Simone, Commissioner Peerman, Vice Mayor Bryan and Mayor Ruzzano

**Not Present:** 1 - Commissioner Talerico

#### 5) CITY MANAGER'S REPORT

CITY MANAGER DOUGLAS E. SMITH stated that Vice Mayor Bryan was a tremendous representative of the City with all the functions and events she attended. He added that

she was a positive person with a positive attitude, and he thanked her for her service, support and encouragement. He wished her and her family all the best. He congratulated the incoming Commissioners, Arlene Schwartz and Anthony Caggiano. He noted that the earlier issue with Channel 78 was rectified. City Manager Smith noted that the Relay for Life Cars for a Cure Car and Craft Show was asking for the fees to be waived for the use of the City stage. He stated that the estimated cost was \$1,161. He stated that the stage would be used for the award presentations and announcements at the event. He said that the event was scheduled from 11:00 AM to 4:00 PM.

COMMISSIONER SIMONE asked whether the City was hosting the Relay for Life.

ALAYNAH ALLEN, American Cancer Society, said that she was representing the Relay for Life.

PAULINE COBB, Event Lead for the Relay for Life, said that the Relay for Life Cars for a Cure Car and Craft Show was being held at 1000 North State Road 7.

MS. ALLEN explained that this year the Relay for Life event was being moved from Monarch High School to Coconut Creek High School. She noted that they were trying to focus in both communities, Margate and Coconut Creek.

MS. COBB stated that the Car Show was being sponsored by the Community Redevelopment Agency (CRA) as well.

COMMISSIONER SIMONE questioned whether this was the typical cost that would be allowed for other events where the stage fee was waived.

CITY MANAGER SMITH could not inform her as to what was done with other types of waivers; however, he said that this was a time limited event broken down by a stage rental of \$50 per hour with the Staff time, plus setup and takedown costs.

COMMISSIONER SIMONE asked who the City previously waived the stage fee for.

CITY MANAGER SMITH said that it was previously waived for the Chamber of Commerce for Carnival events.

COMMISSIONER PEERMAN mentioned the Cokesbury Car Show.

COMMISSIONER SIMONE asked for a breakdown of what was done before.

CITY MANAGER SMITH said that he could provide that in the future when these types of events came up.

**A motion was made by Commissioner Peerman, seconded by Vice Mayor Bryan, to waive the stage fee for the Relay for Life Car Show.**

RICH POPOVIC, 6066 Winfield Boulevard, said that he had nothing against charity work; however, he worked for charities that did not beg and made sure that all expenses were covered. He mentioned the prior discussions about the Reading Program for \$10,000, and he felt that every group was begging for money and receiving it from the City. He stated that it was the taxpayer's money and the City was not running a charity. He said that the City was out of control.

COMMISSIONER PEERMAN noted that the Reading Program was discussed prior to the Budget and was already in the Budget. She noted that charities had an application to fill out when asking for money. She stated that this was a waiving of fees, which was not the same as donations. She noted that the City had been a sponsor of the Relay for Life for years.

MS. ALLEN explained that the reason for asking for fees to be waived was so the money could be put back into the community. She noted that Margate had an Oncology Center and \$.82 on the dollar went back into the community.

COMMISSIONER PEERMAN stated that Ms. Allen should not have been made to feel bad for asking.

**The motion carried by the following vote:**

- Yes:** 4 - Commissioner Peerman, Commissioner Talerico, Vice Mayor Bryan and Mayor Ruzzano
- No:** 1 - Commissioner Simone

CITY MANAGER SMITH stated that the City received a request from the Margate Initiative for Community Action and Hope (MICAHA) organization to be able to collect donations at the Winter Festival for Haiti relief efforts. He noted that the donations would be non-perishable food and water near the stage area. He stated that MICAHA was only requesting the Commission's support for collecting the items at the event.

VICE MAYOR BRYAN asked whether bulletins or information would be provided on the website.

CITY MANAGER SMITH said that could be included in the Winter Festival promotion.

