



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 Cale Curtis

City Attorney Janette M. Smith

City Clerk Joseph J. Kavanagh

Wednesday, November 20, 2019

7:00 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

PLEDGE OF ALLEGIANCE

1) PRESENTATION(S)

- A. [ID 2019-541](#) PRESENTATION TO OUTGOING MAYOR ANTHONY N. CAGGIANO AND OUTGOING VICE MAYOR TOMMY RUZZANO.

RECESS - CAKE AND REFRESHMENTS WILL BE SERVED.

CONSENSUS was agreed by the City Commission to move Item 8A before Resolutions.

8) DISCUSSION AND POSSIBLE ACTION

- A. [ID 2019-579](#) SPECIAL EVENTS FUNDING/DONATION REQUEST PROGRAM - WOMEN IN DISTRESS OF BROWARD COUNTY, INC.

Item 8A was heard immediately after the Pledge of Allegiance.

A motion was made by Commissioner Arserio, seconded by Commissioner Schwartz, that this Item, be approved.

COMMISSIONER JOANNE SIMONE explained that she was not in favor of this Item.

COMMISSIONER ARLENE R. SCHWARTZ read a statement from the organization and was supportive of this Item.

JULIE JONES, 7871 NW 1ST STREET spoke in support of this Item.

The motion carried as follows:

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

No: 1 - Commissioner Simone

RESOLUTION(S)

A. [ID 2019-542](#) ELECTION OF MAYOR.

RESOLUTION 19-119

A motion was made by Mayor Caggiano, seconded by Commissioner Arserio, to insert the name of Tommy Ruzzano as Mayor.

RICH ALIANIELLO spoke in support of nominating Vice Chair Ruzzano as Mayor.

ELSA J. SANCHEZ, 6930 NW 15TH STREET spoke in support of nominating Vice Mayor Ruzzano as Mayor.

COMMISSIONER ANTONIO V. ARSERIO congratulated Mayor Caggiano for a successful year in his position and said that depending on how the vote went, he looked forward to Vice Mayor Ruzzano as being the new Mayor.

TERESA L. DECRISTOFARO, 6600 BRANDYWINE DRIVE SOUTH explained that it was time for them to share the responsibility of the Mayor's position and referenced Commissioner Simone.

The motion carried as follows:

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

VICE MAYOR TOMMY RUZZANO thanked the Commission and the residents.

B. [ID 2019-543](#) ELECTION OF VICE MAYOR.

RESOLUTION 19-120

A motion was made by Commissioner Arserio, seconded by Vice Mayor Ruzzano, to insert the name of Arlene R. Schwartz as Vice Mayor.

LESA B. PEERMAN, 6921 NW 4TH PLACE explained that this would be the seventh time that Commissioner Simone had been bypassed. She said that Commissioner Simone received the most votes in Margate.

MS. SANCHEZ spoke in support for Commissioner Simone to be Vice Mayor.

BERTHA E. SMITH, 569 BANKS ROAD spoke in support for Commissioner Simone to be Vice Mayor.

LUCY KROMBHOLZ, 1402 NW 80 AVE spoke in support for Commissioner Simone to be Vice Mayor. She also questioned why they kept bypassing Commissioner Simone.

TONY SPAVENTO, 3194 W. BUENA VISTA DRIVE spoke in support for Commissioner Simone to be Vice Mayor.

LAUREN BERACHA, 6950 NW 14TH PLACE spoke in support for Commissioner Simone to be Vice Mayor.

