



City of Margate

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

Meeting Minutes Regular City Commission Meeting

Mayor Arlene R. Schwartz
Vice Mayor Antonio V. Arserio
Commissioners:

Anthony N. Caggiano, Tommy Ruzzano, Joanne Simone

City Manager Cale Curtis
Interim City Attorney Weiss Serota Helfman Cole & Bierman
City Clerk Joseph J. Kavanagh

Wednesday, October 6, 2021

6:30 PM

Commission Chambers and Zoom.us

Webinar ID: 879 2753 2147

<https://us02web.zoom.us/j/87927532147>

CALL TO ORDER

ROLL CALL

Commissioner Ruzzano arrived at 6:37 p.m.

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

Mayor, Vice Mayor and City Commissioners attended in person.

City Manager Curtis attended in person.

Interim City Attorney Tolces attended in person.

City Clerk Kavanagh attended in person.

MOMENT OF SILENCE - INVOCATION

PLEDGE OF ALLEGIANCE

1) PRESENTATION(S)

STUDENTS AND TEACHERS OF THE MONTH

A. [ID 2021-408](#) ABUNDANT LIFE CHRISTIAN ACADEMY: BEATRIZ MELO (Student); CARMEN MONDESIR (Teacher), (Mrs. Stacy Angier, Principal and/or Mrs. Renate Ramirez, Assistant Principal)

ATLANTIC WEST ELEMENTARY: CHASE ROBBIE (Student); CHERYL CHARLES (Teacher), (Mrs. Shereen R. Reynolds, Principal and Dr. Latonya Cooper, Assistant Principal)

MARGATE ELEMENTARY: DIEGO CASTRO (Student); JOSHUA BRODSKY

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

MARGATE MIDDLE: CHRISTINA DIAZ (Student); PHYLLIS RICHARDS (Teacher), (Mrs. Sabine Phillips, Principal and/or Assistant Principal)

RISE ACADEMY SCHOOL OF SCIENCE AND TECHNOLOGY: VICTORIA LIMA DE JESUS (Student); LUIS PARRA (Teacher), (Dr. Adriana Guerra, Principal)

WEST BROWARD ACADEMY: JADALYNN HURST (Student); ELISA VALENTIN (Teacher), (Mr. Derrick Hugue, Principal and/or Assistant Principal Ms. Rossana Padron)

PROCLAMATION(S)

- C. [ID 2021-410](#) FIRE PREVENTION WEEK - OCTOBER 3-9, 2021 (presented to Fire Chief Roberto Lorenzo)
- B. [ID 2021-409](#) FLORIDA CITY GOVERNMENT WEEK - OCTOBER 18-24, 2021
- D. [ID 2021-411](#) BREAST CANCER AWARENESS MONTH - OCTOBER, 2021

2) PUBLIC DISCUSSION

TRACY VAN WINKLE, 1020 SW 61ST AVENUE, congratulated Margate Middle School Girls' Soccer team on getting to the playoffs. She discussed social media platforms and referenced blue checks on Facebook and fake news. She discussed the City's full time hours, square mileage in Margate and referenced perks and a \$300 car allowance. She complained about the trash in the City and spoke about residents seats.

RICH ALIANIELLO, 7631 NW 23RD STREET, spoke about the 2% pay raise that was discussed at the last City Commission meeting. He asked people not to throw trash outside their car. He suggested that they should have stayed with Waste Management when their contract expired next February. He said that the City Commission was doing a good job and they earned everything they did.

VICE MAYOR ANTONIO V. ARSERIO responded to Mr. Alianiello's comments on Waste Management.

MARIE H. GRIFFIN, 2902 NW 62ND AVENUE, discussed an issue pertaining to a shed being placed on her property since April.

MAYOR ARLENE R. SCHWARTZ responded to Ms. Griffin's comments.

Discussion ensued with the City Commission.

LAUREN BERACHA, 6950 NW 14TH PLACE, spoke about accidents caused by speeding on Margate Boulevard and surrounding roads.

3) COMMISSION COMMENTS

COMMISSIONER CAGGIANO said everyone had a great time at last Saturday's Sounds

at Sundown. He highlighted the upcoming recycled paint and Fall Festival events.

COMMISSIONER JOANNE SIMONE questioned if there was an update on the faulty electronic speed sign on Rock Island Road.

CITY MANAGER CALE CURTIS advised that he would follow this up with Acting Chief of Police Galaska on getting that sign reprogrammed.

COMMISSIONER JOANNE SIMONE explained that new information about Acting Chief of Police Galaska had surfaced today and she read a statement. She asked for a reconsideration of the appointment of Acting Chief of Police Galaska and the City's Internal Affairs (IA).

Discussion ensued.

CITY MANAGER CALE CURTIS explained that he had received an email with additional complaints regarding the Police Department. He advised that he would be working with the Interim City Attorney's Office to procure an independent 3rd party to investigate the complaints and the entire Police Department.

