



City of Margate

5790 Margate Boulevard
Margate, FL 33063
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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 Cale Curtis

City Attorney Janette M. Smith

City Clerk Joseph J. Kavanagh

Wednesday, October 2, 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 Cale Curtis

City Attorney Janette M. Smith

City Clerk Joseph J. Kavanagh

Commissioner Arserio arrived at 6:49 p.m.

1) PRESENTATION(S)

- A.** [ID 2019-435](#) SENIOR DOMINOS EVENT AT NORTHWEST FOCAL POINT SENIOR CENTER (Presented by Hazelle Rogers, Mayor of Lauderdale Lakes)
- CONSENSUS was given by the CITY COMMISSION to move Item 6A up after Item 1A.
- MAYOR OF LAUDERDALE LAKES, HAZELLE ROGERS spoke on this Item.

6) RESOLUTION(S)

- A.** [ID 2019-511](#) APPROVING 50 PLUS STATEWIDE SENIORS DOMINO GAMES AGREEMENT AND SPONSORSHIP; PROVIDING FOR EFFECTIVE DATE.
- RESOLUTION 19-110
- A motion was made by Commissioner Simone, seconded by Commissioner Schwartz, that this Resolution, should be approved. This carried by the following vote:**

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

Not Present: 1 - Commissioner Arserio

STUDENTS AND TEACHERS OF THE MONTH

- B.** [ID 2019-483](#) ABUNDANT LIFE CHRISTIAN ACADEMY: GADNER CLEBERT (Student); JASMINE WHITE (Teacher),
(Mrs. Stacy Angier, Principal and/or Mrs. Renate Ramirez, Assistant Principal)
- ATLANTIC WEST ELEMENTARY: TAYLOR PIERRE (Student); JESSICA ZALENSKI (Teacher),
(Mrs. Diane Eagan, Principal and/or Ms. Jounice Lewis, Assistant Principal)
- LIBERTY ELEMENTARY: ARIANA SANCHEZ (Student), ; MARJORIE RODRIGUEZ (Teacher),
(Mr. Matthew Whaley, Principal and/or Ms. Donna Styles, Assistant Principal)
- MARGATE ELEMENTARY: BRALAN HUNTER (Student), ; JENNIFER BRADY (Teacher),
(Mr. Thomas Schroeder, Principal and/or Ms. Vicki Flourney, Assistant Principal)
- MARGATE MIDDLE: MIKE VERTILUS (Student); NELLA WILLIAMS (Teacher),
(Mrs. Sabine Phillips, Principal and/or Assistant Principal)
- RISE ACADEMY SCHOOL OF SCIENCE AND TECHNOLOGY: FERNANDA LOPEZ (Student); TAMMY STASZAK (Teacher),
(Adriana Guerra, Principal)
- WEST BROWARD ACADEMY: KAIYA MORGAN (Student), ; KATHERINE HENRY (Teacher),
(Mr. Will Pickens, Principal and/or Assistant Principal Mr. Derrick Hugue)

PROCLAMATION(S)

- C.** [ID 2019-493](#) NATIONAL SCHOOL LUNCH WEEK - OCTOBER, 2019 (presented to Darlene Moppert, Nutrition Service Department, Program Manager Nutrition Education Training)
- D.** [ID 2019-494](#) DOMESTIC VIOLENCE AWARENESS MONTH - OCTOBER, 2019 (presented to Valencia Taylor, Women in Distress, Residential Supervisor and Tara Arena, Margate Police Department, Victim Advocate)
- E.** [ID 2019-496](#) FIRE PREVENTION WEEK - OCTOBER, 2019 (presented to Roberto Lorenzo, Fire Department, Fire Chief)
- F.** [ID 2019-497](#) BREAST CANCER AWARENESS MONTH - OCTOBER, 2019

1) PRESENTATION(S) Continued

- G.** [ID 2019-519](#) STORMWATER RATE STUDY POWERPOINT PRESENTATION.
- PUBLIC WORKS DIRECTOR, MARK COLLINS, explained that in January 2019, the Commission had given Public Works the authority to do a storm water utility rates study.

