



# City of Margate

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

## Meeting Minutes Regular City Commission Meeting

*Mayor Joanne Simone*  
*Vice Mayor Tommy Ruzzano*  
*Commissioners:*  
*Joyce W. Bryan, Lesa Peerman, Frank B. Talerico*

*City Manager Douglas E. Smith*  
*City Attorney Eugene M. Steinfeld*  
*City Clerk Joseph J. Kavanagh*

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Wednesday, September 16, 2015

7:00 PM

Commission Chambers

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### CALL TO ORDER

**Present:** 5 - Commissioner Lesa 'Le' Peerman, Commissioner Joyce W. Bryan, Commissioner Frank B. Talerico, Vice Mayor Tommy Ruzzano and Mayor Joanne Simone

#### In Attendance:

City Manager Douglas E. Smith  
City Attorney Eugene M. Steinfeld  
City Clerk Joseph J. Kavanagh

### PLEDGE OF ALLEGIANCE

ID 14-1360 GIRL SCOUT TROOP 10561, TROOP LEADER KARLA MOYER

### 1) PRESENTATION(S)

**A.** ID 14-1343 2015 RELAY FOR LIFE (presented by Chelsea Wagner, Community Manager, American Cancer Society)

### ATHLETE OF THE MONTH

**B.** ID 14-1353 BASEBALL: QUENTIN "Q" HENSEL, 12 YEARS OLD  
(Margate Pony Elite Baseball and Softball, Bronco All-Stars)

### EMPLOYEE RECOGNITION FOR YEARS OF SERVICE

**C.** ID 14-1359 JOSEPH JAMES GALASKA, POLICE LIEUTENANT, POLICE DEPARTMENT - 20 YEARS

STEPHEN MAURICETTE, SERVICE WORKER, PARKS AND RECREATION - 20 YEARS

LLOYD KURTZMAN, FIREFIGHTER/PARAMEDIC, FIRE DEPARTMENT - 10 YEARS

**SPECIAL PRESENTATION - AMERICAN PUBLIC WORKS ASSOCIATION**

*The Branch Chairman's Award was presented by the American Public Works Association to the Director of Public Works Sam May, past two year Chairman of the Florida Chapter and current Vice President.*

***RECESS - Cake and Refreshments will be served in the City Hall Lobby***

**2) COMMISSION COMMENTS**

COMMISSIONER PEERMAN made no comments.

COMMISSIONER TALERICO congratulated the Community Emergency Response Team (CERT) for being awarded CERT Team of the Year for the State of Florida.

COMMISSIONER BRYAN said that a fun night was had at the Sock Hop. She congratulated the employees for their recognitions. She mentioned attending the Autism Speaks event in Davie. She noted that 3 out of 4 of the panelists had children with Autism and the event focused on how to obtain assistance getting housing and medical opportunities. She said that she was thinking of what the City could do for the community with regard to disabilities and services. She sent condolences to the Coconut Creek Commission who recently lost her son.

VICE MAYOR RUZZANO congratulated City Clerk Joseph J. Kavanagh on the Relay for Life and the outstanding job he did. He mentioned that Coconut Creek would Chair the event next year. He also thanked the City Clerk for everything he did. He said that he was excited about all that was going on in Margate, and about the Budget. He spoke about the horrible traffic that would get worse when the new development was completed.

MAYOR SIMONE congratulated and thanked the CERT Team for all they did. She congratulated the City Clerk for the Relay for Life. She noted that the Budget was passed and the millage rate was set and not raised. She said that Margate had a lot to be proud of and that the City was financially stable with good reserves. She stated that Margate was a full service City with its own Water Department, ISO Rated Class One Fire Department, State Accredited Police Department, a great Hospital and a wonderful Senior Center. She spoke about the Downtown development and the new Community Center and Amphitheater. She added that the City had 30 miles of waterway and hoped to use some of that waterway with the new Downtown. She said that Margate had a Hometown feel with the Sounds of Sundown and the Under the Moon Programs. She added that there was a new Sign Code for businesses, which would allow Margate to be more business friendly. She mentioned the good working relationship the City had with the Chamber of Commerce. She stated that a Master Plan was just done for Public Works and there were two new residential projects underway. She thanked everyone.