INTERIM CITY ATTORNEY DAVID N. TOLCES explained the legalities pertaining to making a motion.

A motion was made by Commissioner Simone, to reconsider the appointment of Joseph Galaska as Acting Chief of Police. The motion died for lack of a second.

A motion was made by Commissioner Simone, to reconsider to not have Margate Police IA conduct the investigation into the complaints against former Chief of Police, Jon Shaw. The motion died for lack of a second.

Discussion ensued.

COMMISSIONER TOMMY RUZZANO said he talked with Broward County School Board Representative, Lori Alhadeff and that they were looking to redistrict and give Margate a third School Board member with no schools.

Discussion ensued.

COMMISSIONER RUZZANO said that the Sounds at Sundown was awesome and that Parks and Recreation did a great job. He highlighted the upcoming Fall Festival event and confirmed that Calypso Cove was now closed until next season. He said that they started baseball back last night.

VICE MAYOR ANTONIO V. ARSERIO highlighted the opening of a Brazilian Steakhouse in Margate.

MAYOR ARLENE R. SCHWARTZ highlighted the attendance at the last Sounds at Sundown and advised on future City events. She referenced a newspaper article and said

that the City of Tamarac was imposing the collection of a non-ad valorem assessment for nuisance abatement and indicated that Margate should introduce this system. She continued to explain the process of the non-ad valorem.

INTERIM CITY ATTORNEY TOLCES advised that the non-ad valorem assessment for a nuisance abatement was specifically related to activities actually taken by the City to remedy nuisances on properties and therefore, the Code Enforcement were separate.

Discussion ensued with the possibility of adding this Item on a future Agenda.

COMMISSIONER CAGGIANO wanted to thank the Public Information Office for seeing Margate being celebrated and referenced that the City was on the front page of The Forum.

4) CITY MANAGER'S REPORT

CITY MANAGER CURTIS advised that the design of the Winfield Boulevard Bridge was almost 90 percent complete but construction funding within the surtax funds had not been obligated in the five year plan. He said that they would continue to work with them to see if they could re-prioritize any funds for almost a complete design but they were reliant upon Broward County obligating funding for their projects. He was informed that the City's Police Department had been working with Coral Springs' Police Department pertaining to the Coral Bay traffic issues.

VICE MAYOR ARSERIO referenced proper community outreach and to inform other appropriate parties what action had been taken.

CITY MANAGER CURTIS highlighted that the Police Department was hosting their annual Trunk or Treat event.

COMMISSIONER RUZZANO received an inquiry from a Community Redevelopment Agency (CRA) business asking if they could be incorporated with the City's Trunk or Treat event and continue handing out candy when Margate completed their own.

Discussion ensued.

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 2021-412](#) MOTION - APPROVAL OF CITY COMMISSION MINUTES: AUGUST 25, 2021, REGULAR CITY COMMISSION MEETING; SEPTEMBER 4, 1997, SPECIAL CITY COMMISSION MEETING; OCTOBER 30, 1996, CITY COMMISSION WORKSHOP.

CITY CLERK JOSEPH J. KAVANAGH explained that a full audit of all the Minutes for the City Commission was conducted and that there was approximately 10 meetings from the 1990s that the City Clerk's office found no record of. He advised that as they were transitioning to an electronic records management software called Laserfiche, it was his obligation to create minutes for these meetings. He consulted with their Interim City Attorney to ensure that they were following the best practices.

Discussion ensued.

INTERIM CITY ATTORNEY TOLCES advised that by approving these Minutes, they were not attesting to the accuracy but just confirming that they were the records of the City.

Approval of the Consent Agenda

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

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

6) RESOLUTION(S)

- A. [ID 2021-392](#) A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, PROVIDING FOR CONSIDERATION OF AN UNDERGROUND WIRING WAIVER FOR THE NEW 135,000 SQUARE FEET OF WAREHOUSING AND DISTRIBUTION CENTER LOCATED AT 5301 WEST COPANS ROAD

RESOLUTION 21-081

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

COMMISSIONER RUZZANO referenced that the next three Items would be on this building and queried whether there were any neighbors in attendance who would be questioning these Resolutions.

CITY MANAGER CURTIS said that the Item before them was waiving the underground and utility requirements and in lieu, requiring the applicant to pay into a fund with an amount equal to the cost of undergrounding those wires.

Discussion ensued.

GREENSPOON MARDER LLP, PARTNER, DENNIS. D MELE, 200 EAST BROWARD BOULEVARD discussed this Item.

Discussion ensued.

INTERIM City ATTORNEY TOLCES restated the motion.

