



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, January 22, 2020

6:30 PM

Commission Chambers

CALL TO ORDER

ROLL CALL

Commissioner Caggiano attended via telephone starting at 8:00 p.m.

Present: 4 - Commissioner Anthony N. Caggiano, Commissioner Joanne Simone, Commissioner Antonio V. Arserio and Mayor Tommy Ruzzano

Absent: 1 - Vice Mayor Arlene R. Schwartz

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

MOMENT OF SILENCE - INVOCATION

PLEDGE OF ALLEGIANCE

1) PRESENTATION(S)

- A.** [ID 2019-648](#) HOME OF THE MONTH - DECEMBER 2019
(Elvis and Victoria John Baptiste, 6921 West Atlantic Boulevard)

STUDENTS AND TEACHERS OF THE MONTH

- B.** [ID 2019-646](#) ABUNDANT LIFE CHRISTIAN ACADEMY: JONATHAN McCLEOD (Student), ; ANA BRANDAO (Teacher), (Mrs. Marta Palhano, Teacher Supervisor or Mrs. Renate Ramirez, Assistant Principal)

ATLANTIC WEST ELEMENTARY: EMALYNN TORRES (Student), ; KATRINA LOMIDZE (Teacher), (Mr. William Hartner, Acting Principal and/or Ms. Jounice Lewis, Assistant Principal)

LIBERTY ELEMENTARY: JASON OCTAVIUS (Student),; CORINNE MILLER (Teacher),

(Mr. Matthew Whaley, Principal and/or Ms. Donna Styles, Assistant Principal)

MARGATE ELEMENTARY: SOPHIA RUZZANO (Student), ; LAUREN JEDWAB (Teacher),

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

MARGATE MIDDLE: JADA COOK (Student), ; KATRICE DIXON (Teacher),

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

RISE ACADEMY SCHOOL OF SCIENCE AND TECHNOLOGY: LUCA

DELIMA (Student), ; ANNEMARIE BROWN (Teacher), (Adriana Guerra, Principal)

WEST BROWARD ACADEMY: NESTA BORES GIRARD (Student), ;

KATHERINE RZECZYCKI (Teacher), (Mr. Will Pickens, Principal and/or Assistant Principal Mr. Derrick Hugue)

2) PUBLIC DISCUSSION

ARTHUR J. KRELL, 6117 EDWARDS ROAD referenced the City's Charter; Section 8, Article 8. He also spoke about Code violations on West Palm Drive and East Palm Drive.

ELSA J. SANCHEZ, 6930 NW 15TH STREET wished the City staff and Commission a happy and healthy 2020. She referred to the last meeting where she made a request to reinstate Teresa L. DeCristofaro to Community Emergency Response Team (CERT) and asked the City Manager Curtis for the situation to be remedied. She formally requested a response in writing if Mrs. DeCristofaro's reinstatement was denied. She thanked Building Director Nixon and Chief Structural Engineer Valentino for their help and guidance in the renovation of the kitchen at the Club House in Paradise Gardens III. She thanked Chief of Police Shaw for his prompt attention to the issue of the 18th Street problem on parking and access on both sides of the street. She referenced an accident on Lyons Road and thanked Fire Chief Lorenzo, the Fire Department Paramedics and Recovery teams.

JULIE JONES, 7871 NW 1ST STREET referenced a first page article by Debbie Wasserman Schultz in the Sun Sentinel in August 2019 and discussed former Mayor Caggiano.

RICH ALIANIELLO, 7631 NW 23RD STREET wished everyone a Happy New Year and welcomed back the City Commission. He spoke about a horrific accident on Royal Palm Boulevard.

MITCH PELLECCCHIA, 6890 NW 9TH STREET requested an update on the Covered Sports Project at the Sports Complex.

MAYOR TOMMY RUZZANO provided an update on the project.

Discussion ensued.

CITY MANAGER CALE D. CURTIS advised that he would speak with the Community Redevelopment Agency (CRA) Director for a summary and that he would also provide an update at the next meeting.

