



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 6, 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

PLEDGE OF ALLEGIANCE

[ID 2019-553](#) MICHELLE'S INTERNATIONAL LEARNING HOUSE - VPK 4 YEAR OLDS

1) PRESENTATION(S)

STUDENTS AND TEACHERS OF THE MONTH

A. [ID 2019-484](#) ABUNDANT LIFE CHRISTIAN ACADEMY: JORDAN AUGUSTE (Student); LINDA LANG (Teacher),
(Mrs. Stacy Angier, Principal and/or Mrs. Renate Ramirez, Assistant Principal)

ATLANTIC WEST ELEMENTARY: ALINA LEE (Student); JENNIFER RAMS (Teacher),
(Mrs. Diane Eagan, Principal and/or Ms. Jounice Lewis, Assistant Principal)

LIBERTY ELEMENTARY: SOPHIA AGUIAR (Student); KIMBERLY MCKINNEY (Teacher),
(Mr. Matthew Whaley, Principal and/or Ms. Donna Styles, Assistant Principal)

MARGATE ELEMENTARY: ANNA NGUYEN (Student); WENDY SCHAAL (Teacher),
(Mr. Thomas Schroeder, Principal and/or Ms. Vicki Flournoy, Assistant Principal)

MARGATE MIDDLE: CLEYDI GONZALEZ (Student); SIMONE LEWIS

(Teacher),
(Mrs. Sabine Phillips, Principal and/or Assistant Principal)

RISE ACADEMY SCHOOL OF SCIENCE AND TECHNOLOGY: AYAH
ELFATTA (Student); BERNISHKA BUTLER (Teacher),
(Adriana Guerra, Principal)

WEST BROWARD ACADEMY: KYLEE-MARIE TAFT (Student); DAMELA
PIERRE (Teacher),
(Mr. Will Pickens, Principal and/or Assistant Principal Mr. Derrick Hugue)

PROCLAMATION(S)

- B. [ID 2019-495](#) AMERICAN LEGION AUXILIARY UNIT 157 - 100TH ANNIVERSARY -
NOVEMBER 10, 2019 (presented to Tracy Wedlock, American Legion Auxiliary Unit
157, President)

1) PRESENTATION(S) - Continued

- C. [ID 2019-564](#) RECYCLING PRESENTATION BY WASTE MANAGEMENT.

GOVERNMENT AFFAIRS MANAGER OF WASTE MANAGEMENT BARBARA
HERRERA OF 2700 WILES ROAD, POMPANO BEACH gave a presentation on
recycling. Her discussion included recycling the right way and indicated that the City
recycled approximately 3,600 tons per year and as of October 29, year to date
contamination was about 46.8 percent. She discussed where they were with the City,
how they could improve on delivering the information on recycling and what improvements
could be made to ensure that the recycling program was a success. She referenced
"wishcycling" and advised that the markets had changed from what was currently
acceptable to that of five years ago. She advised that she would make sure the City staff
had a copy of her presentation. She encouraged the City Commission to attend an audit
of the materials at the Deerfield Beach facility.

Discussion ensued including contamination, auditing, volunteers, proposing a Workshop,
the City's educational campaign and other related topics.

RICHARD ZUCCHINI, 380 LAKEWOOD CIRCLE E, #B provided suggestions for Waste
Management including uploading a video through social media and the introduction of
clear container carts for recycling.

RICH POPOVIC, 6066 WINFIELD BOULEVARD indicated that when the contract was
signed, Waste Management was going to keep a device in the recycling bins to monitor
trash.

GOVERNMENT AFFAIRS MANAGER OF WASTE MANAGEMENT, LUIGI PACE AND
BARBARA HERRERA responded to the comments made.

CITY MANAGER CALE CURTIS said that Mr. Zucchini provided great suggestions. He
advised that their staff had produced a video of one of the weekly audits that were
performed in Margate which was on the City's Facebook page.

2) PUBLIC DISCUSSION

JULIE JONES, 7871 NW 1ST STREET thanked everyone involved in Trunk or Treat and said it was absolutely awesome and a fabulous attendance. She congratulated Commissioner Arserio on his first year anniversary of being elected. She asked the Chief of Police Shaw for advice on finding pets.