COMMISSIONER PEERMAN questioned why this was coming before the Commission.

CITY MANAGER SMITH explained that in the past it was discussed that someone could come before the Commission to make this request for collection.

COMMISSIONER PEERMAN felt that it did not have to come through the Commission, but she had no problem with it.

CONSENSUS was taken and all agreed 4-0.

CITY MANAGER SMITH said that there were good statistics to report regarding the Margate Transit System. He noted that since the fee was removed in March, there was a dramatic improvement in all of the routes. He stated that the C route increased from 7 riders per hour to 13.5 riders per hour, which was a 92 percent increase. He explained that the Calypso Cove Wifi project was ongoing and expected to be completed this week. He said that the IT Department was working on getting a work order system in place for several departments, and one was online now. He stated that on November 8th, the Development Review Committee (DRC) reviewed the preliminary Site Plan for the Margate Sports Complex covered field project on the CRA property. He said that the design was continuing and working towards obtaining the final Site Plan approval. He explained that several ordinances that came before the DRC included the modifications to Site Design Standards in Community Facility Zoning Districts, with regard to height and lot coverage

for hospitals. He added that there were also Code revisions regarding placement and design standards for Charter Schools in the City, which would later come to the Planning and Zoning (P&Z) Board and the City Commission in January. He stated that the Rising Tides Car Wash project was moving forward. He reported that the City's Economic Development Department hosted a Job Fair at the Community Center today with the success of 14 businesses and approximately 125 job seekers.

COMMISSIONER SIMONE asked that next year more businesses were notified when doing the Job Fair.

VICE MAYOR BRYAN said that some people were selective and did not want to work for minimum wages.

COMMISSIONER SIMONE said that she only wanted to get more businesses involved.

MAYOR RUZZANO asked whether a Coming Soon sign could be done.

CITY MANAGER SMITH said that he would work with the CRA on that.

## 6) RESOLUTION(S)

- A. [ID 2016-685](#) AUTHORIZING PARTICIPATION AS THE SPONSOR OF THE 2016-17 RELAY FOR LIFE OF COCONUT CREEK/MARGATE TO BE HELD IN THE CITY OF COCONUT CREEK; PROVIDING FOR FUNDING OF MATERIALS AND SUPPLIES.

RESOLUTION 16-308

A motion was made by Commissioner Peerman, seconded by Vice Mayor Bryan, to insert the amount that was donated last year. The motion carried by the following vote:

Yes: 4 - Commissioner Simone, Commissioner Peerman, Vice Mayor Bryan and Mayor Ruzzano

Not Present: 1 - Commissioner Talerico

- B. [ID 2016-714](#) APPROVING AN INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY AND CITY OF MARGATE FOR PREPARATION, IMPLEMENTATION, AND ADMINISTRATION BY BROWARD COUNTY OF THE CITY OF MARGATE'S STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) PROGRAM FOR THE STATE OF FLORIDA'S FISCAL YEARS 2016-2017, 2017-2018, AND 2018-2019; PROVIDING FOR A JOINT LOCAL HOUSING ASSISTANCE PROGRAM; PROVIDING FOR AN AFFORDABLE HOUSING ASSISTANCE TRUST FUND; PROVIDING FOR PAYMENT TO BROWARD COUNTY FROM SHIP FUNDS, AT THE MAXIMUM AMOUNT ALLOWED BY SHIP GUIDELINES FOR ADMINISTRATIVE FEES AND EXPENSES; PROVIDING FOR A CONTRACT PERIOD ENDING JUNE 30, 2019; PROVIDING FOR TERMINATION.

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

**A motion was made by Mayor Ruzzano, seconded by Commissioner Simone, that this item be tabled. The motion carried by the following vote:**

**Yes:** 4 - Commissioner Simone, Commissioner Peerman, Vice Mayor Bryan and Mayor Ruzzano

**Not Present:** 1 - Commissioner Talerico

- C.**     [ID 2016-708](#)     AUTHORIZING THE USE OF THE CONTRACT BETWEEN THE CITY OF OAKLAND PARK AND C.A.P. GOVERNMENT, INC. FOR BUILDING INSPECTION AND PLAN REVIEW SERVICES, ON AN AS NEEDED BASIS; AUTHORIZING THE WAIVER OF COMPETITIVE BIDDING; PROVIDING AN EFFECTIVE DATE.