**3) PUBLIC DISCUSSION**

*There was no Public Discussion.*

**4) CONSENT AGENDA**

- A.     ID 14-1356     RESOLUTION - APPROVING THE UTILITY EASEMENT DEED FOR MAINTENANCE OF WATER AND SEWER FACILITIES LOCATED AT 3000 NORTH STATE ROAD 7 (WALGREEN CO.).

*Resolution 15-089*

- B. ID 14-1363 RESOLUTION - APPROVING THE UTILITY EASEMENT DEED FOR MAINTENANCE OF WATER AND SEWER FACILITIES LOCATED IN A PORTION OF PARCEL "A" ALEXANDER PLAT AND PORTION OF TRACT "A" CORAL GATE COMMERCIAL PLAT.

*Resolution 15-090***Approval of the Consent Agenda**

**A motion was made by Commissioner Bryan, seconded by Commissioner Peerman, to approve the Consent Agenda. The motion carried by the following vote:**

**Yes: 5 -** Commissioner Peerman, Commissioner Bryan, Commissioner Talerico, Vice Mayor Ruzzano and Mayor Simone

**5) CITY MANAGER'S REPORT**

*CITY MANAGER DOUGLAS E. SMITH provided the following updates:*

- *The Household Hazardous Waste Collection event was taking place at Oriole Park on September 26, 2015, at 9:00 a.m.*
- *The Police Department was working with CVS on the National Prescription Drug Take Back Day on September 26, 2015, at 10:00 a.m.*
- *Provided the Budget and Brief Handout for Fiscal Year 2016, providing summary information, which was available in the Lobby.*
- *Thanked the Mayor and Commission for their support and approval of the Budget, and thanked the Finance Department and its Staff, all the Department Heads, as well as his Staff in his office for their work on the Budget.*
- *The Fall Festival was returning on Saturday, October 24, 2015, for 6:00 p.m., and that there would be elements recognizing the City's 60th Anniversary as well.*
- *The North end of the City construction projects were continuing. Those projects include The Laser Skin Care Center for Doctor Glick, Toscana Villas, Celebration Pointe Phase I, Miami Grill, which was at the former Arbys location. Roof repairs and interior renovation had started on the Miami Grill and the Development Review Committee (DRC) was recommending approval to reopen the drive-through facility to come before the Commission in the near future.*
- *The underground gas tanks for the Orion Gas Station at State Road 7 and Atlantic Boulevard were installed.*
- *There would be asphalt restoration work at Rock Island and NW 18th Street starting the week of September 21, 2015, and one lane in each direction would remain open.*
- *Pavement Preservation Treatment would be done on City maintained residential streets between Royal Palm Boulevard and Margate Boulevard starting Tuesday, September 22, 2015, and notification would go out to the residents in the area.*
- *The new Granicus Video Streaming testing would be completed this month and it was anticipated the new system would go live in October.*

*CITY MANAGER SMITH asked for the Commission support on bringing back an ordinance first reading in October on the Stormwater Rate changes, foregoing the authorization to advertise. He said that the direction from the previous Stormwater Rate Study Workshop meeting could bring the item to the first reading.*

*CONSENSUS was taken and all agreed.*

*CITY MANAGER SMITH introduced Mary Langley, the new Building Official, and he read aloud her biography. He then congratulated City Clerk Joseph J. Kavanagh on the Relay for Life, as well as Public Works Director Sam May for his special recognition.*

## 6) RESOLUTION(S)

- A. ID 14-1349 APPROVING THE CITY OF MARGATE STATE LEGISLATIVE PRIORITIES FOR THE 2016 STATE LEGISLATIVE SESSION

*Resolution 15-091*

**A motion was made by Commissioner Talerico, seconded by Vice Mayor Ruzzano, that this Resolution be approved. The motion carried by the following vote:**

**Yes:** 5 - Commissioner Peerman, Commissioner Bryan, Commissioner Talerico, Vice Mayor Ruzzano and Mayor Simone

- B. ID 14-1254 EXPRESSING THE CITY'S SUPPORT AND INTENTION TO CREATE WITHIN THE CITY OF MARGATE THE "FLORIDA GREEN ENERGY WORKS PROGRAM," "CLEAN GREEN ENERGY CORRIDOR DISTRICT," AND "FLORIDA PACE FUNDING AGENCY."

