



City of Margate

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

Meeting Minutes Regular City Commission Meeting

Mayor Arlene R. Schwartz
Vice Mayor Anthony N. Caggiano
Commissioners:
Lesa Peerman, Tommy Ruzzano, Joanne Simone

City Manager Samuel A. May
Interim City Attorney Goren, Cherof, Doody & Ezrol, P.A.
City Clerk Joseph J. Kavanagh

Wednesday, February 7, 2018

6:30 PM

Commission Chambers

CALL TO ORDER

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

In Attendance:

City Manager Samuel A. May
City Attorney James A. Cherof
City Clerk Joseph J. Kavanagh

PLEDGE OF ALLEGIANCE

[ID 2018-028](#) MADISON JOHNSON, 3RD GRADE, PARK SPRINGS ELEMENTARY

1) PRESENTATION(S)

A. [ID 2018-038](#) ABUNDANT LIFE CHRISTIAN ACADEMY: STUDENT, JEREMIAH WILSON;
TEACHER, SARAH HENNEBERY
(Mrs. Stacy Angier, Principal and/or Mrs. Renate Ramirez, Assistant Principal)

ATLANTIC WEST ELEMENTARY: STUDENT, KAYLA DUMERJEAN;
TEACHER, JULIE MILLER
(Mrs. Diane Eagan, Principal and/or Ms. Jounice Lewis, Assistant Principal)

LIBERTY ELEMENTARY: STUDENT, LEANNA CHARLES; TEACHER,
HEATHER KOSTICK
(Mr. David J. Levine, Principal and/or Ms. Donna Styles, Assistant Principal)

MARGATE ELEMENTARY: STUDENT, JAYDAH DAVIS; TEACHER, DAWN
KAMENSKY
(Mr. Thomas Schroeder, Principal and/or Ms. Vicki Flournoy, Assistant Principal)

MARGATE MIDDLE: STUDENT, ALISHA RAMBARRAN; TEACHER,
GABRIELLA BENNETT
(Mr. Earnest Toliver, Principal and/or Assistant Principal)

RISE ACADEMY SCHOOL OF SCIENCE AND TECHNOLOGY: STUDENT,
KAITLIN WILLIAMS; TEACHER, TRISHA KING
(Dr. Carmella Morton, Principal and/or Ms. Adriana Guerra)

WEST BROWARD ACADEMY: STUDENT, PEYTON FORD; TEACHER, AMY
VACIRCA
(Ms. Donna Baggs, Principal)

2) COMMISSION COMMENTS

COMMISSIONER PEERMAN had no comment.

COMMISSIONER JOANNE SIMONE explained that they recently had a workshop on their goals and priorities and that she attended a two day Safe Street Summit in West Palm Beach. She said that it inspired her to express her vision to make Margate a bikeable City and make Margate a City for people. She indicated that she would like to see some money put into bike infrastructure which was less expensive to build compared to other forms of transportation and would help create a better and bigger hometown feeling. She indicated that at some stage in the future, that they take a step to make their streets safer by having a Family Fun Day on some of their City property and actually close down either all or part of the lanes on Margate Boulevard and open it up to biking, walking, scooters, people with mobility and to skateboarders. She said that she would also like to see the City institute a trolley system which would give them a hometown feeling as well as a charm. She also mentioned other initiatives which included ways on improving the parks.

COMMISSIONER TOMMY RUZZANO indicated that there would be some exciting projects coming to the City including beautifying their medians and redoing the Parks. He explained that the park in Margate Sports Complex was recently vandalized and said that they need to come together as a community and that if they see something, they should report it.

VICE MAYOR ANTHONY N. CAGGIANO advised that there was a People's Convention at The Ace Plaza at the weekend. He said that Margate should be a family protecting City and that they should install cameras in the City Parks.

CITY MANAGER SAMUEL A. MAY confirmed that he had reached out to their IT Department for them to prepare a proposal for installing cameras at their City Parks.

MAYOR ARLENE R. SCHWARTZ wished everyone a Happy Valentine's Day.

