



City of Margate

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

Meeting Minutes Regular City Commission Meeting

Mayor Tommy Ruzzano
Vice Mayor Arlene R. Schwartz
Commissioners:
Antonio V. Arserio, Anthony N. Caggiano, Joanne Simone

City Manager Cale Curtis
City Attorney Janette M. Smith
City Clerk Joseph J. Kavanagh

Wednesday, December 11, 2019

7:00 PM

Commission Chambers

CALL TO ORDER

ROLL CALL

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

In Attendance:

City Manager Cale Curtis
City Attorney Janette M. Smith
City Clerk Joseph J. Kavanagh

INVOCATION

PLEDGE OF ALLEGIANCE

A. [ID 2019-617](#) MICHELLE'S INTERNATIONAL LEARNING HOUSE - VPK 4 YEAR OLDS

1) PRESENTATION(S)

A. [ID 2019-578](#) FLORIDA POWER AND LIGHT LED STREET LIGHTING PRESENTATION.

FLORIDA POWER & LIGHT COMPANY (FPL) FRANCISCO J ARBIDE discussed and provided a PowerPoint presentation on the FPL LT-1 LED Street Light program and advised that many cities had converted to LED lightening. He provided an explanation as to the way the program worked which was almost identical to their current program which they had and that FPL were responsible for everything pertaining to light including all damages.

Discussion ensued.

CONSENSUS was given to have more information on LED lighting brought back to the City Commission.

B. [ID 2019-599](#) PRESENTATION AND RECOGNITION OF THE MARGATE-COCONUT CREEK FIRE RESCUE ALS AND EXTRICATION TEAMS.

ATHLETES OF THE MONTH

- C. [ID 2019-628](#) BASEBALL: BLAKE ELLER, 11 YEARS OLD
(Margate Legacy 11U)

2) PUBLIC DISCUSSION

ARTHUR J. KRELL, 6117 EDWARDS ROAD discussed Code violations on West Palm Drive.

ELSA J. SANCHEZ, 6930 NW 15TH STREET requested the reinstatement of Teresa L. DeCristofaro to the Community Emergency Response Team (CERT).

RICHARD ZUCCHINI, 380 LAKEWOOD CIRCLE E spoke about the Planning and Zoning (P&Z) Board and referenced CERT.

RICH ALIANIELLO, 7631 NW 23RD STREET wished a safe Happy Holidays to members sitting on the dais and thanked them for representing the people of Margate.

BARBARA ALBRECHT, ORIOLE GARDENS II thanked everyone for serving the community and said that the Christmas lights and decorations were very beautiful and uplifting.

ANTHONY FINNO spoke on the history of Margate and made complimentary remarks pertaining to the decorations on Margate Boulevard for Christmas and Veterans' Day.

MAYOR TOMMY RUZZANO requested Mr. Finno to give a picture to the City Clerk in honor of a special program for veterans.

3) COMMISSION COMMENTS

COMMISSIONER ANTHONY N. CAGGIANO highlighted the Winter Festival event. He advised that the Broward League of Cities (BLOC) was looking at a fairer division of costs of paying for the School Resource Officers (SRO) as there were cities with no schools that were reaping all the benefits being paid for by other cities. He wished everyone a happy and safe festive season.

COMMISSIONER JOANNE SIMONE said that she looked forward to seeing everybody at the Winter Festival. She was saddened to see another Department Head leave and wished the best for Development Services Director, Robert J. Massarelli. She relayed Season's Greetings to everyone.

COMMISSIONER ANTONIO V. ARSERIO highlighted the Winter Festival event and discussed the Holiday Decorating Competition. He wished Season's Greetings to everyone. He discussed a recent CRA meeting and referenced a City Ordinance that would allow the use of temporary feather banners. He asked for CONSENSUS from the City Commission to have the City Manager share information on the City Code with the Community Redevelopment Agency (CRA) Executive Director regarding feather banner signs.

Discussion ensued about researching if business expansions would qualify as a new tenant or a grand opening.

CONSENSUS was given by the City Commission to have the City Manager share information on the City Code with the (CRA) Executive Director regarding feather banner signs.