*Resolution 15-092*

**A motion was made by Commissioner Peerman, seconded by Commissioner Bryan, that this Resolution be approved. The motion carried by the following vote:**

**Yes:** 5 - Commissioner Peerman, Commissioner Bryan, Commissioner Talerico, Vice Mayor Ruzzano and Mayor Simone

- C. ID 14-1344 APPROVING A SOFTWARE LICENSE AND SERVICES AGREEMENT WITH SUNGARD PUBLIC SECTOR INC. AND FINANCING WITH GOVERNMENT CAPITAL, FOR ACQUISITION OF A PUBLIC SAFETY RECORDS MANAGEMENT SYSTEM AT AN ANNUAL COST FOR THE SYSTEM NOT TO EXCEED \$67,666.83 INCLUDING FINANCING OVER A FIVE YEAR PERIOD; PROVIDING FOR AN ADDITIONAL ANNUAL MAINTENANCE COST AFTER THE FIRST YEAR OF APPROXIMATELY \$27,353.44.

*Resolution 15-093*

**A motion was made by Commissioner Peerman, seconded by Commissioner Bryan, that this Resolution be approved. The motion failed by the following vote:**

**Yes:** 5 - Commissioner Peerman, Commissioner Bryan, Commissioner Talerico, Vice Mayor Ruzzano and Mayor Simone

- D. ID 14-1345 APPROVING EXTENSION OF THE AGREEMENT WITH J & J TOWING, INC., FOR A PERIOD OF FIVE (5) YEARS, TO PROVIDE TOWING SERVICES FOR THE CITY OF MARGATE AS PER THE SAME TERMS AND CONDITIONS AS THE INITIAL AGREEMENT; EXCEPT AS PROVIDED FOR CLASS "C" STORAGE RATES; PROVIDING FOR A RATE ADJUSTMENT FOR INSIDE

AND OUTSIDE STORAGE RATES FOR A CLASS "C" TOW FROM \$75.00/HR TO \$50.00/HR TO COMPLY WITH BROWARD COUNTY RESOLUTION 2015-051; PROVIDING FOR THE CONTINUATION OF THE ANNUAL SERVICE FEE OF \$52,000., PAYABLE TO THE CITY IN TWELVE (12) MONTHLY INSTALLMENTS OF \$4,333.33.

*Resolution 15-094*

**A motion was made by Commissioner Talerico, seconded by Commissioner Peerman, that this Resolution be approved. The motion carried by the following vote:**

**Yes: 5 - Commissioner Peerman, Commissioner Bryan, Commissioner Talerico, Vice Mayor Ruzzano and Mayor Simone**

- E.     ID 14-1354**     APPROVING EXTENSION OF THE UNIFORM RENTAL AGREEMENT WITH ARAMARK UNIFORM SERVICES, AT THE SAME TERMS AND CONDITIONS AS THE CURRENT AGREEMENT, THROUGH DECEMBER 31, 2015, OR UNTIL A NEW AGREEMENT IS AWARDED; WHICHEVER DATE IS FIRST.

*Resolution 15-095*

**A motion was made by Commissioner Talerico, seconded by Commissioner Bryan, that this Resolution be approved. The motion carried by the following vote:**

**Yes: 5 - Commissioner Peerman, Commissioner Bryan, Commissioner Talerico, Vice Mayor Ruzzano and Mayor Simone**

- F.     ID 14-1355**     ADOPTING A FUND BALANCE POLICY AND ESTABLISHING COMMITTED REVENUE SOURCES WITH INTERNALLY SELF-IMPOSED LIMITATIONS PURSUANT TO GOVERNMENTAL ACCOUNTING STANDARDS BOARD (GASB) STATEMENT NO. 54; PROVIDING FOR AN EFFECTIVE DATE.

*Resolution 15-096*

**A motion was made by Commissioner Bryan, seconded by Vice Mayor Ruzzano, that this Resolution be approved. The motion carried by the following vote:**

**Yes: 5 - Commissioner Peerman, Commissioner Bryan, Commissioner Talerico, Vice Mayor Ruzzano and Mayor Simone**

- G.     ID 14-1361**     APPROVING RENEWAL OF INSURANCE COVERAGE FOR PROPERTY/INLAND MARINE, GENERAL LIABILITY, PUBLIC OFFICIALS/EMPLOYMENT PRACTICES LIABILITY, AND EQUIPMENT BREAKDOWN INSURANCE, WITH PUBLIC RISK INSURANCE AGENCY (PRIA), FROM OCTOBER 1, 2015 TO SEPTEMBER 30, 2016.