A motion was made by Commissioner Caggiano, seconded by Vice Mayor Arserio, that this Resolution of the City of Margate, Florida, approving a waiver for the utility undergrounding requirement for the property located at 5301 West Copans Road, Margate, Florida, subject to conditions providing for payment to the City's Underground Utility Trust Fund, providing for an effective date, providing for deferral of payment. This carried by the following vote:

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

- B.** [ID 2021-414](#) A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, APPROVING SUBDIVISION RESURVEY FOR “FIRSTGATE COMMERCE CENTER” TO BE LOCATED AT 5301 COPANS ROAD; PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION 21-082

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

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

- C.** [ID 2021-417](#) A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, APPROVING WITH CONDITIONS A PLAT NOTE AMENDMENT ON “SHERMAN PLAT,” ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 144, PAGE 26, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; TO SUBDIVIDE TRACT “A” INTO PARCELS “A” AND “B” AND TO ADD A PLAT NOTE TO PROVIDE FOR 135,000 SQUARE FEET OF INDUSTRIAL USE ON PARCEL “B”; PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION 21-083

INTERIM CITY ATTORNEY TOLCES read modified conditions of approval into the record for addendum #2.

Applicant shall make good faith efforts to:

*Limit trucks traveling north bound on Banks Road, north of Northwest 24th Street, including placing signage on their property providing for no left turns onto Banks Road from Northwest 24th Street.

*Petition Broward County for signage on the center island prohibiting u-turns.

*Work with the City for additional signage and implementation of traffic control measures to minimize large trucks driving on Banks Road, subject to traffic circulation plan as part of the site plan review.

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

COMMISSIONER RUZZANO requested that the City consider a sign with penalties that say "no trucks allowed on Banks Road."

VICE MAYOR ARSERIO concurred with Commissioner Ruzzano's comments pertaining to the last Planning and Zoning (P&Z) meeting. He advised that this was not a rezoning

matter.

Discussion ensued.

MR. ALIANIELLO said it would be a good idea for a "no tractor trailers" sign on Banks Road.

The motion carried as follows:

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

D. [ID 2021-418](#) A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, APPROVING APPOINTMENT OF:

TO THE FIVE MEMBER MARGATE PLANNING & ZONING BOARD FOR A TERM COMMENCING OCTOBER 7, 2021 - MARCH 24, 2022.

RESOLUTION 21-084

VICE MAYOR ARSERIO said that many good applicants applied and he believed that they were all qualified. He explained that the previous Planning & Zoning Board member, who did not leave on bad terms, re-applied and he did not see a reason not to reappoint him again.

A motion was made by Vice Mayor Arserio to appoint Rob Reiner. The motion died for lack of a second.

A motion was made by Vice Mayor Arserio, seconded by Commissioner Caggiano, to appoint Grant O'Donnell.

RICHARD ZUCCHINI, 380 LAKEWOOD CIRCLE E, expressed his disappointment that candidate, Rob Reiner, was not re-selected for this Item and urged the City Commission to reconsider.

MS. VAN WINKLE believed in new blood and said that they should try Mr. O'Donnell.

JULI VAN DER MEULEN, 2913 NW 68 LN., totally agreed that someone new should be appointed to the Board.

The motion carried as follows:

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

ADJOURNMENT

There being no further business, the meeting adjourned at 8:16pm.

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.

The City of Margate will be holding this meeting through the use of electronic communication. Members of the public are invited to join the City of Margate meeting by accessing the meeting through Zoom using Webinar ID: 879 2753 2147 or can call in via telephone by calling one of the following phone numbers: US: +1 312 626 6799 or +1 929 205 6099.

- A copy of the Agenda for this Meeting is posted on www.MargateFL.com and on the main bulletin board outside City Hall located at 5790 Margate Blvd, Margate, FL 33063.

- Any comments related to any item on the agenda can be submitted to the City of Margate via the following e-mail address: JJKAVANAGH@margatefl.com.

THROUGH THE CITY'S WEBSITE:

Go to www.margatefl.com

Go to "Agendas & Minutes" > Find the respective meeting date and click "Agenda Summary" to view the agenda items and see the Zoom meeting website address

PRIOR to the start of the meeting, email Public Comments to JJKAVANAGH@margatefl.com (all public comments that are three (3) minutes or less will be read into the record.)

ALTERNATE OPTION FOR VIEWING AND PARTICIPATING IN THE MEETING:

THROUGH ZOOM TECHNOLOGY:

Instructions for Attendees\Participants:

Topic: "Virtual Meeting - Margate Regular City Commission "

Enter the following link to join the webinar: <https://us02web.zoom.us/j/87927532147>

Telephone:

Dial (for higher quality, dial a number based on your current location):

US: +1 312 626 6799 or +1 929 205 6099

Webinar ID: 879 2753 2147

To virtually raise hand and be acknowledged to speak:

1. Users who call in can dial *9 to raise their hand and dial *6 to toggle mute/unmute
2. If going through mobile (phone\tablet) app, to raise hand select "Participants", then see option to raise hand.
3. On the computer users should click "Participants" then see option to raise hand
4. Once you have been selected to speak, you will be prompted to unmute your device or stay muted.