VICE MAYOR ARLENE R. SCHWARTZ relayed Happy Holidays to everyone. She wished Development Services Director Massarelli good luck.

MAYOR TOMMY RUZZANO wished everyone a safe and healthy Christmas and Hanukkah. He discussed a recent Oriole Gardens meeting. He said that when new projects and developments came up, they could upload the information onto the City's website.

CITY ATTORNEY JANETTE M. SMITH referenced Alcohol hours that was discussed and tabled at the last City Commission meeting and advised that it would be brought back on January 22nd, 2020 and as directed by the Commission, they would notify all of the previous applicants. She said that 2019 was amazing and that it was great working for the City. She also wished everyone a Happy Holiday.

CITY CLERK JOSEPH J. KAVANAGH wished everyone a Happy Holiday.

CITY MANAGER CALE CURTIS advised that Utility Billing was moving on December 23rd, 2019.

Discussion ensued on whether to retain the Water Utility drop box at City Hall and to have a separate entrance and exit at 901 NW 66th Ave.

4) CITY MANAGER'S REPORT

CITY MANAGER CALE CURTIS wished everyone a Happy Holiday and New Year.

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 2019-604](#) MOTION - APPROVAL OF CITY COMMISSION MINUTES: OCTOBER 16, 2019 - REGULAR CITY COMMISSION MEETING; NOVEMBER 6, 2019 - REGULAR CITY COMMISSION MEETING.

APPROVED

Approval of the Consent Agenda

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

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

6) RESOLUTION(S)

- A. [ID 2019-606](#) A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, APPROVING ACQUISITION OF A 2020 CUSTOM WHEELED COACH TYPE 9, RESCUE TRANSPORT VEHICLE ON A FREIGHTLINER M2 EXTENDED CAB AND CHASSIS FOR THE FIRE DEPARTMENT FROM REV RTC D/B/A/HALL-MARK RTC, WITH PRICING PER THE FLORIDA SHERIFF'S ASSOCIATION BID NO. FSA18-VEF13.0; PROVIDING FOR WAIVING OF BIDDING FOR CUSTOM WHEELED COACH AMBULANCE BUILD-OUT AS STANDARDIZATION TO MATCH EXISTING UNITS; NOT TO EXCEED \$340,415.46; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION 19-129

A motion was made by Commissioner Caggiano, seconded by Commissioner Arserio, that this Resolution, should be approved. This motion carried by the following vote:

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

- B. [ID 2019-621](#) A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, APPROVING AN UPDATE OF THE CITY OF MARGATE CITIZEN PARTICIPATION PLAN; AUTHORIZING THE CITY MANAGER TO SUBMIT ANY AND ALL RELATED DOCUMENTS TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT; PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION 19-130

A motion was made by Commissioner Caggiano, seconded by Commissioner Simone, that this Resolution, should be approved. This motion carried by the following vote:

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

- C. [ID 2019-641](#) ~~A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, APPROVING RULES OF PROCEDURE AT MARGATE CITY COMMISSION MEETINGS FOR 2019-2020.~~

- D. [ID 2019-644](#) ~~A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, APPROVING RULES OF CONDUCT OF THE PUBLIC AT PUBLIC MEETINGS FOR 2019-2020.~~

7) ORDINANCE(S) - FIRST READING

- A. [ID 2019-630](#) AN ORDINANCE OF THE CITY OF MARGATE, FLORIDA, AMENDING APPENDIX-A ZONING; ARTICLE IX - TRANSIT ORIENTED CORRIDOR - CITY CENTER (TOC-CC) DISTRICT, SECTION 9.12 PARKING STANDARDS; ARTICLE XXXIII - OFF-STREET PARKING AND LOADING, SECTION 33.1. OFF-STREET PARKING REQUIRED; SECTION 33.2. LOCATION, CHARACTER AND SIZE; SECTION 33.3. AMOUNT OF OFF-STREET PARKING; SECTION 33.4. COMBINED OFF-STREET PARKING; PROVIDING FOR ELIMINATING MINIMUM NUMBER OF REQUIRED PARKING SPACES FOR NON-RESIDENTIAL USES; PROVIDING FOR SEVERABILITY;

PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Commissioner Caggiano, seconded by Commissioner Arserio, that this Ordinance, First Reading, should be tabled to January 22nd, 2020 at the Regular City Commission meeting.