*Resolution 15-097*

**A motion was made by Commissioner Talerico, seconded by Vice Mayor Ruzzano, that this Resolution be approved. The motion carried by the following vote:**

**Yes: 5 - Commissioner Peerman, Commissioner Bryan, Commissioner Talerico, Vice Mayor Ruzzano and Mayor Simone**

- H.     ID 14-1366     APPROVING AMENDMENT NO. 2 TO THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF COCONUT CREEK AND THE CITY OF MARGATE PROVIDING FOR DELIVERY OF EMERGENCY MEDICAL AND FIRE PROTECTION SERVICES (DATED OCTOBER 1, 2010); PROVIDING FOR ONE YEAR EXTENSION.

*Resolution 15-098*

**A motion was made by Commissioner Peerman, seconded by Commissioner Talerico, that this Resolution be approved. The motion carried by the following vote:**

**Yes: 5 -** Commissioner Peerman, Commissioner Bryan, Commissioner Talerico, Vice Mayor Ruzzano and Mayor Simone

- I.     ID 14-1369     APPROVING WAIVING OF BIDDING FOR THE PURCHASE OF TWO NEW GENERATORS TO REPLACE THE CURRENT INOPERABLE SKYWATCH TOWER GENERATORS FROM THE FIRM OF DON HILLMAN, INC. IN AN AMOUNT NOT TO EXCEED \$15,900.00.

*Resolution 15-099*

**A motion was made by Commissioner Bryan, seconded by Commissioner Peerman, that this Resolution be approved. The motion carried by the following vote:**

**Yes: 5 -** Commissioner Peerman, Commissioner Bryan, Commissioner Talerico, Vice Mayor Ruzzano and Mayor Simone

- J.     ID 14-1370     APPROVING PAY GRADE ADJUSTMENTS, NEW PAY GRADES, TITLE CHANGES, AND RESULTING PAY ADJUSTMENTS FOR NON-BARGAINING AND MANAGEMENT EMPLOYEES

*Resolution 15-100*

**A motion was made by Commissioner Peerman, seconded by Commissioner Bryan, that this Resolution be approved.**

**An amendment was made by Vice Mayor Tommy Ruzzano, seconded by Commissioner Lesa 'Le' Peerman, that the City Clerk and the Building Official Grades be moved up to Grade 50, and to separate the new position of Solid Waste Coordinator from the current Grade of 17 to Grade 14. The amendment carried by the following vote:**

**Yes: 5 -** Commissioner Peerman, Commissioner Bryan, Commissioner Talerico, Vice Mayor Ruzzano and Mayor Simone

**The original motion as amended carried by the following vote:**

**Yes: 5 -** Commissioner Peerman, Commissioner Bryan, Commissioner Talerico, Vice Mayor Ruzzano and Mayor Simone

- K.     ID 14-1374     APPROVING AN AGREEMENT FOR SETTLEMENT OF ALL CLAIMS BETWEEN THE CITY OF MARGATE AND ALZHEIMER'S FAMILY CENTER, INC. CONDITIONED UPON PURCHASE BY THE MARGATE COMMUNITY REDEVELOPMENT AGENCY (MCRA) OF THE PROPERTY LOCATED AT 6280 WEST ATLANTIC BOULEVARD FOR \$312,061.74.

*Resolution 15-101*

**A motion was made by Commissioner Peerman, seconded by Commissioner Talerico, that this Resolution be approved. The motion carried by the following vote:**

**Yes:** 4 - Commissioner Peerman, Commissioner Bryan, Commissioner Talerico and Mayor Simone

**No:** 1 - Vice Mayor Ruzzano

## **7) RESOLUTION(S) - QUASI-JUDICIAL HEARING**

- A.     ID 14-1365     CONSIDERATION OF RENEWAL OF SPECIAL PERMIT FOR EXTENDED HOURS OF ALCOHOL SALES FOR CONSUMPTION ON PREMISES FY 2015/2016 FOR:

