



City of Margate

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

Meeting Minutes Regular City Commission Meeting

Mayor Anthony N. Caggiano

Vice Mayor Tommy Ruzzano

Commissioners:

Antonio V. Arserio, Arlene R. Schwartz, Joanne Simone

City Manager Samuel A. May

Interim City Attorney Goren, Cherof, Doody & Ezrol, P.A.

City Clerk Joseph J. Kavanagh

Wednesday, April 3, 2019

6:30 PM

Commission Chambers

CALL TO ORDER

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

In Attendance:

City Manager Samuel A. May
Interim City Attorney David Tolces
City Clerk Joseph J. Kavanagh

Commissioner Arserio attended via telephone.

PLEDGE OF ALLEGIANCE

1) PRESENTATION(S)

A. [ID 2019-133](#) MARGATE UNITED FC U11 SOCCER - FIRST PLACE

B. [ID 2019-137](#) BROWARD HEALTH INTRODUCTION
(Presented by Gino Santorio, Broward Health CEO)

CONSENSUS was given by the City Commission to provide a day at Calypso Cove for graduating Margate Elementary students and a single pass for other graduating students from Margate schools.

STUDENTS AND TEACHERS OF THE MONTH

C. [ID 2019-132](#) ABUNDANT LIFE CHRISTIAN ACADEMY: JONATHAN CARTWRIGHT
(Student); NICOLE PEREZ (Teacher)
(Mrs. Stacy Angier, Principal and/or Mrs. Renate Ramirez, Assistant Principal)

ATLANTIC WEST ELEMENTARY: ROSSANDRA JIMENEZ (Student); CALI WILDE (Teacher)
(Mrs. Diane Eagan, Principal and/or Ms. Jounice Lewis, Assistant Principal)

LIBERTY ELEMENTARY: MAJORNI BAKER (Student); GINA AUXILLY

(Teacher)

(Mr. David J. Levine, Principal and/or Ms. Donna Styles, Assistant Principal)

MARGATE ELEMENTARY: AIDEN EXANTUS (Student); PHYLLIS BEJUNE

(Teacher)

(Mr. Thomas Schroeder, Principal and/or Ms. Vicki Flourney, Assistant Principal)

MARGATE MIDDLE: BRESHAUN BRADFORD (Student); DENISE MOORE

(Teacher)

(Mr. Earnest Toliver, Principal and/or Assistant Principal)

RISE ACADEMY SCHOOL OF SCIENCE AND TECHNOLOGY: MABELIS

NUNEZ (Student); LATOYA PANTON (Teacher)

(Dr. Adriana Guerra, Principal)

WEST BROWARD ACADEMY: FANTASIA CASTIN (Student); LINDA

KRANSTOVER (Teacher)

(Ms. Donna Baggs, Principal)

PROCLAMATION(S)

D. [ID 2019-076](#) WATER CONSERVATION MONTH - APRIL, 2019

E. [ID 2019-129](#) NATIONAL CRIME VICTIM'S RIGHTS WEEK- APRIL 7-13, 2019 (presented to Victim Advocate -Tara Arena)

2) COMMISSION COMMENTS

COMMISSIONER JOANNE SIMONE provided an update from The Metropolitan Planning Organization (MPO) project list which included conducting street assessments on select corridors. She explained that they wanted feedback from the community on how to implement improvements to Southgate Boulevard for their residents and students. She encouraged residents, businesses, schools and Police who were in that corridor to provide their input by attending the Galaxy Skateway on May 23rd. She thanked the City employees for taking care of their residents on a daily basis.

COMMISSIONER ANTONIO V. ARSERIO advised that Broward County implemented a new safety feature of "Text to 911". He requested to move Resolution Item 6E to the beginning of the Resolutions and asked to be excused thereafter.

CONSENSUS given by City Commission to move Item 6E to the beginning of the Resolutions.

COMMISSIONER ARLENE R. SCHWARTZ congratulated returning and new Board members for the Board of Adjustment (BoA) and Planning and Zoning Board (P&Z) and thanked those candidates who applied. She said that as Daylight Savings had started, she discussed safety and parking cars across the sidewalk under the American with Disabilities (ADA) Act. She asked for a date for a retreat with staff.

MAYOR ANTHONY N. CAGGIANO advised that no date had been arranged but he was working with the City Manager on an agenda.

COMMISSIONER SCHWARTZ discussed social media comments.

VICE MAYOR TOMMY RUZZANO advised that the Southeast Park renovations started recently which would take approximately two months to complete. He congratulated both the BoA and P&Z and spoke about Code. He discussed Code concerns about Culvers Restaurant, the Dandee Donuts Factory and the possibility of a movie theatre opening in Margate. He suggested employing an architect to help with the City Code.

MAYOR CAGGIANO recommended the Dandee Donuts Factory. He said that Kenneth A. Gibson, who was the first African American Mayor of New Jersey and father of former Commissioner Joyce Bryan, passed away recently. He sent birthday wishes to former Commissioner Joseph Varsallone.