*RESOLUTION 16-309*

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

**Yes:** 4 - Commissioner Simone, Commissioner Peerman, Vice Mayor Bryan and Mayor Ruzzano

**Not Present:** 1 - Commissioner Talerico

- D.**     [ID 2016-709](#)     AUTHORIZING THE USE OF THE CONTRACT BETWEEN THE CITY OF FORT LAUDERDALE AND CALVIN, GIORDANO & ASSOCIATES, INC. FOR BUILDING INSPECTION AND PLAN REVIEW SERVICES, ON AN AS NEEDED BASIS; AUTHORIZING THE WAIVER OF COMPETITIVE BIDDING; PROVIDING AN EFFECTIVE DATE.

*RESOLUTION 16-310*

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

**Yes:** 4 - Commissioner Simone, Commissioner Peerman, Vice Mayor Bryan and Mayor Ruzzano

**Not Present:** 1 - Commissioner Talerico

## **7) ORDINANCE(S) - FIRST READING**

- A.**     [ID 2016-689](#)     AN ORDINANCE TO AMEND ARTICLE VIII IN CHAPTER 39 OF THE CITY OF MARGATE CODE OF ORDINANCES FOR CROSS CONNECTION CONTROL / BACKFLOW PREVENTION

**A motion was made by Commissioner Simone, seconded by Vice Mayor Bryan, that this Ordinance - 1st Reading be approved on first reading. The motion carried by the following vote:**

**Yes:** 4 - Commissioner Simone, Commissioner Peerman, Vice Mayor Bryan and Mayor Ruzzano

**Not Present:** 1 - Commissioner Talerico



**8) ORDINANCE(S) - SECOND READING**

- A. [ID 2016-690](#) AN ORDINANCE OF THE CITY OF MARGATE, FLORIDA, AMENDING FISCAL YEAR 2016 BUDGET (ORDINANCE NUMBERS 2015-2 AND 2015-7) AND FISCAL YEAR 2017 BUDGET (ORDINANCE NUMBER 2016-6); PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

*ORDINANCE 2016-13*

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

**Yes:** 4 - Commissioner Simone, Commissioner Peerman, Vice Mayor Bryan and Mayor Ruzzano

**Not Present:** 1 - Commissioner Talerico

- B. [ID 2016-703](#) AN ORDINANCE OF THE CITY OF MARGATE, FLORIDA, CREATING CHAPTER 2 ADMINISTRATION; ARTICLE I IN GENERAL; SECTION 20 PROHIBITION ON USE OF CITY LOGO AND SLOGAN; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

*ORDINANCE 2016-14*

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

**Yes:** 4 - Commissioner Simone, Commissioner Peerman, Vice Mayor Bryan and Mayor Ruzzano

**Not Present:** 1 - Commissioner Talerico

- C. [ID 2016-704](#) AN ORDINANCE OF THE CODE OF THE CITY OF MARGATE, FLORIDA, PROVIDING FOR A SIX MONTH MORATORIUM ON THE APPROVAL OF ANY NEW SELF STORAGE OR SIMILAR TYPE USES WITHIN THE CITY OF MARGATE; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

*ORDINANCE 2016-15*

**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:** 4 - Commissioner Simone, Commissioner Peerman, Vice Mayor Bryan and Mayor Ruzzano

**Not Present:** 1 - Commissioner Talerico

**ADJOURNMENT**

*There being no further business, the meeting adjourned at 9:54 PM.*

*Respectfully submitted,*

*Transcribed by Carol DiLorenzo*

\_\_\_\_\_  
*Joseph J. Kavanagh, City Clerk*

*Date:* \_\_\_\_\_

DRAFT