3) PUBLIC DISCUSSION

TERESA DECRISTOFARO, 6600 BRANDYWINE DR S. advised that she was the Event Lead for Relay for Life and that it was being held at Coconut Creek High School on Saturday May 19th from 5:00pm to 11:00pm. She invited everyone to participate and read a statement regarding the Relay for Life.

EDWARD A. DECRISTOFARO, 6600 BRANDYWINE DR S. said that he represented the Margate Community Emergency Response Team (CERT). He advised that that there was a Family Fund Day event at The Coral Springs Sportsplex on April 21st and requested a donation to purchase prizes for the raffle. He explained that they had outgrown Firefighters Park where the yearly event was previously held. He said that they

had opened it up to all of Broward County and that 13 Cities had already participated in providing a donation.

A motion was made by Commissioner Peerman, seconded by Commissioner Ruzzano, to donate \$500 to the Community Emergency Response Team (CERT) Family Fun Day event.

CITY ATTORNEY JAMES A. CHEROF advised that items that required the expenditure of City funds should be on an Agenda for the general public to see before they act on it. He explained that if they voted on it now, it was not illegal practice but it would be against the general policy for conducting business in the public and allowing the general public to participate in that business.

Commissioner Peerman withdrew her motion and recommended Mr. DeCristofaro fill out the proper paperwork and bring it back at the 2/21/18 Regular City Commission meeting.

MANNY LUGO, 1129 EAST RIVER DRIVE asked the Commission to vacate the January 2nd finding against the neighbors around David Park damaging their R1 Zoning and asked for it to be put on the Agenda. He said that there was an article in MargateNews.net that the City was being sued for a civil rights violation and indicated that there was a problem with governance in Margate. He advised that they should have a Charter Review Commission to look at out of date Ordinances and problems that affect the Home Rule.

VICE MAYOR CAGGIANO discussed safety concerns at the City's Parks.

RICH POPOVIC, 6066 WINFIELD BOULEVARD asked for Item 4A to be pulled from the Consent Agenda. He discussed the Broward Metropolitan Planning Organization (MPO) and Transit-Oriented Corridor (TOC) and said that he disagreed with implementing further bike lanes.

MAYOR SCHWARTZ confirmed that item 4A could be pulled.

COMMISSIONER RUZZANO said that he fought to get rid of the TOC.

COMMISSIONER SIMONE invited Mr. Popovic to air his concerns at the next MPO meeting.

VICE MAYOR CAGGIANO said that he would like to revisit the item on the TOC.

Discussion ensued regarding the TOC and the City Manager advised that they were waiting for a consultant to come back with a presentation on the previous Workshop item.

VICKI BENITEZ, 1025 NW 72ND TERRACE said that she was President of Paradise Gardens IV. She thanked Commissioner Simone for representing the Commission by visiting and communicating with residents in her community. She also discussed issues

with the paving project in her community and repairing the swales and asked for a member of the Commission to inspect the same.

RICHARD ZUCCHINI, 380 LAKEWOOD CIRCLE #B commented on modes of transportation in the City.

JOHN HALL, 6421 FRENCH ANGEL TERRACE discussed his concerns with the City, the Building Department and Code Compliance.

Discussion ensued regarding whether the City could issue tickets in Coral Bay.

COMMISSIONER RUZZANO discussed the permit process for the Homeowners Association (HoA).

CITY MANAGER MAY said that he would get with the City Attorney to address the permit process for the HoAs.

MAYOR SCHWARTZ advised that professional members of staff should go out in the community and discuss issues with the residents.

CHARLIE ARTNER, 6631 NW 22ND COURT discussed the permit process with a HoA.

BUILDING DIRECTOR RICHARD NIXON discussed the Florida Building Code and the wording on the permit form.

CITY ATTORNEY CHEROF discussed the authority of the City relating to permits.

Discussion ensued regarding permits.

CITY MANAGER MAY referenced a permit form from Coral Springs with a disclaimer regarding HoAs.

ANDREW ROSENGARTEN, 6770 NW 15TH STREET discussed bicycles, public transport, congestion on Margate Boulevard, population density and AT&T road works.

Discussion ensued regarding congestion, bicycles, traffic and Arbor View.