RICHARD ZUCCHINI, 380 LAKEWOOD CIRCLE E, #B referenced Quality Of Life and

discussed the possibility of Margate being the only Veterans' Posttraumatic Stress Disorder (PTSD) Care Facility in Broward County.

LAUREN BERACHA, 6950 NW 14TH PLACE said that over the last few years, Margate residents had been disrespected but she welcomed Mayor Ruzzano and asked him to set a precedent. She discussed hardship amongst residents in Margate and referenced the City Commission's pay raises and the Car Allowance and the increase in the Fire Assessment.

3) COMMISSION COMMENTS

COMMISSIONER SIMONE wished everyone a Happy New Year and discussed and warned against scammers. She asked the public to keep the families of the boys that were involved a tragic accident on 441 in their thoughts and prayers.

COMMISSIONER ANTONIO V. ARSERIO wished everyone a happy and healthy New Year.

MAYOR RUZZANO wished everybody a Happy New Year and spoke about comments that were made under Public Discussion. He spoke about his family adopting a dog at Christmas and referenced rescue dogs. He indicated that the Dog Park should commence in a couple of months and that they were awaiting a permit. He also gave an update on Southeast Park.

CITY ATTORNEY JANETTE M. SMITH echoed everyone's Happy New Year wishes. She asked for direction on an Agenda Item that would place Nuisance Abatements on the Broward County tax rolls.

CONSENSUS was given by the City Commission to wait for more research and look into this for next year.

COMMISSIONER ANTHONY N. CAGGIANO said that he was excited to represent the City as they have discussed so many issues that concern Margate residents. He wished everyone a happy, healthy and prosperous New Year.

4) CITY MANAGER'S REPORT

CITY MANAGER CURTIS wished everyone a Happy New Year. He provided City updates which included the Police Department's increase in social media presence by the use of Twitter. He also advised that Southeast Park should be complete by the end of April 2020 and that the Sports Complex LED light replacement was approximately 2/3 complete and the project should be finalized by the first week of February 2020. He also said that the overall crime rate for Margate was down by seven percent from the previous year and that it was named the fifth safest mid-sized City in the State of Florida. He congratulated Chief Shaw and his staff.

8) DISCUSSION AND POSSIBLE ACTION

- A. [ID 2020-022](#) SPONSORSHIP, WAIVING OF FEES, USE OF CITY LOGO - BROWARD COUNTY WATERWAY CLEANUP.

MAYOR RUZZANO said it was an awesome event. He said that he was fully behind this and that their waterways was critical in the City.

Discussion ensued.

MARINE INDUSTRIES ASSOCIATION OF SOUTH FLORIDA, NICOLE HOEKSTRA said that they had been running the Broward County Waterway Cleanup which was now in its 43rd year. She indicated that she was working in conjunction with Mitch Pellecchia's Margate Waterfront Foundation.

MARGATE WATERFRONT FOUNDATION, MITCH PELLECCCHIA, 6890 NW 9TH STREET discussed and thanked Commissioners Arserio, Caggiano and Simone for their attendance in 2019 pertaining to his foundation. He said that he would also like to see this as a City event and would appreciate if the City could supply a Site Coordinator to assist him with this function together with any help in promoting the same. He confirmed that there would be no cost to advertise in Margatenews.net.

Discussion ensued on the event which would take place on March 7th, 2020 and sponsorship.

CITY MANAGER CURTIS explained that this Item would provide use of the site, waive the site fees and provide use of the City's logo.

CONSENSUS was given by the City Commission to move forward with the Item.

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 2020-001](#) MOTION - APPROVAL OF CITY COMMISSION MINUTES: NOVEMBER 20, 2019 - REGULAR CITY COMMISSION MEETING; DECEMBER 4, 2019 - REGULAR CITY COMMISSION MEETING; DECEMBER 11, 2019 - REGULAR CITY COMMISSION MEETING.