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

8) ORDINANCE(S) - SECOND READING

- A. [ID 2019-634](#) AN ORDINANCE AMENDING THE CODE OF THE CITY OF MARGATE, FLORIDA, CHAPTER 34 STORMWATER MANAGEMENT UTILITY; PROVIDING FOR BOUNDARIES, DEFINITIONS, AND FEES; ESTABLISHING THE MONTHLY FEE TO BE PAID FOR THE STORMWATER MANAGEMENT UTILITY FEE EFFECTIVE JANUARY 1, 2020; PROVIDING FOR 5% AUTOMATIC INCREASE BEGINNING OCTOBER 1, 2020 AND EACH OCTOBER 1 THEREAFTER; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2019-9

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

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

- B. [ID 2019-640](#) AN ORDINANCE OF THE CITY OF MARGATE, FLORIDA, AMENDING SECTION 2-78 POWERS AND DUTIES; AMENDING APPENDIX-A ZONING; ARTICLE III GENERAL PROVISIONS, SECTION 3.22. ALCOHOLIC BEVERAGES; ARTICLE VII TRANSIT ORIENTED CORRIDOR - CORRIDOR (TOC-C) DISTRICT, SECTION 7.3 TOC-C CORRIDOR PERMITTED USES; ARTICLE VIII TRANSIT ORIENTED CORRIDOR - GATEWAY (TOC-G) DISTRICT, SECTION 8.4 TOC-G GATEWAY PERMITTED USES; ARTICLE IX TRANSIT ORIENTED CORRIDOR-CITY CENTER (TOC-CC) DISTRICT, SECTION 9.5 TOC-CC CITY CENTER PERMITTED USES; ARTICLE XXI NEIGHBORHOOD BUSINESS B-1 DISTRICT, SECTION 21.3 PERMITTED USES; ARTICLE XXII COMMUNITY BUSINESS B-2 DISTRICT, SECTION 22.3 PERMITTED USES; ARTICLE XXIII LIBERAL BUSINESS B-3 DISTRICT, SECTION 23.3 PERMITTED USES; ARTICLE XXXV ADULT BOOKSTORES AND ADULT MOTION PICTURE THEATERS, SECTION 35.1 LOCATION RESTRICTED; PROVIDING FOR THE ELIMINATION OF MINIMUM SEPARATION REQUIREMENTS FOR ESTABLISHMENTS LICENSED TO SERVE OR SELL ALCOHOL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2019-1500.649

A motion was made by Commissioner Caggiano, seconded by Vice Mayor Schwartz, that this Ordinance, Second Reading, should be discussed.

VICE MAYOR SCHWARTZ spoke of her concerns on this Item.

MR. ALIANIELLO spoke against certain sections of this Item.

The motion carried as follows:

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

No: 2 - Commissioner Simone and Vice Mayor Schwartz

9) DISCUSSION AND POSSIBLE ACTION

- A. [ID 2019-620](#) DISCUSSION AND POSSIBLE ACTION: A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, APPROVING THE CITY OF MARGATE'S 2020 STATE LEGISLATIVE PRIORITIES; DIRECTING THE CITY CLERK TO SEND A COPY OF MARGATE'S STATE LEGISLATIVE PRIORITIES FOR THE 2020 LEGISLATIVE SESSION TO THE BROWARD DELEGATION FOR CONSIDERATION.

RESOLUTION 19-131

CITY ATTORNEY JANETTE M. SMITH advised that this Item was put on as a Resolution and asked if it was the wish of the City Commission to adopt it.

MAYOR RUZZANO discussed the installation of 5G cell towers. He explained that they had a State legislative priorities list that they would be sending to Tallahassee and a copy of the same was available to the public if required.

Discussion ensued on adding more items to the list to be sent to Tallahassee and money being funded to the School Resource Officers (SRO).