CITY MANAGER CURTIS said that he would get with Chief of Police Shaw and then work with Ms. Jones.

Discussion ensued.

DELTA SIGMA THETA SORORITY, INC. BROWARD COUNTY ALUMNAE CHAPTER SANDRA KING gave a brief overview of the organization and said that their platform was public service and that they wanted to join forces with the City.

MAYOR ANTHONY N. CAGGIANO requested Ms. King to leave her information with the City Clerk.

JULI VANDERMEULEN, 2913 NW 68 LN. highlighted a Margate 6.1 Ordinance that designated a bird sanctuary as well as a wildlife sanctuary and discussed the same. She questioned what could be done to protect wildlife.

MAYOR CAGGIANO advised that the City Attorney and City Manager would need to review this.

Discussion ensued including the City's Ordinance and trappers.

JEAN E. KAPLAN, ORIOLE GARDENS PHASE II thanked the City for helping them with the developers.

MR. POPOVIC discussed the bathroom at one of the City's parks, bonds and speeding in neighborhoods.

BARBARA ALBRECHT, ORIOLE GARDENS II read a poem on "Keep Margate Green".

PETA ZUNE, ORIOLE GARDENS II discussed Lennar Homes and other potential developers pertaining to Margate Executive Golf Course.

CITY MANAGER CURTIS confirmed that a meeting was held with the owner of the Executive Golf Course, Mr. Fimiani and City staff and explained that he offered two unfavorable options to the City.

Discussion ensued.

MARILYN A. KNEELAND, 7955 NW 5TH CT, ORIOLE GARDENS PHASE II discussed Lennar Homes stepping away from the Executive Golf Course. She also discussed the value of the property and referenced two parcels. She complimented the City's parks. She requested better communications pertaining to the Executive Golf Course.

Discussion ensued on the City's owls.

RICH ALIANIELLO questioned the value of the Golf Course.

CITY MANAGER CURTIS' approximated value was \$8,000,000 - \$9,000,000.

Discussion ensued on the golf course's property value and rezoning.

MR. ZUCCHINI referenced projects and a pre-application conference and requested that the Commission and Planning and Zoning (P&Z) have access to the City's new software. He also questioned if anyone had investigated whether there were any Federal State or County grants that were available to remediate toxic land and referenced Palm Lakes Golf Course.

3) COMMISSION COMMENTS

COMMISSIONER JOANNE SIMONE discussed and thanked the staff who were involved in the two fabulous City events of the Fall Festival and Trunk or Treat. She highlighted the forthcoming Veterans' Day ceremony and the implementation of the electronic speed limit sign on Rock Island Road by the Carolinas and hoped that they could install more in other areas of the City. She advised that Florida Department of Transport (FDOT) was doing a lighting improvement project in five cities and discussed the same.

COMMISSIONER ARSERIO thanked the residents and colleagues for putting their faith and trust in him and referenced his one-year anniversary of being elected a City Commissioner. He echoed Commissioner Simone's comments pertaining to the City's recent events. He thanked the Highway Patrol and Margate Police Department for coordinating the Arrive Alive campaign.

COMMISSIONER SCHWARTZ congratulated everyone who participated in the Trunk or Treat event. She spoke about the new playground at Firefighters' Park and referenced the new zipline. She highlighted Broward County's Read for the Record event at local schools.

VICE MAYOR RUZZANO highlighted the Veterans' Day ceremony and referenced a fully functional new bathroom. He congratulated Fire Chief Lorenzo's daughter for competing in a track event in Tallahassee. He discussed a recent meeting on McDivot's Golf Course and questioned whether they could change the zoning to recreational.

Discussion ensued on changing the zoning.

CITY MANAGER CURTIS said that he would research and let the City Commission know.

DEVELOPMENT SERVICES DIRECTOR, ROBERT J. MASSARELLI explained that in the current zoning district for that area, golf courses were eliminated two years ago. He asked if it was the CONSENSUS of the Board and the City Manager, they could start drafting up an Ordinance pertaining to that.