GOVRATES, INC. PRESIDENT BRYAN A MANTZ explained that he was here to present the results of the Storm Water Rates study. He continued to go through his PowerPoint presentation and said that the storm water was an entity that had several areas of responsibility including infrastructure repair and maintenance and preventative maintenance. He also discussed that the Equivalent Residential Units (ERU) was recently determined through a geographic information system (GIS) evaluation that was performed by the City's Consulting Engineer, Hazen and Sawyer. He advised that the proposed rate plan for Fiscal Year (FY) 2020 was based on an allocation to determine the cost of the services provided to the full service ERUs versus the Cocomar ERUs that received a reduced level of service. He said for FY 2021 and beyond, they recommend that the City continue in its current practice of automatically increasing rates annually or in the absence of a study recommendation, they propose the five percent annual adjustments. He indicated that the five percent annual adjustments were already programmed in the City of Fort Lauderdale's Rate Ordinance and explained what the five percent adjustments meant in terms of dollars and cents. He said that in the Financial Plan, there was a master plan and that they wanted to continue to monitor the financial performance of the storm water system. He explained that subject to the outcome of this evening's meeting, they were looking for two Ordinances to be put on the Agenda at the first meeting in November 2019. He advised that the Ordinance would be to change the verbiage in the existing Ordinance to remove the area that was designated as Cocomar and the second Ordinance would be to approve the rate increases as presented at this meeting.

Discussion ensued including a question and answer session.

CITY MANAGER CALE CURTIS said that the cost for a Cocomar resident would vary based on assessed value but an average home assessed at \$200,000 together with the Homestead exemption would pay approximately \$21.69 per year.

Discussion ensued.

CONSENSUS (5-0) was given by the City Commission to have staff bring back the proposed rates for consideration.

2) PUBLIC DISCUSSION

TONY SPAVENTO, 3194 W. BUENA VISTA DRIVE asked the City to consider street sweeping in Coral Bay. He said that he would have his Field Manager contact the City Clerk.

VICE MAYOR TOMMY RUZZANO responded to Mr. Spavento's comments.

JULIE JONES, 7871 NW 1ST STREET congratulated Chief of Police Shaw on an awesome Coffee With a Cop event and commended those who were in attendance. She was also impressed with the pink badge initiative.

EILEEN MEDIATE, 7805 NW 5TH COURT questioned who would be responsible if Lennar proceeded and her water was contaminated.

CITY ATTORNEY JANETTE M. SMITH explained that due to the Charter, she was unable to provide legal advice to residents or speculate.

Discussion ensued.

RICH ALIANIELLO, 7631 NW 23RD STREET discussed the storm water presentation.

He thanked Parks and Recreation Director Jones for the walk on Royal Palm Boulevard. He advised residents who lived on the canal not to throw items such as shopping carts into the water. He was also against any building on the golf courses.

PETA ZUNE, ORIOLE GARDENS II referenced a meeting at Oriole Gardens II and discussed the golf course, contamination, traffic, water and drainage and population density. She also discussed a recent Planning and Zoning (P&Z) meeting.

DARA KUSTLER, 554 NW 76TH TERRACE discussed the Rate Study pertaining to the GovRates Inc. presentation.

ELSA J. SANCHEZ, 6930 NW 15TH STREET thanked the Vice Mayor for assisting with erecting the signs. She said that she was upset that the Budget was approved and referenced the \$300 car allowance. She said that she was embarrassed about the Item pertaining to the solid waste and recycling that was discussed at the last City Commission meeting.

3) COMMISSION COMMENTS

COMMISSIONER JOANNE SIMONE said that the City's Household Hazardous Waste and Electronics Disposal event was a big success and thanked the City staff for helping. She thanked the Police Department for the Coffee With a Cop event and said that it was great to see the residents interacting with the Police Officers. She complimented the improvements made at Firefighters' Park. She thanked the City Attorney Smith and the Assistant to the City Manager Popick for their hard work and dedication.