MAYOR CAGGIANO echoed Commissioner Schwartz comments on safety and asked people to be careful with children playing on the street.

3) PUBLIC DISCUSSION

ARTHUR J. KRELL, 6117 EDWARDS ROAD discussed violations and Abatement Orders made against his property.

CHARLIE ARTNER, 6631 NW 22ND COURT discussed the recent Community Redevelopment Agency (CRA) meeting. He referenced Development Services Director, Robert J. Massarelli's comments pertaining to the law about preparing for developmental growth and highlighted his concerns. He suggested that staff could work with the residents and request the County and State to stop forcing growth.

RICH POPOVIC, 6066 WINFIELD BOULEVARD discussed CRA's accomplishments and said that the Ace Plaza looked nice. He referenced not paying Attorneys for further representation and discussed the CRA. He questioned the disappearance of the Carnival.

JULIE JONES, 7871 NW 1ST STREET thanked the Commission for her appointment on the BoA. She apologized to Commissioner Schwartz and Vice Mayor Ruzzano pertaining to social media comments. She highlighted a rat infestation problem. She recommended that City staff and Commission sign up to the Combat Auto Theft (CAT) program.

COMMISSIONER SCHWARTZ explained that the CAT program allowed the Police to stop your car after 1:00am in the street to find out if you were the owner of the vehicle.

Discussion ensued on the CAT program.

RICH ALIANIELLO, 7631 NW 23RD STREET wished former Commissioner, Joseph Varsallone, a Happy Birthday. He highlighted problems with residential parking at weekends and also discussed works carried out on Royal Palm Boulevard.

ELSA J. SANCHEZ, 6930 NW 15TH STREET discussed a Facebook post from Commissioner Arserio.

TONY SPAVENTO, 3194 W. BUENA VISTA DRIVE asked the Board to censure Commissioner Arserio for his behavior on social media. He also discussed the recent P&Z Board meeting and referenced electing a Chair. He also referenced photometrics and said that he offered this service free to his customers.

LAUREN BERACHA, 6950 NW 14TH PLACE discussed Facebook comments and referenced Sam May. She also referenced transparency and discussed a Commissioner's wife being appointed on one of the Boards.

TERESA DECRISTOFARO, 6600 BRANDYWINE DRIVE said that she saw the difference that Mayor Caggiano was trying to make in the City. She said she appreciated City employees who took pride in their jobs. She said that she did not appreciate the atmosphere that had been created in Margate and said that it needed to stop. She indicated that she was glad and felt confident when Samuel A. May was made the City Manager and highlighted his good work through Hurricane Wilma.

MANNY LUGO, 1129 EAST RIVER DRIVE discussed the complaint being made about one of the Commissioner's wife being appointed on the Board.

Discussion ensued.

LESA B. PEERMAN, 6921 NW 4TH PLACE discussed transparency and referenced the Commissioner's wife being appointed. She also discussed social media comments.

COMMISSIONER SCHWARTZ discussed social media comments.

ROBERT VARSALLONE commended the whole Commission and Lesa Peerman on behalf of his father.

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 2019-126](#) RESOLUTION - ACCEPTING THE UTILITY, SIDEWALK AND ACCESS EASEMENTS FOR MAINTENANCE OF WATER AND SANITARY SEWER FACILITIES AND ACCEPTING THE BILL OF SALE FOR THE SANITARY SEWER AT 5510 WEST COPANS ROAD.

RESOLUTION 19-036

APPROVED

- B. [ID 2019-134](#) RESOLUTION - APPROVING AN AMENDMENT TO ATTACHMENT "A" OF RESOLUTION NO. 19-032 WHICH PROVIDED FOR A TRANSFER FROM THE GENERAL FUND TO THE STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) FUND FOR THE 2012/2013 AND 2013/2014 SHIP PROGRAM EXPENDITURES.

RESOLUTION 19-037

APPROVED

Approval of the Consent Agenda

A motion was made by Commissioner Schwartz, seconded by Commissioner Simone, to approve the Consent Agenda. The motion carried by the following

vote:

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

5) CITY MANAGER'S REPORT

CITY MANAGER SAMUEL A. MAY explained that they would need to provide their Consultant with a ceiling for the Fire Assessment preliminary rates. He advised that the current rate was \$300 and the maximum rate, as per the study, was \$367.

Discussion ensued.

CONSENSUS was given by the City Commission to bring up the Fire Assessment Rate discussion at a future City Commission meeting.

CONSENSUS was given by the City Commission not to increase the cap.

CITY MANAGER MAY advised that Human Resources (HR) would be temporarily relocated throughout City Hall while their office was being renovated. He highlighted the City's new employees:

- Controller, Sherry Walker
- Payroll and Benefits Specialist, Sabrina Agostino
- Police Recruit, Laura Jimenez
- Service Worker I, Luke O'Laughlin

CITY MANAGER MAY said that they have also recruited seasonal lifeguards as well as cashiers for Calypso Cove.