Discussion ensued.

CITY ATTORNEY JANETTE M. SMITH explained that she would look at all aspects and revert back to the City Commission in a month's time.

Discussion ensued.

VICE MAYOR RUZZANO discussed a resident who was looking to do a Bocce ball court at one of the parks in the City. He said it was a great job that Lennar backed out.

CONSENSUS was given by the City Commission directing staff to research a zoning change for the McDivot's Golf Course and to research the installation of a Bocce ball

court.

MAYOR CAGGIANO echoed comments made pertaining to Trunk or Treat and Fall Festival events and said hats off to City staff who participated. He said that he handed out over 1,000 of the City's recycling flyers at the Trunk or Treat event. He discussed a recent event at the North West Focal Point Senior Center (NWFPSC) pertaining to different programs that they were doing for senior citizens and said that Congressman Ted Deutch was in attendance. He explained that after that event, he received a call from the new Director of Aging and Disability Resource Center that asked him to be part of their brand new dementia program which he accepted.

4) CITY MANAGER'S REPORT

CITY MANAGER CURTIS highlighted and showed a video of the improvements made at Firefighters' Park.

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 2019-554](#) MOTION - APPROVAL OF CITY COMMISSION MINUTES: SEPTEMBER 12, 2019 - CITY COMMISSION WORKSHOP; SEPTEMBER 17, 2019 - SPECIAL CITY COMMISSION MEETING; SEPTEMBER 18, 2019 - CITY COMMISSION BUDGET HEARING.

APPROVED

- B. [ID 2019-529](#) RESOLUTION - ACCEPTING THE UTILITY AND ACCESS EASEMENTS FOR MAINTENANCE OF WATER AND SANITARY SEWER FACILITIES AND ACCEPTING THE BILL OF SALE FOR THE WATER AND SEWER MAIN LINES AT 5496 NW 27TH COURT (CELEBRATION POINTE SOUTH); PROVIDING FOR A PUBLIC PURPOSE; PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION 2019-114

APPROVED

- C. [ID 2019-548](#) RESOLUTION - APPROVING PURCHASE OF TWO DRONES AND ADDITIONAL EQUIPMENT TO ENHANCE THE CAPABILITIES OF THE MARGATE POLICE DEPARTMENT UNMANNED AIRCRAFT SYSTEMS UNIT (UAS); PROVIDING FOR FUNDING FROM THE STATE LAW ENFORCEMENT TRUST FUND; PROVIDING FOR EFFECTIVE DATE.

RESOLUTION 2019-115

APPROVED

- D. [ID 2019-552](#) RESOLUTION - RELATING TO THE MEMORANDUM OF UNDERSTANDING REGARDING COLLABORATIVE STUDY AND SUBSEQUENT

DEVELOPMENT OF AN INTEGRATED SOLID WASTE AND RECYCLING SYSTEM; APPOINTING REPRESENTATIVES TO REPRESENT THE CITY OF MARGATE IN MATTERS RELATING TO THE MEMORANDUM OF UNDERSTANDING; PROVIDING DIRECTION ON REPRESENTATION ON THE TECHNICAL GROUP OF THE MEMORANDUM OF UNDERSTANDING; PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION 2019-116

APPROVED

Approval of the Consent Agenda

A motion was made by Commissioner Simone, seconded by Commissioner Schwartz, 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)

- A. [ID 2019-532](#) CONSIDERATION OF A TEMPORARY USE PERMIT (TUP), TO ALLOW A SEASONAL SALES EVENT ON COMMUNITY REDEVELOPMENT AGENCY PROPERTY LOCATED AT 1423 NORTH STATE ROAD 7, FROM FRIDAY, NOVEMBER 22-FRIDAY, DECEMBER 27, 2019.