COMMISSIONER ARSERIO apologized for being late. He discussed misinformation pertaining to The Metropolitan Planning Organization (MPO) at the last City Commission meeting. He referenced Fire Prevention Week and said that he did not hear anything about smoke detectors. He read an extract from the Sun-Sentinel pertaining to the storm water and referenced Fort Lauderdale. He gave kudos to Chief of Police Shaw for the Coffee with a Cop event. He discussed Medical Marijuana and referenced the City of Oakland Park reversing their ban.

He asked for CONSENSUS to ask staff to prepare a report to bring back in three to six months with examines the impact of medical marijuana in the City of Margate.

MAYOR ANTHONY N. CAGGIANO – YES

VICE MAYOR RUZZANO – NO

COMMISSIONER ARLENE R. SCHWARTZ – NO

COMMISSIONER SIMONE - NO

CONSENSUS was not reached.

COMMISSIONER SCHWARTZ said that she thought it was disappointing that the City allowed a child care center to be in the middle of an active shopping center and referenced Medical Marijuana and said that she disagreed with Commissioner Arserio.

Discussion ensued on Medical Marijuana.

COMMISSIONER SCHWARTZ congratulated Nancy Popick for her long overdue promotion to Assistant to the City Manager. She highlighted the new law pertaining to the prohibited use of holding or using a cell phone in a construction area or in a school zone. She wished everyone a Happy Yom Kippur for next Wednesday.

VICE MAYOR RUZZANO discussed the forthcoming Trunk or Treat event at City Hall. He referenced the residents in the green shirts and discussed the alternatives of what the City could potentially do about the golf courses. He referenced the Veterans' Day event and highlighted the major improvements at the City's parks.

CITY MANAGER CALE CURTIS said that they were on track to have a fully functional bathroom at Veterans' Park by Veterans' Day. He congratulated Nancy Popick on her promotion.

MAYOR CAGGIANO mentioned playing Pickle ball. He forewarned that Florida was not out of hurricane season. He highlighted the forthcoming Fall Festival, Halloween Trunk and Treat and WinterFest events. He said that Coffee with a Cop event was amazing.

4) CITY MANAGER'S REPORT

CITY MANAGER CALE CURTIS thanked the City Commission for recognizing Nancy Popick's promotion and indicated that he was honored to play a part in promoting her. He also recognized Public Works and Director, Mark Collins, for the cleaning of the City's signs and referenced Royal Palm Boulevard.

He discussed the annual United Way of Broward County's Mayor's Gala and asked for CONSENSUS to authorize a purchase of a table of 10 attendees and advertisement for the 2019 United Way Mayor's Gala for \$2,000.

Discussion ensued on the Gala's table including trends on Medical Marijuana.

COMMISSIONER SIMONE said she was against the City funding the Mayor's Gala event.

CONSENSUS was reached 4-1.

MAYOR CAGGIANO - YES
COMMISSIONER ARSERIO - YES
COMMISSIONER SIMONE - NO
VICE MAYOR RUZZANO - YES
COMMISSIONER SCHWARTZ - YES

CITY MANAGER CALE CURTIS asked for the City Commission to designate a Commission representative to attend the Solid Waste & Recycling Meeting in Sunrise on Monday, October 14, 2019.

Discussion ensued.

COMMISSIONER SIMONE said that she would be attending.

MAYOR CAGGIANO confirmed that he would be attending and that Commissioner Simone was welcome to sit at the table.

CITY MANAGER CALE CURTIS confirmed that City staff would be holding a meeting to present alternative development scenarios for the Carolina Golf Course lands on Thursday, October 10, 2019 at 7:00 p.m. in the City Hall Commission Chambers.

CITY ATTORNEY SMITH echoed the comments and congratulated Nancy Popick on her promotion. She expressed her gratitude for working for the City and said that she was looking forward to the City's forthcoming events.