The motion carried as follows:

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

PRESENTATION(S) - Continued**A. [ID 2019-568](#) OFFICER OF THE MONTH - SEPTEMBER - OFFICER PHILLIP HORNE**

CIVILIAN OF THE MONTH - SEPTEMBER - TARA ARENA

**B. [ID 2019-587](#) HOME OF THE MONTH - NOVEMBER 2019
(Rob and Karla Trawinski, 126 East Palm Drive)****ATHLETES OF THE MONTH****C. [ID 2019-561](#) T-BALL: MIKEY JENSEN, 6 YEARS OLD
(Marlins Team)****EMPLOYEE RECOGNITION FOR YEARS OF SERVICE****D. [ID 2019-562](#) DENNIS PETERSEN - POLICE OFFICER - POLICE DEPARTMENT - 5 YEARS****PROCLAMATION(S)**

- E. [ID 2019-544](#) SMALL BUSINESS SATURDAY - NOVEMBER 30, 2019 (presented to Paul Robinson, Development Services, Business Development Coordinator)

2) PUBLIC DISCUSSION

MS. JONES congratulated the newly appointed Mayor Ruzzano and Vice Mayor Schwartz.

JULI VAN DER MEULEN, 2913 NW 68 LN. thanked Officer Anthony DeMarize for his professionalism in dealing with a 911 incident.

Discussion ensued.

MS. KROMBHOLZ discussed a recent Commission meeting and referenced Commissioner Arserio. She asked why the residents were still paying \$300 for the Fire Station when nothing had been built. She also complained about the City Commission's pay raise and \$300 car allowance.

COMMISSIONER ARSERIO responded to Ms. Krombholz's comments.

Discussion ensued.

MARGATE HEALTH AND REHABILITATION CENTER LORDACHA ST. VIL had a proposal for her residents and asked to set up some donation boxes.

Discussion ensued to support the Margate Health & Rehab Center to setup donation boxes in City Hall to collect gifts for senior citizens during the holidays.

CITY MANAGER CALE CURTIS requested that Ms. St. Vil leave her contact details with the City Clerk.

CHARLIE ARTNER, 6631 NW 22ND COURT discussed the difficulties of a Trailer parking on the corner of his street.

CITY MANAGER CALE CURTIS explained that this matter would be addressed with the Code Department.

Discussion ensued on Code Compliance.

MS. DECRISTOFARO advised that one of their Community Emergency Response Team (CERT) members passed away and thanked Fire Chief Lorenzo and staff for their support and flowers.

MR. ALIANIELLO thanked current Mayor Caggiano for his kindness and congratulated newly elect Mayor Ruzzano. He also thanked newly elect Vice Chair Schwartz and spoke about Commissioner Simone being overlooked.

RICHARD ZUCCHINI, 380 LAKEWOOD CIRCLE E explained that he applauded the City's efforts to support patriotism and veteran issues. He also discussed the submittal of an application for a Veteran's care facility.

Discussion ensued.

CITY ATTORNEY JANETTE M. SMITH advised the Commission that the facility was in the middle of litigation and cautioned them on the litigation and appeal process.

Discussion ensued.

MS. SANCHEZ congratulated Mayor Ruzzano and Vice Mayor Schwartz and also highlighted that Commissioner Simone was being overlooked. She thanked the Police Department and Officers Samuel Phanor and Rachel Druzvik for a fantastic presentation and seminar which they gave at a Clubhouse in Paradise Gardens III. She also requested an update on the boil water notice.

CITY MANAGER SMITH said that he would provide an update under City Manager's Comments.

3) COMMISSION COMMENTS

COMMISSIONER SIMONE explained that the Police Department did a great job which resulted in catching three burglary suspects. She advised to recycle responsibly and discussed her recent attendance at the Solid Waste and Recycling Selection meeting pertaining to the nine member working group. She informed that a resident emailed her with an idea of implementing a Margate Military Banner program. Commissioner Simone asked for CONSENSUS from the City Commission to have a Discussion & Possible Action Agenda Item added to the December 4th, 2019 Regular City Commission meeting to discuss a Margate Military Banner Program.

CONSENSUS was given by the City Commission.

COMMISSIONER SIMONE congratulated newly elected Broward County's Mayor Dale V. C. Holness, Broward County School Board Chair Donna P. Horn and Vice Chair Dr. Rosalind Osgood. She referenced The Metropolitan Planning Organization (MPO) Action Agenda and advised that they did not have any funded projects for 2045 The Metropolitan Transportation Plan or the Complete Streets & Localized Initiatives program (CSLIP) plan. She congratulated newly elected Mayor Ruzzano, Vice Mayor Schwartz and thanked the residents who spoke on her behalf.