VIRGILS VENTURES LLC., D/B/A O'MEARAS IRISH PUB  
Address: 1045, 1047, 1049, 1051 NORTH STATE ROAD 7 (District C)

*Resolution 15-102*

*MAYOR SIMONE explained that Section 286.0114 of the Florida State Statutes provided that discussion from the public was not required on this item. She provided the definition of an affected party and asked that any affected party be sworn in. She asked that any Commissioner that engaged in ex parte communications regarding this Quasi-Judicial Agenda item disclose that information. She explained that the communication included City Commission discussions with all interested parties, including the petitioner and City Staff, and that any visitations to the site being discussed shall be disclosed.*

*CITY CLERK JOSEPH J. KAVANAGH swore in those affected parties wishing to provide testimony.*

*VICE MAYOR RUZZANO disclosed that he had been to the establishment recently, but not to determine the site for purposes of this hearing.*

*POLICE CHIEF DANA WATSON said that part of his job was to review applications for permits for Extended Hours. He explained that some criteria looked at was whether there was a valid State License, Tax Receipts, and whether there were any Code issues with the business. He said that he did not recommend this establishment for Extended Hours because there was no Tax Receipt for the business and the establishment was in violation of several City Codes. He noted that both the Fire Department and the Building Department viewed the site. He stated that there were walls knocked down without permits. He noted that the building had ceased, but the establishment was still in violation of Codes that had not yet been rectified. He recommended that the Extended Hours permit not be approved.*

CITY ATTORNEY EUGENE STEINFELD said that under the Florida Building Code, if there was construction without a permit, the establishment was deemed to be an Unsafe Structure.

CHIEF WATSON stated that determination would have to be made by the Building Department and the Fire Department. He said that he had not personally inspected the site; however, walls torn down to adjacent bays were a concern to him. He noted that he was informed that the owner was aware that permits were needed prior to starting the building; however, walls had been knocked down in two different bays. He noted that there were not Police issues at the bar throughout the year with regard to Calls of Service.

**A motion was made by Commissioner Peerman, seconded by Commissioner Talerico, that this Quasi-Judicial Resolution be recommended for denial. The motion to deny carried by the following vote:**

**Yes: 5 - Commissioner Peerman, Commissioner Bryan, Commissioner Talerico, Vice Mayor Ruzzano and Mayor Simone**

**B. ID 14-1335**

CONSIDERATION OF A SPECIAL EXCEPTION USE, IN ORDER TO PERMIT A DANCE HALL WITH AN OCCUPANCY GREATER THAN 250 PERSONS WITHIN A TOC-C CORRIDOR ZONING DISTRICT, FOR GOLD CHOICE BALLROOM 343, 345, AND 347 S STATE ROAD 7.

*Resolution 15-103*

MAYOR SIMONE explained that Section 286.0114 of the Florida State Statutes provided that discussion from the public was not required on this item. She provided the definition of an affected party and asked that any affected party be sworn in. She asked that any Commissioner that engaged in ex parte communications regarding this Quasi-Judicial Agenda item disclose that information. She explained that the communication included City Commission discussions with all interested parties, including the petitioner and City Staff, and that any visitations to the site being discussed shall be disclosed.

CITY CLERK JOSEPH J. KAVANAGH swore in those affected parties wishing to provide testimony.

DIRECTOR OF ECONOMIC DEVELOPMENT BEN ZISKAL explained that this item was for the expansion of an existing business. He noted that the Gold Coast Ballroom was approaching its 9th year in the City and opened in November 2006, as a small Ballroom with a maximum occupancy of 49 people. He stated that in 2011, the owner petitioned the Development Review Committee (DRC) to expand the occupancy to over 250 people. He explained that for the expansion to happen, fire sprinklers were required. He noted that acquiring the funds took the property owner and business owner time to make the improvements. He stated that the DRC reviewed the item in 2011, and recommended approval. He said that the property owner and business owner worked diligently to install the fire sprinklers, which had passed all inspections. He said that this item was being recommended favorably.

COMMISSIONER TALERICO questioned whether there were specific conditions besides the sprinkler system.

MR. ZISKAL said that there were conditions from the DRC; however, everything had been complied with. He noted that alcohol was not sold, such as a bar; however, private events were catered and could include alcohol from a licensed caterer.