RESOLUTION 2019-117

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

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

- B. [ID 2019-559](#) APPROVING A FIRST AMENDMENT TO THE AGREEMENT WITH THE MELLGREN PLANNING GROUP, INC., FOR REQUEST FOR PROPOSALS (RFP) 2018-022A - COMPREHENSIVE PLAN AMENDMENT CONSULTING SERVICES; PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION 2019-118

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

COMMISSIONER SCHWARTZ spoke on this Item.

MR. ZUCCHINI explained that they were yet to receive samples of reports from similar cities which they requested from the Mellgren Planning Group.

The motion carried as follows:

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

7) ORDINANCE(S) - FIRST READING

- A. [ID 2019-538](#)** 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.

A motion was made by Commissioner Simone, seconded by Commissioner Arserio, that this Ordinance, First Reading, be approved.

CITY MANAGER CURTIS provided a synopsis of a recent City Commission Workshop about the City Code regulating window signs. He also presented a brief PowerPoint presentation.

Discussion ensued on signage.

RICHARD A. EDDINS, 3043 NW 72ND AVENUE spoke on this Item.

MR. ZUCCHINI spoke on this Item and asked for the Commission not to pass this Item.

COMMISSIONER SCHWARTZ responded to Mr. Zucchini's comments.

MR. EDDINS questioned whether the Sign Code regulated window tinting.

MAYOR CAGGIANO responded to questions from Mr. Eddins.

MR. ALIANIELLO said that Mr. Zucchini made a good point.

The motion carried as follows:

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

No: 2 - Vice Mayor Ruzzano and Mayor Caggiano

CONSENSUS was given by the City Commission to move Item 8A before Item 7B.

8) DISCUSSION AND POSSIBLE ACTION

- A. [ID 2019-557](#)** SPECIAL EVENTS FUNDING/DONATION REQUEST PROGRAM - WOMEN IN DISTRESS OF BROWARD COUNTY, INC.

This Item was heard immediately after item 7A.

A motion was made by Commissioner Arserio, seconded by Commissioner Schwartz, to table this Item to November 20, 2019 Regular City Commission meeting.

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

No: 1 - Commissioner Simone

7) ORDINANCE(S) - FIRST READING CONTINUED

- B. [ID 2019-539](#)** 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.

A motion was made by Commissioner Arserio, seconded by Commissioner Schwartz, that this Ordinance, First Reading, be discussed.

CITY ATTORNEY SMITH provided clarification on this Item.

MR. ZUCCHINI explained that the Planning and Zoning Board unanimously recommended rejecting this Statute.

MR. EDDINS spoke on this Item.

COMMISSIONER SCHWARTZ responded to comments from Mr. Eddins.

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

8) DISCUSSION AND POSSIBLE ACTION CONTINUED**B. ID 2019-540 COMMERCIAL REDEVELOPMENT APPROVAL PROCESS.**

DEVELOPMENT SERVICES DIRECTOR MASSARELLI provided a PowerPoint presentation and explained that an individual was interested opening a business in Margate which involved a Change of Occupancy. He advised that under the current Code, this would trigger a requirement to review and if necessary, update the landscaping irrigation of the metrics of the property. He explained that this went before the P&Z Board who recommended to proceed ahead. He indicated that Development Services had been working with the P&Z Board to come up with some recommendations on how to address upgrading their commercial plazas and shopping centers and what should be the appropriate trigger to do that.

MR. ZUCCHINI discussed new development versus redevelopment.

Discussion ensued.

DIRECTOR OF BUILDING RICHARD R. NIXON spoke on this Item.

Discussion ensued.

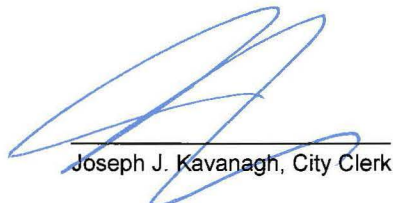
CONSENSUS was given by the City Commission for staff to bring back an Ordinance with recommendations addressing inspections, landscaping, lighting and a variety of other elements.

ADJOURNMENT

There being no further business, the meeting adjourned at 10:57pm.

Respectfully submitted,

Transcribed by Salene E. Edwards



Joseph J. Kavanagh, City Clerk

Date: 12/12/19

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.