COMMISSIONER ARSERIO congratulated incoming Mayor Ruzzano and Vice Mayor Schwartz. He said that he would like to see the residents vote for a ceremonial Mayor. He congratulated the Fire and Police Departments and referenced an incident in his neighborhood. He said that he was not aware of the Food Eating contest and the CERT memorial.

COMMISSIONER SCHWARTZ thanked both the outgoing and incoming Mayor and for the City Commission for voting for her as Vice Mayor. She highlighted and congratulated Firefighter Santana's retirement. She suggested that employees that were retiring should also be recognized at the City Commission meetings. She discussed a State Holder's Forum at Atlantic West Elementary School request for staff and resident's input for a new Principal. She highlighted a problem with a School Resource Officers' (SRO) radio at an elementary school. She also highlighted the City's forthcoming Winter Fest in December. She requested the City Manager contact the City's lobbyist as the legislative session started in January 2020 and referenced items that they were unable to obtain. She spoke about issues pertaining to Bulk pick-up and recommended that the time allowed should be changed from three days to one.

Discussion ensued on the time allowed for Bulk pick-up and a civil citation.

VICE MAYOR RUZZANO congratulated Mayor Caggiano for doing a great job. He thanked everyone for supporting him. He discussed the garbage and Bulk pick-up and referenced the sign Code.

Discussion ensued on garbage and Bulk pick-up.

VICE MAYOR RUZZANO congratulated Development Services' Business Development Coordinator Robinson for the Small Business Saturday in Margate and also referenced the Keep Our Money In Margate Group (KOMIM). He indicated that they were looking into re-zoning the Golf Course back to a golf course. He advised that the City of Coconut Creek were looking at alternative ways on how they could do their Fire Department. He referenced the lake behind Wal-Mart and questioned Public Works why it was a different color. He discussed representation for the Solid Waste and Recycling and referenced the nine Board member voting process and a lawsuit.

Discussion ensued about the nine board members of the recycling program.

MAYOR CAGGIANO advised that there would be a core group sitting on the Board and as this would involve a lot of work, Margate did not have the staff to do it. He explained that either Commissioner Simone or himself would attend future meetings to ensure that their City was represented.

Discussion ensued on meetings being noticed for the Sunshine.

COMMISSIONER ARSERIO discussed the City's Fire Department's relationship with Coconut Creek and said that the City should start planning if they proposed to leave.

CITY MANAGER CURTIS referenced the solid waste system and confirmed that there would not be a voting representative on the Board but they had assigned a staff member to the Technical Advisory Committee.

Discussion ensued on representation for the recycling program, bulk pick-up and the lawsuit with New Urban vs. The City of Margate.

VICE MAYOR RUZZANO discussed cars in Coral Bay that were stacked on properties.

Discussion ensued on abandoned vehicles.

CITY ATTORNEY SMITH asked for CONSENSUS from the City Commission to modify the Code regarding Abandoned Vehicles.

Discussion ensued.

CONSENSUS was given by the City Commission to have the City Attorney bring back an Ordinance to modify the Code regarding Abandoned Vehicles to eliminate the provision stating as required by law.

VICE MAYOR RUZZANO discussed whether artificial turf counted as landscaping under the City's Code.

Discussion ensued.

CITY MANAGER CURTIS asked if there was CONSENSUS by the City Commission to amend the Code pertaining to artificial turf.

Discussion ensued.

Vice Mayor Ruzzano asked for CONSENSUS to modify the Code to allow artificial turf as a permitted landscaping option. CONSENSUS was given by the City Commission.

MAYOR CAGGIANO discussed Firefighter Santana's 30-year retirement party. He advised everyone to attend the City's Winter Festival and thanked them for his time serving as the Mayor. He also congratulated newly elect Mayor Ruzzano.