A motion was made by Vice Mayor Ruzzano, seconded by Commissioner Bryan, that this Quasi-Judicial Resolution be approved. The motion carried by the following vote:

Yes: 5 - Commissioner Peerman, Commissioner Bryan, Commissioner Talerico, Vice Mayor Ruzzano and Mayor Simone

C. ID 14-1362

CONSIDERATION OF A SPECIAL EXCEPTION USE TO PERMIT A CAR WASH WITHIN THE TOC-C CORRIDOR LOCATED AT 2970 NORTH STATE ROAD 7, MARGATE, FLORIDA FOR RISING TIDE CAR WASH.

*Resolution 15-104*

*MAYOR SIMONE explained that Section 286.0114 of the Florida State Statutes provided that discussion from the public was not required on this item. She provided the definition of an affected party and asked that any affected party be sworn in. She asked that any Commissioner that engaged in ex parte communications regarding this Quasi-Judicial Agenda item disclose that information.*

*MAYOR SIMONE disclosed that she spoke with Economic Development Director Ben Ziskal to obtain clarification on the backup information provided.*

*COMMISSIONER PEERMAN disclosed that she spoke with the petitioners and was recorded in the City Clerk's office under the Lobbyist Form.*

*She explained that the communication included City Commission discussions with all interested parties, including the petitioner and City Staff, and that any visitations to the site being discussed shall be disclosed.*

*CITY CLERK JOSEPH J. KAVANAGH swore in those affected parties wishing to provide testimony.*

*ECONOMIC DEVELOPMENT DIRECTOR BEN ZISKAL explained that this item was a Special Exception to permit a Car Wash within the Transit Oriented Corridor (TOC) District. He stated that the TOC District was a Transit Oriented Land Use designation focused on transit, bicycle and pedestrian modes of transportation, as opposed to just Automobile Oriented Uses. He stated that the Comprehensive Plan discouraged Auto Oriented Uses unless they were designed in a manner that promoted the pedestrian realm and the Transit Usage. He noted that though this was clearly an Auto Use, the proposal indicated that the petitioner got as close to the TOC design guidelines as possible. He explained that the proposal indicated moving the building as close to U.S. 441 as possible. He added that the roadway frontage was being built in accordance with the TOC guidelines, and any Vehicular Use was disguised behind the building out of the public view from the right-of-way. Director Ziskal stated that upon DRC review on August 25, 2015, and felt that while it was an Auto Oriented Use within the TOC, the petitioner demonstrated to the greatest extent possible, the ability to meet the intent of the Code. He explained that within the TOC District there were three specific Zoning Designations, which were the City Center, the Gateway and the Corridor. He stated that this was located within the Corridor, which was the most liberal of the Uses and was the District the City would desire to have a Car Wash in. He stated that the petitioner met the intent, although it was an Auto Oriented Use and there was no way to change that component. He added that the property was located directly across from Northwest Medical Center and directly adjacent to the Northwest Medical Office buildings. He said that the Community Redevelopment Agency (CRA) Plan and the Comprehensive Plan promoted increased Medical Uses and Medical Liaison Uses to the supporting Medical Uses. He explained*

that while it was a Car Wash and was Auto Oriented, there was a Medical component to this particular development. He said that the proximity to the Hospital and supporting Medical Uses was important for that reason. He stated that it was a Car Wash that utilized Autistic individuals and Staff members to both benefit the Car Wash and those fighting Autism. He added that the Use would include an office and gathering area for outreach and research for Autism, which provided a specific Medical component within the Use. He stated that the DRC recommended approval with the following conditions:

1. Applicant to obtain a permit from Broward County for the water consumption and water discharge for operating a Car Wash.
2. Applicant to pay all necessary Impact Fees to the City of Margate.
3. Applicant to provide a Trip Generation Report to the Department of Environmental and Engineering Services (DEES) to indicate the amount of traffic to be generated.
4. Applicant to obtain a Utility Permit from the Florida Department of Transportation (FDOT).
5. Applicant to receive FDOT permission for installing trees along the U.S. 441 Corridor.
6. Applicant to provide an Access Agreement to the City for use of sidewalks for a public purpose, as some of the sidewalks would be on private property.
7. Applicant to obtain Final Site Plan approval from the City through the DRC.