5) 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 2019-506](#) MOTION - APPROVAL OF CITY COMMISSION MINUTES: AUGUST 21, 2019 - REGULAR CITY COMMISSION MEETING; AUGUST 28, 2019 - REGULAR CITY COMMISSION MEETING.

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

6) RESOLUTION(S) CONTINUED

- B. [ID 2019-512](#) APPROVING COMMENCEMENT OF THE PARKS BOND CAPITAL IMPROVEMENT PROJECT - SPORTS FIELD LIGHTING RETROFIT AT THE MARGATE SPORTS COMPLEX, AND SOUTHEAST PARK PER BOND PRIORITY PROJECTS LIST, AT A COST NOT TO EXCEED \$625,000; PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION 19-111

CITY MANAGER CURTIS said that they were very excited to fast track this Parks Bond project to install LED lights at two of their most highly used fields and sports complex. He recommended the City Commission to consider increasing the not to exceed amount of \$680,000. He explained that the extra \$55,000 would afford them the opportunity to increase the foot camera lights at the Sports Complex. He advised that the additional funds would come from the contingency of the Parks Bond monies.

Discussion ensued.

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

An amendment was made by Commissioner Schwartz, seconded by Mayor Caggiano, to change the dollar amount to "not to exceed \$680,000."

COMMISSIONER ARSERIO asked if they got an estimate for this.

CITY MANAGER CURTIS said that pricing was based off of the competitively bid contract from Clay County which was a piggy back agreement.

Discussed ensued.

The amendment carried by the following vote:

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

The original motion as amended carried by the following vote:

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

7) ORDINANCE(S) - FIRST READING

- A.** [ID 2019-476](#) AN ORDINANCE OF THE CITY OF MARGATE, FLORIDA; AMENDING CHAPTER 19, SECTION 19-3 - EXCLUSIVE FRANCHISE AGREEMENTS TO PROVIDE COLLECTION SERVICES FOR RESIDENTIAL DWELLING UNITS AND COMMERCIAL ESTABLISHMENTS; PROVIDING FOR AGREEMENTS AND BILLING OF COLLECTION, PROCESSING, DISPOSAL AND RELATED SERVICES; PROVIDING FOR TITLE AMENDMENT; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND, PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Commissioner Arserio, seconded by Vice Mayor Ruzzano, that this Ordinance - First Reading, should be approved.

COMMISSIONER SIMONE explained that this was a pass-through cost to residents for contaminated recycling that they had in the City. She advised that it would cost a further \$2.62 in addition to all the other things. She questioned why this was not addressed previously, in particular, at the recent Budget hearing and suggested that more forward thinking and planning would have been appropriate as contamination was nothing new. She said that this was another expense that their tax payers and residents were going to have to pay.

Discussion ensued.

RICHARD ZUCCHINI, 380 LAKEWOOD CIRCLE E, #B explained that he previously suggested to Commissioner Simone that another way of educating the public was for Waste Management to create a very large waterproof warning and explanation label to be placed on the recycling bins.

Discussion ensued.

COMMISSIONER SIMONE responded to Mr. Zucchini's comments.

CITY MANAGER CALE CURTIS confirmed that he had already made contact with Waste Management who would be providing new labels for the bins.

Discussion ensued.

MS. KUSTLER indicated that hypothetically, all the ideas sound great but they would not work as there was a huge population who did not care and that there was no easy solution.

Discussion ensued.

MR. ALIANIELLO recommended discarding all items into the garbage can if people did not know how to recycle. He said that this problem would never be solved.

Discussion ensued.

MRS. JONES explained that she was unaware about recyclable items before Commissioner Simone advised her of the same. She suggested creating flyers on recycling.

The motion carried as follows:

Yes: 3 - Commissioner Arserio, Commissioner Schwartz and Mayor Caggiano

No: 2 - Commissioner Simone and Vice Mayor Ruzzano

ADJOURNMENT

There being no further business, the meeting adjourned at 10:18pm.

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.

One or more members of the City of Margate advisory boards may be in attendance and may participate at the meeting.