6) RESOLUTION(S)

- E.** [ID 2019-135](#) APPROVING A LETTER FROM THE MARGATE POLICE DEPARTMENT DOCUMENTING THE IMPLEMENTATION OF THE SCHOOL BOARD OF BROWARD COUNTY'S PROMISE (PREVENTING RECIDIVISM THROUGH OPPORTUNITIES, MENTORING, INTERVENTIONS, SUPPORT & EDUCATION) PROGRAM; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE.

Item 6E was heard before Item 6A.

RESOLUTION 19-041

A motion was made by Commissioner Simone, seconded by Commissioner Schwartz, that this Resolution, should be discussed.

COMMISSIONER SCHWARTZ said that as the letter was expressing dismay from the handling of the program, she suggested that the wording should be changed from as "approving a letter ..." to "in support of a letter disapproving"

Discussion ensued.

A motion was made by Commissioner Simone, seconded by Commissioner Schwartz, to change the Item title to say in support of the letter disapproving the way the Promise Program is implemented and continues to be implemented.

MR. LUGO discussed the Promise Program and referenced checks and balances.

MR. ARTNER discussed the Promise Program and referenced accountability.

The motion carried by the following vote:

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

Commissioner Arserio was excused from the rest of the City Commission meeting (via telephone) at 8:42pm.

- A.** [ID 2019-117](#) APPROVING A MEMORANDUM OF AGREEMENT (MOA) BETWEEN THE CITY OF MARGATE AND THE STATE OF FLORIDA, DEPARTMENT OF HEALTH (DOH) TO PROVIDE POINTS OF DISPENSING (PODS) TO DISTRIBUTE MEDICATION IN THE EVENT OF A PUBLIC HEALTH EMERGENCY.

RESOLUTION 19-038

A motion was made by Commissioner Simone, seconded by Commissioner Schwartz, that this Resolution, should be approved. The motion carried as follows:

Yes: 4 - Commissioner Simone, Commissioner Schwartz, Vice Mayor Ruzzano and Mayor Caggiano

Not Present: 1 - Commissioner Arserio

- B.** [ID 2019-125](#) APPROVING RECLASSIFICATION OF COMMUNITY SERVICE AIDE I POSITION TO EVIDENCE TECHNICIAN.

RESOLUTION 19-039

A motion was made by Commissioner Simone, seconded by Mayor Caggiano, that this Resolution, should be approved. The motion carried as follows:

Yes: 4 - Commissioner Simone, Commissioner Schwartz, Vice Mayor Ruzzano and Mayor Caggiano

Not Present: 1 - Commissioner Arserio

- C.** [ID 2019-127](#) APPROVING EXPENDITURES FOR THE \$2,500 SPONSOR LEVEL IN SUPPORT OF THE BROWARD LEAGUE OF CITIES 62ND ANNUAL GALA;

PROVIDING FOR AN EFFECTIVE DATE.

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

COMMISSIONER SCHWARTZ discussed this Item.

The motion failed as follows:

Yes: 2 - Vice Mayor Ruzzano and Mayor Caggiano

No: 2 - Commissioner Simone and Commissioner Schwartz

Not Present: 1 - Commissioner Arserio

- D.** [ID 2019-131](#) APPROVING APPOINTMENT OF CITY OF MARGATE DIRECTOR, FIRST ALTERNATE, AND SECOND ALTERNATE TO THE BROWARD LEAGUE OF CITIES BOARD OF DIRECTORS FOR 2019-2020.

RESOLUTION 19-040

A motion was made by Commissioner Schwartz, seconded by Mayor Caggiano, to insert the names of Anthony N. Caggiano as Director, Tommy Ruzzano, as First Alternate and Joanne Simone as Second Alternate.

MS. PEERMAN said that she was glad that they were keeping it the same as she recently received positive feedback about Mayor Caggiano.

The motion carried as follows:

Yes: 4 - Commissioner Simone, Commissioner Schwartz, Vice Mayor Ruzzano and Mayor Caggiano

Not Present: 1 - Commissioner Arserio

7) ORDINANCE(S) - FIRST READING

- A.** [ID 2019-115](#) AN ORDINANCE AMENDING THE CODE OF THE CITY OF MARGATE, FLORIDA, CHAPTER 9- BUILDINGS, ARTICLE III.-FEES, SECTION 9-21. - SCHEDULE OF PERMIT FEES; PROVIDING FOR TRANSACTION CONVENIENCE FEES ON THE PAYMENT OF STATUTORY FEES; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Commissioner Simone, seconded by Commissioner Schwartz, that this Ordinance, First Reading, should be approved. This carried as follows:

Yes: 4 - Commissioner Simone, Commissioner Schwartz, Vice Mayor Ruzzano and Mayor Caggiano

Not Present: 1 - Commissioner Arserio

ADJOURNMENT

There being no further business, the meeting adjourned at 8:49pm.

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.