JOHN A. YOKLAVICH, 603 S. STATE ROAD 7 discussed City Code 30-80 and recommended that it be removed.

CITY MANAGER MAY explained that he had been an FPE employee in the past and he was subjected to the 30-80 Code. He advised that staff could have one "at fault" accident but if they had a second or third "at fault" accident, they would be charged for it. He said that if they had four or five "at fault" accidents, then they would be terminated as they could not have people destroying City property without consequences.

Discussion ensued concerning City Code 30-80 and disciplinary measures within the City.

JULIE JONES, 7871 NW 1ST STREET thanked the City for introducing Wawa to Margate. She commended Receptionist Thomasina Perry's professionalism on answering the switchboard.

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 2018-040](#) RESOLUTION - APPROVING INTERLOCAL AGREEMENT AMONG BROWARD COUNTY AND PARTICIPATING MUNICIPALITIES REGARDING DISTRIBUTION OF A SIX-CENT LOCAL OPTION GAS TAX ON EVERY GALLON OF MOTOR FUEL AND SPECIAL FUEL SOLD IN BROWARD COUNTY; PROVIDING FOR AGREEMENT TERM FROM SEPTEMBER 1, 2018 THROUGH DECEMBER 31, 2047; PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION 18-017

Item 4A was pulled from the Consent Agenda.

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

MR. POPOVIC said that he was not in favor of this item and was against this Resolution.

This motion carried by the following vote:

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

5) CITY MANAGER'S REPORT

CITY MANAGER MAY advised that Movies in the Park would take place at The Sports Complex on February 24th at 6:30 p.m.

6) RESOLUTION(S)

- A. [ID 2018-043](#) APPROVING COLLECTIVE BARGAINING AGREEMENT WITH THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, LOCAL #3080 FOR THE PERIOD FROM OCTOBER 1, 2016, THROUGH SEPTEMBER 30, 2019; PROVIDING FOR EFFECTIVE DATE.

RESOLUTION 18-018

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

MR. POPOVIC said he was not in favor of this item.

MR. YOKLAVICH said he was in favor of the item.

The motion carried by the following vote:

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

7) DISCUSSION AND POSSIBLE ACTION

A. [ID 2018-045](#) GRAND OPENING DAY - CHALLENGER BASEBALL

COMMISSIONER RUZZANO said that the Challenger Baseball program should be invited to the ribbon cutting for the Margate Sports Complex on February 25th. He asked the Commission if they would like to sponsor the Challenger Baseball program and be able to use the City logo to promote the event.

Discussion ensued regarding details of the proposed concept.

CITY ATTORNEY CHEROF advised that there was no clear definition or guidance with respect to what constitutes sponsorship.

A motion was made by Commissioner Peerman, seconded by Vice Mayor Caggiano, to have the City of Margate sponsor the Challenger Opening Day event on 2/25/18 at the Margate Sports Complex Ribbon Cutting; providing for an exclusive day at Calypso Cove at a later date; providing for use of the City logo; and to add an agenda item to the 02/21/18 Regular City Commission meeting to provide funding to supply Joji Ice Cream at the event. This carried by the following vote:

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

ADJOURNMENT

There being no further business, the meeting adjourned at 9:30pm.

Respectfully submitted,

Transcribed by Salene E. Edwards

Joseph J. Kavanagh, City Clerk

Date: _____

PLEASE NOTE:

If a person decides to appeal any decision made by the City Commission with respect to any matter considered at this meeting, the person will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Anyone desiring a verbatim transcript shall have the responsibility, at his/her own expense, to arrange for the transcript.

[Appendix A – Zoning – Section 3.3] Any representation made before any City Board, any Administrative Board, or the City Commission in the application for a variance, special exception, conditional use or request for any other permit shall be deemed a condition of the granting of the permit. Should any representation be false or should said representation not be continued as represented, same shall be deemed a violation of the permit and a violation of this section.

Any person with a disability requiring auxiliary aids and services for this meeting may call the City Clerk's office at (954) 972-6454 with their request at least two business days prior to the meeting date.

DRAFT