He stated that Staff did recommend approval.

VICE MAYOR RUZZANO said that the whole idea was a great concept, and he noted that there was one located in Parkland. He questioned whether this property was larger.

DIRECTOR ZISKAL stated that this was the same owner and the facility was larger than the existing facility.

JOHN DERI, Rising Tides Car Wash, showed his first video of his existing facility in Parkland, which was started because when someone in the Autistic community turned 22 and aged out of the school system, there was very little for them to do. He noted that people with Autism were very good at structured applications, following processes and attention to detail; therefore, they were the best employees. He said that working at the Car Wash provided purpose and promise for a future and positive reinforcement. He added that it also provided social interaction and relationships. He said that the purpose of the Car Wash was to provide a consumer business that could educate broad communities about how capable people with Autism were.

ATTORNEY DENNIS MELE stated that the location in Parkland was a building that already existed; therefore, the petitioner was not able to put everything he wanted in it. He noted that this would be a bigger site and would be from the ground up; therefore, the petitioner would be able to put in everything he wanted to include in the facility. He mentioned that Doctor Michael Alessandri, Assistant Chairman of the Department of Psychology at the University of Miami and Executive Director for the Center for Autism and Related Disabilities, worked with the employees and their families. He noted that there were over 30 employees with the same problems and issues as the owner's son Andrew Deri with regard to unemployment.

MR. DERI showed his second video about the Car Wash, which was previously seen on the NBC News.

ATTORNEY MELE said that he and the petitioner met with Mr. Ziskal regarding design elements. He added that he had been to many meetings with Staff regarding the TOC Corridor. He said that the proposal met the requirements in terms of the design,

*positioning of the buildings, the architecture and the pedestrian orientation.*

*COMMISSIONER BRYAN disclosed that she attended an Autism Speaks Town Hall in April.*

*COMMISSIONER TALERICO asked whether girls had Autism, because he saw they were working at the Car Wash.*

*ATTORNEY MELE said that girls did have Autism; however, he believed the incidents of Autism were much greater among young men.*

*THOMAS DERI, Andrew's brother, agreed that Rising Tides Car Wash had female employees with Autism, and that there was an 8 to 1 male to female ratio. He noted that the employees were recruited primarily from the local schools.*

*COMMISSIONER TALERICO asked what individuals have gone on to do following their employment at the Car Wash.*

*THOMAS DERI stated that there 60 employees that moved on to higher education or other employment. He explained that individuals had moved on to Computer Science Degrees at Rutgers, full time jobs at PubliX and Embassy Suites. He noted that there were two different tracks for employees such as a career path with a safe place to call home or for intellectually capable individuals, a start at a job to then go on and do things more aligned with their capabilities.*

*COMMISSIONER TALERICO applauded the family for their efforts and wished them the best.*

*COMMISSIONER BRYAN said that she worked with Special Needs children and was an advocate for Autism Speaks. She stated that she saw the need and the great program and progress that had been made. She said that the Spectrum was so wide and variable that it was astounding. She applauded the effort and said that she was very proud of Margate.*

*COMMISSIONER PEERMAN suggested the next Car Wash go in Fort Collins, Colorado, because she had a friend in Colorado who had heard of this. He noted that her wife taught Pre-K in Margate and had texted asking Commissioner Peerman to thank the family for her. Commissioner Peerman stated that she was very proud that the family decided to pick Margate for the Car Wash.*

*COMMISSIONER TALERICO asked whether the ingress and egress had been addressed.*

*DIRECTOR ZISKAL agreed and explained that the plan showed all of the traffic coming off of Coral Gate on 29th. He said that there was a Cross Access Agreement and existing drive aisle and parking for the Northwest Medical building; therefore, there will be no traffic with direct access onto U.S. 441 as a result of this project. He noted that existing curb cuts would be used, as well as the existing side street.*

*COMMISSIONER TALERICO asked whether Broward County or the State would put a light at Coral Gate.*

*DIRECTOR ZISKAL said that it was a constant challenge to deal with the placement of the traffic signals. He stated that more would be known once the applicant provided the*

*Trip Generation Rate Study to know exactly how many cars were anticipated to come to the facility on a daily basis and at what time, which was why it was a condition of approval.*