APPROVED

- B. [ID 2019-657](#) RESOLUTION - APPROVING THE RECLASSIFICATION OF ALL SERVICE WORKER I POSITIONS WITHIN THE PARKS AND RECREATION DEPARTMENT TO MAINTENANCE WORKER I POSITIONS. APPROVED CHANGES TO BE INCLUDED IN THE FY 2020 BUDGET AMENDMENT. PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION 20-001

APPROVED

Approval of the Consent Agenda

A motion was made by Commissioner Caggiano, seconded by Commissioner Arserio, to approve the Consent Agenda. The motion carried by the following vote:

Yes: 4 - Commissioner Caggiano, Commissioner Simone, Commissioner Arserio and Mayor Ruzzano

Absent: 1 - Vice Mayor Schwartz

6) RESOLUTION(S)

- A. [ID 2020-005](#) A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, APPROVING FIRE STATION #58 REPLACEMENT GRANT AGREEMENT BETWEEN STATE OF FLORIDA DEPARTMENT OF FINANCIAL SERVICES AND CITY OF MARGATE AND ACCEPTING \$1,000,000 IN FUNDING PURSUANT TO THE GENERAL APPROPRIATIONS ACT FOR THE 2018-2019 FISCAL YEAR FOR THE PURCHASE OF PROPERTY FOR FIRE ADMINISTRATION AND DESIGN & RELATED SERVICES; PROVIDING FOR EFFECTIVE DATE.

RESOLUTION 20-002

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

Yes: 4 - Commissioner Caggiano, Commissioner Simone, Commissioner Arserio and Mayor Ruzzano

Absent: 1 - Vice Mayor Schwartz

7) ORDINANCE(S) - FIRST READING

- A. [ID 2019-658](#) AN ORDINANCE OF THE CITY OF MARGATE, FLORIDA, AMENDING APPENDIX-A ZONING, ARTICLE III - GENERAL PROVISIONS, SECTION 3.10 - ABANDONED VEHICLES; PROVIDING FOR DEFINITIONS; PROVIDING FOR REPEAL; 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, should be approved.

COMMISSIONER CAGGIANO gave his interpretation of an abandoned vehicle and provided an example of a car being parked on his driveway. He explained at length why he opposed this Ordinance.

Discussion ensued.

MR. ZUCCHINI explained that this Ordinance would not really work and provided an example that if a car was covered, the Code Officers could not give you a Code violation as the Police was not allowed to lift up the car cover and look underneath to see if it was registered. He said that they would have to define Abandoned vs. Inoperable vs. Unregistered.

Discussion ensued on abandoned vehicles.

MS. SANCHEZ spoke in favor of this Ordinance and addressed Mr. Zucchini's comments.

COMMISSIONER CAGGIANO continued his discussion against this Ordinance.

CITY MANAGER CURTIS explained that approximately 50% of Code Service calls for were abandoned vehicles and due to the way the City's Code was currently written, they could not do anything about addressing this issue which they were looking to rectify. He said it was a larger issue for the City to address nuisance and eyesores throughout the City.

Discussion ensued.

VALERIE PERRY, 6812 DOGWOOD LANE spoke on this Item.

CITY ATTORNEY SMITH confirmed that the only change in this Ordinance was eliminating language that was stated as required by law and referenced Section 4.0.16 which provided additional definitions.

The motion carried by the following vote:

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

No: 1 - Commissioner Caggiano

Absent: 1 - Vice Mayor Schwartz

- B.** [ID 2020-013](#) 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 Arserio, seconded by Commissioner Simone, that this Ordinance, First Reading, should be discussed.

COMMISSIONER SIMONE explained that part of the Parking Plan Ordinance she agreed with and referenced eliminating the minimum number of required parking spaces for non-residential use and the property owners being responsible for updating their shopping centers. She said that she had reservations on eliminating the shared parking and she indicated that there were too many components being lumped together in the one Ordinance.

An amendment was made by Commissioner Simone, seconded by Mayor Ruzzano, to remove the elimination of the shared parking topic from this Ordinance; to research the effectiveness of the change in Broward County and to vote on it separately at a future City Commission meeting.

Discussion ensued.

MR. ZUCCHINI agreed that they would need to look at this very carefully as they did not understand the ramifications of this Ordinance. He provided an example by saying that they would eliminate a minimum of commercial standards which would dramatically affect shared parking and indicated that responsibility would be placed on the Director of Development Services who would have to make a judgment call.