COMMISSIONER SIMONE elaborated on three items she wanted to add to the list.

Discussion ensued including cell towers, Florida's Free Kill Law and fireworks.

CITY ATTORNEY JANETTE M. SMITH explained that the issue of tree trimming was discussed extensively at the Planning and Zoning (P&Z) meeting as a Bill was introduced in 2018 where the City had to modify their Code. She asked the City Commission if they were interested in revisiting that item.

Discussion ensued.

CITY MANAGER CURTIS referenced adding an item to the list and asked for CONSENSUS by the City Commission to oppose legislation that reduced Communication Services tax revenue.

CONSENSUS was given by the City Commission to add the following three items to the legislative priorities list:

- *Preserve/increase of School Resource Officer (SRO) funding;
- *Oppose Florida's Free Kill Law - Florida Statutes 768.16-768.26;
- *Oppose legislation that reduces Communication Services tax revenue.

Discussion ensued.

A motion was made by Commissioner Arserio, seconded by Commissioner Simone, to approve the Resolution as presented in the backup.

An amendment was made by Vice Mayor Schwartz, seconded by Commissioner Simone, to include the three additional priorities agreed upon by the City Commission.

Discussion ensued on the number of prioritised list items.

The amendment carried by the following vote:

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

The original motion as amended carried by the following vote:

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

B. [ID 2019-642](#) DISCUSSION AND POSSIBLE ACTION: CALYPSO COVE ADMISSION PASS IN MARGATE MATTERS.

MAYOR RUZZANO advised that this Item was discussed at the last City Commission meeting to include a free Calypso Cove pass in future Margate Matters newsletters.

Discussion ensued.

CONSENSUS was given by the City Commission to insert one (1) free Calypso Cove pass in each Margate Matters newsletter for an upcoming publication with no additional costs to be incurred; with the pass to be one (1) use per group/family; with a pass expiration date that coincides with the last day of the season for Calypso Cove; to have staff present more information and data from Calypso Cove and to have staff re-evaluate items at Calypso Cove and report back to the City Commission.

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

VICE MAYOR SCHWARTZ questioned whether Calypso Cove was opened during the Christmas holiday and Easter break.

CITY MANAGER CURTIS advised that he would speak to Parks and Recreation Director Jones about Calypso Cove's operational hours.

Discussion ensued on tracking the number of complimentary passes used with accompanying paying customers, using an expiration date of July 31st or August 1st, 2020 and to reevaluate what was going on at that facility.

MR. ALIANIELLO discussed Calypso Cove and suggested that it required more advertising.

CALE MANAGER CURTIS referenced the expiration date on the complimentary passes and said that he preferred to say "the last day of the regular season."

Discussion ensued on the expiration date for the complimentary passes.

MARILYN A. KNEELAND, ORIOLE GARDENS II indicated that she was shocked to learn that Calypso Cove lost money.

Discussion ensued on attendance numbers and different programs for Calypso Cove.

MRS. SANCHEZ said that she thought it was a good idea to give coupons for Calypso Cove and to also keep a record of it. She said that August 1st, 2020 would be too early for the expiration date as children would still be on Summer break.

MR. ZUCCHINI queried the entrance procedures at Calypso Cove and suggested installing a camera at the ticket counter.

The motion carried as follows:

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

- C. [ID 2019-643](#)** DISCUSSION AND POSSIBLE ACTION: EXPENDITURES FOR THE AREAWIDE COUNCIL ON AGING OF BROWARD COUNTY 40TH ANNUAL BOARD OF DIRECTORS ADVISORY COUNCIL INSTALLATION DINNER AND JOURNAL.

MAYOR RUZZANO said that this Item was an event that they had been sponsoring for approximately 37 years. He advised that they had a choice of a possible purchase of a table, a full page advertisement or both.

A motion was made by Commissioner Caggiano, seconded by Commissioner Arserio, to approve the purchase of a table of (10) with a full page ad for \$1,250.

Discussion ensued.

The motion carried by the following vote:

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

No: 1 - Commissioner Simone

ADJOURNMENT

There being no further business, the meeting adjourned at 9:36pm.

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.