*MAYOR SIMONE said it was difficult to say no to such a great thing. She felt that the business followed the City's motto, "Together We Make It Great." She welcomed the Car Wash to the City and wish them only the best. She felt that it was a wonderful thing that the family was doing.*

*MR. ZISKAL showed the elevation slides, which showed the building running parallel to U.S. 441. He noted that the cars would enter from the side and travelled through the Car Wash parallel to U.S. 441. He added that the wall along U.S. 441 was built out to build up the frontage.*

*MAYOR SIMONE asked when the Car Wash would be open if approved.*

*ATTORNEY MELE explained that as soon as this process was complete, the petitioner would proceed with getting a Building Permit to build it as fast as they could.*

*JOHN DERI, Developer of Rising Tides, said that Rising Tides was happy to be in Margate, because with the Parkland location, it provided the capability to create one large community of 80 to 100 people. He said that from there, they could span out to housing. He stated that this would prove replica ability of the model, which was a big step for having others wanting to engage and be creative. He noted that this site would create a blueprint for how to create the facility from the ground up, including all the things that were not documented, such as the recruitment process. He stated that this unit could really make a mass change to an industry that was not known for helping people, but now maybe it would be. He felt that it was a living laboratory that would have an amazing impact on the individuals working there. He said that at one point the individuals felt as if they were a burden, but now they could bring home a check.*

*COMMISSIONER TALERICO mentioned people applying for a job for \$11 per hour, but did not have Autism, and he asked how that was handled.*

*MR. DERI said that Rising Tides could not be held accountable for discriminating against a Neuro-typical individual. He stated that there was some sort of rule that said that they could not be sued for hiring people with disabilities. He stated that he chose to hire people with Autism.*

**A roll call was taken and approval was given by the following vote:**

**Yes: 5 - Commissioner Peerman, Commissioner Bryan, Commissioner Talerico, Vice Mayor Ruzzano and Mayor Simone**

## **8) ORDINANCE(S) - SECOND READING**

- A.      ID 14-1334**      AN ORDINANCE OF THE CITY OF MARGATE, FLORIDA, AMENDING CHAPTER 2 - ADMINISTRATION, ARTICLE I, IN GENERAL, SECTION 2-8 - POLITICAL CAMPAIGNS; TO PROHIBIT CAMPAIGN ACTIVITIES BY KEY CITY EMPLOYEES FOR CERTAIN ELECTIONS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

*Ordinance 2015-3*

A motion was made by Commissioner Bryan, seconded by Vice Mayor Ruzzano, that this Ordinance - 2nd Reading be approved on second reading. The motion carried by the following vote:

Yes: 5 - Commissioner Peerman, Commissioner Bryan, Commissioner Talerico, Vice Mayor Ruzzano and Mayor Simone

- B.**     ID 14-1357     AN ORDINANCE AMENDING THE CODE OF THE CITY OF MARGATE, FLORIDA, CHAPTER 39, WATER AND SEWERS, DEPARTMENT OF ENVIRONMENTAL AND ENGINEERING SERVICES, SECTION 39-71. RATES ESTABLISHED; PROVIDING FOR WATER AND WASTEWATER UTILITY RATES INSIDE MARGATE MUNICIPAL BOUNDARIES; PROVIDING FOR WATER AND WASTEWATER UTILITY RATES OUTSIDE OF MARGATE MUNICIPAL BOUNDARIES; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

*Ordinance 2015-4*

A motion was made by Commissioner Peerman, seconded by Commissioner Bryan, that this Ordinance - 2nd Reading be approved on second reading. The motion carried by the following vote:

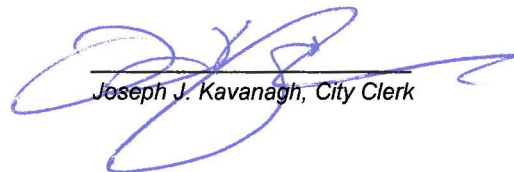
Yes: 5 - Commissioner Peerman, Commissioner Bryan, Commissioner Talerico, Vice Mayor Ruzzano and Mayor Simone

#### ADJOURNMENT

*There being no further business, the meeting adjourned at 9:26 PM.*

*Respectfully submitted,*

*Transcribed by Carol DiLorenzo*



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Joseph J. Kavanagh, City Clerk

Date: 10/28/15