CITY MANAGER CURTIS confirmed that they were removing the isolation of shared parking pending further information and analysis from staff and explained that it would not come back until the Second Reading.

The amendment carried by the following vote:

Yes: 4 - Commissioner Caggiano, Commissioner Simone, Commissioner Arserio and Mayor Ruzzano

Absent: 1 - Vice Mayor Schwartz

The original motion as amended carried by the following vote:

Yes: 4 - Commissioner Caggiano, Commissioner Simone, Commissioner Arserio and Mayor Ruzzano

Absent: 1 - Vice Mayor Schwartz

Meeting went into Recess.

Meeting Reconvened.

- C. [ID 2020-018](#) AN ORDINANCE OF THE CITY OF MARGATE, FLORIDA, AMENDING APPENDIX-A ZONING; ARTICLE III GENERAL PROVISIONS, SECTION 3.22. ALCOHOLIC BEVERAGES; PROVIDING FOR HOURS OF OPERATION FOR ESTABLISHMENTS LICENSED TO SERVE OR SELL ALCOHOL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Commissioner Caggiano, seconded by Mayor Ruzzano, that this Ordinance, First Reading, should be discussed.

MAYOR RUZZANO asked if this Item did not pass, whether it would revert back to the application fee the way that it was with the operational hours of 4:00am on Fridays and Saturdays and midnight during the week. He said that they were trying to be as

business friendly as possible and leave it up to the owners. He advised that he would not recommend making it 12:00am across the board and indicated that if someone wanted a 2:00am license, the application fee should be increased to \$500. He suggested that for a 4:00am license, a fee could be put on the license which they could discuss.

Discussion ensued.

CITY ATTORNEY SMITH read a statement on behalf of Vice Mayor Schwartz who was absent from the meeting.

Discussion ensued.

AMERICAN LEGION SERVICE OFFICER, SUSAN BUTLER spoke on this Item and suggested a special permit or a one-time use per year permit.

BOHIO LATIN FLAVORS REPRESENTATIVE, 2181 N STATE RD 7 explained that they were relatively a new business and that they needed the operational hours, especially for Fridays and Saturdays until 4:00am.

JESSIE'S X-TREME SPORTS BAR, JESSIE WALCUTT, 5442 WEST ATLANTIC BOULEVARD said that Ms. Butler had a good idea by suggesting permitting for one night licenses and that he also liked that the holidays were put in the Code. He was onboard with Mayor Ruzzano's tiered method of 2:00am and 4:00am but was against the high premium for the weekends.

Discussion ensued on opening until 4:00am, seven days per week.

MS. SANCHEZ questioned if they reviewed the businesses before and after the license was granted and referenced the removal of permits and licenses.

Discussion ensued.

GERRI'S SPORTS PUB REPRESENTATIVE, 6500 W. ATLANTIC BOULEVARD said that he was happy for Fridays and Saturdays until 4:00am and the rest of days until 2:00am.

BRADY'S IRISH PUB, THOMAS READ, 9860 STATE ROAD 7 said that he was happy with the way it was now and also referenced special holidays and a Florida 4COP Liquor License.

CAROLINA CLUB GOLF COURSE PHYLLIS TAYLOR, questioned if they had looked at Licenses in surrounding towns.

Discussion ensued.

MRS. BERACHA discussed hitting small business owners with more money.

CITY ATTORNEY SMITH read and sought clarification on how the current Ordinance was written.

GERRI'S SPORTS BAR REPRESENTATIVE discussed the potential increase in fees for the license.

BRADY'S IRISH PUB READ queried why they had to make a big change in the license

as it never used to be a problem. He said that they should vote it down and revert back to how it used to be.

The motion carried as follows:

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

No: 1 - Commissioner Simone

Absent: 1 - Vice Mayor Schwartz

Discussion occurred on bringing back a tiered fee system on the Second Reading at the January 29, 2020 Regular City Commission meeting.

ADJOURNMENT

There being no further business, the meeting adjourned at 10:26pm.

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.