CONSENSUS was given by the City Commission to move up Item 6A before Commission Comments.

6) RESOLUTION(S) - Continued

- A. [ID 2019-576](#) APPROVING AGREEMENT FOR CAPACITY ALLOCATION IN PHASE 1 OF THE C-51 RESERVOIR BETWEEN PALM BEACH AGGREGATES, LLC AND THE CITY OF MARGATE, FLORIDA; PROVIDING FOR A REGIONAL ALTERNATIVE WATER SUPPLY; PROVIDING FOR AN EFFECTIVE DATE.

Item 6A was heard immediately after Commission Comments.

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

DEPARTMENT OF ENVIRONMENTAL AND ENGINEERING SERVICES (DEES) INTERIM DIRECTOR CURT KEYSER introduced the DEES Project Manager, Attorney for Palm Beach Aggregates for Ernie Cox and Broward County's Susan Bodman.

PALM BEACH AGGREGATES AND PROJECT MANAGER ERNIE COX provided a PowerPoint presentation on this Item. He explained that for the last 13 years, there had been a collaborative process with South Florida Utilities, South Florida Water Management District (SFWMD), Florida Department of Transport (FDOT) and Florida Department of Environmental Protection and that they have all worked together to create a regional water resources project. He advised that Broward, Sunrise, Dania and Hallandale Beach have signed up to 13,000,000 gallons per day. He indicated that he was asking the City for 2,000,000 gallons that Pompano Beach were moving forward with 2,000,000 gallons and Fort Lauderdale with 6,000,000 gallons.

DEES INTERIM DIRECTOR KEYSER spoke again on this Item and explained that they were going to be facing a restriction on the amount of water available and that there was no question that they needed an alternative water supply for the City. He indicated that they anticipate a \$9,200,000 capital outlay for this Item.

Discussion ensued together with a question and answer session.

MR. ZUCCHINI asked a number of questions on this Item.

Discussion ensued.

MR. ALIANIELLO spoke in support of this Item.

Discussion ensued.

MRS. VAN DER MEULEN spoke on this Item.

Discussion ensued.

A motion was made by Commissioner Arserio, seconded by Vice Mayor Ruzzano, to table this item to the next Regular City Commission meeting on December 4th, 2019.

Vice Mayor removed his second to table this Item.

Commissioner Arserio removed his second to table this Item.

Discussion ensued.

A motion was made by Commissioner Arserio, seconded by Vice Mayor Ruzzano, to table this item to the next Regular City Commission meeting on December 4th, 2019.

This carried by the following vote:

Yes: 3 - Commissioner Arserio, Commissioner Schwartz and Vice Mayor Ruzzano

No: 2 - Commissioner Simone and Mayor Caggiano

4) CITY MANAGER'S REPORT

City Manager's Report heard immediately after Item 6A.

CITY MANAGER CURTIS provided an update on the precautionary boil water alert that the City issued.

Discussion ensued on the time the precautionary boil water notice would end.

CITY MANAGER CURTIS discussed the Shop with a Hero initiative at Wal-Mart and the Police Department's toy drive. He gave kudos to the Finance Department which was awarded the Government Finance Officers Association Certificate of Achievement for Excellence in Financial reporting for fiscal year 2018.

CITY ATTORNEY SMITH said that it was five months since she had been working with the City. She said that there had been many questions on Code re-writes at this

meeting. She indicated that she had received over 200 matters and that she had closed out approximately seventy of them. She requested a prioritized list and said that it was a very progressive Commission. She also advised that they were able to close out a lot of different lawsuits and indicated that the lawsuit by Mr. Arthur J. Krell had been dismissed for a lack of prosecution. She announced that she had a new Executive Secretary/Paralegal.

CITY CLERK JOSEPH J. KAVANAGH congratulated incoming Vice Mayor Schwartz and Mayor Ruzzano and outgoing Mayor Caggiano.

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 2019-574](#) MOTION - APPROVAL OF CITY COMMISSION MINUTES: SEPTEMBER 18, 2019 - REGULAR CITY COMMISSION MEETING; OCTOBER 2, 2019 - REGULAR CITY COMMISSION MEETING.

APPROVED

- B. [ID 2019-567](#) RESOLUTION - APPROVING AN AGREEMENT FOR PARTIAL FUNDING OF FOUR (4) SCHOOL RESOURCE OFFICERS IN ATLANTIC WEST ELEMENTARY, MARGATE ELEMENTARY, LIBERTY ELEMENTARY AND MARGATE MIDDLE SCHOOLS FOR AUGUST 14, 2019 THROUGH JUNE 3, 2020; AUTHORIZING ADMINISTRATION TO RENEW THIS ANNUAL AGREEMENT UNDER THE SAME TERMS WITHOUT FURTHER COMMISSION ACTION; PROVIDING FOR EFFECTIVE DATE.

RESOLUTION 19-121

COMMISSIONER SIMONE spoke on this Item.

Discussion ensued.

CHIEF OF POLICE, JON SHAW spoke on this Item.

Discussion ensued.

MR. ZUCCHINI spoke on this Item.

APPROVED

Approval of the Consent Agenda

A motion was made by Commissioner Schwartz, seconded by Mayor Caggiano, 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

7) ORDINANCE(S) - SECOND READING

- A. [ID 2019-580](#) AMENDING APPENDIX-A ZONING; ARTICLE XXXIX SIGN CODE, SECTION 39.8 - SUPPLEMENTAL REGULATIONS; PROVIDING FOR AMORTIZATION; PROVIDING FOR REPEAL; PROVIDING FOR EXCEPTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2019-1500.647

A motion was made by Commissioner Simone, seconded by Commissioner Schwartz, that this Ordinance, Second Reading, should be approved. This carried by the following vote:

Yes: 3 - Commissioner Simone, Commissioner Arserio and Commissioner Schwartz

No: 2 - Vice Mayor Ruzzano and Mayor Caggiano

- B. [ID 2019-581](#) AMENDING CHAPTER 23 - LANDSCAPING, ARTICLE II, SECTION 23-20 - TREE REMOVAL LICENSE REQUIREMENTS AND STANDARDS; AMENDING APPENDIX-A ZONING ARTICLE VI, SECTION 6.9 - DEVELOPMENT STANDARDS; AMENDING APPENDIX-A ZONING; ARTICLE XIV, SECTION 14.2 - PERMITTED USES, AMENDING ARTICLE XVIII, SECTION 18.5 - DESIGN STANDARDS; ARTICLE XL SECTION 40.4 - EXTERIOR MAINTENANCE OF STRUCTURE AND PREMISES; ARTICLE XL, SECTION 40.9 - LANDSCAPE MAINTENANCE REQUIREMENTS; PROVIDING CONSISTENCY WITH FLORIDA STATUTE SECTION 163.045 FOR NOTICE, APPLICATION, APPROVAL, PERMIT, FEE, AND MITIGATION EXEMPTION FOR PRUNING, TRIMMING, REMOVAL, REPLANTING, OR MITIGATION TO TREES ON RESIDENTIAL PROPERTY; PROVIDING FOR REPEAL; PROVIDING FOR EXCEPTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2019-1500.648

A motion was made by Commissioner Simone, seconded by Commissioner Arserio, that this Ordinance, Second Reading, should be discussed.

COMMISSIONER ARSERIO questioned whether this Item was to make the City's Code consistent with the new State Law.

CITY ATTORNEY SMITH confirmed this.

Discussion ensued.

DEVELOPMENT SERVICES DIRECTOR, ROBERT J. MASSARELLI spoke on this Item.

Discussion ensued.

MR. ALIANIELLO spoke on this Item.

The motion carried as follows:

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

ADJOURNMENT

There being no further business, the meeting adjourned at 12:10am.

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.