



# City of Margate

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## Meeting Minutes City Commission Workshop

**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**

**6:00 PM**

**Commission Chambers**

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### CALL TO ORDER

**Present:** 5 - Commissioner Lesa 'Le' Peerman, Commissioner Frank B. Talerico, Commissioner Joyce W. Bryan, 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

### 1) PRESENTATION(S)

#### A. ID 14-1368 DISCUSSION ON CITY VOLUNTEER PROGRAM

COMMISSIONER PEERMAN explained that Brian Donahue resigned from being the Volunteer Coordinator for the City's Volunteer Program. She said that she asked to step into that position as the Volunteer Coordinator, but it needed to come before the Commission. She stated that if not, the 5 page application needed to be discussed. She noted that she had copies of Oakland Park's application, which was 2 pages with the Hold Harmless Agreement. She also wanted to have Eddie DeCristofaro as the Assistant Coordinator to update the computer with regard to having a list of things people were interested in, etc. She said that if changing the application, there could be an area where people could list their interests. She noted that there was a separate application for children who wanted to do Community Service hours. She explained that Brian Donahue previously reported to the Human Resource Department, who was performing the background checks, etc. She suggested that to keep this Charter friendly, it should be under the City Manager. She said that the City Manager could then farm out any work needed to be done to City Staff. She stated that if someone else wanted to take over, she would back off. She did not feel that there was currently a department to put it under at the moment. She noted that Parks and Recreation was extremely busy with the Master Plan and the Human Resource Department was also very busy. She noted that in 2011, she suggested having the Volunteer Program and had asked to be the Coordinator; however, the former City Manager disagreed. She said that later, City Manager Jerry Blough made Brian Donahue the Coordinator, even after he became Commissioner.

COMMISSIONER TALERICO asked Mr. DeCristofaro if he was in agreement, and Mr. DeCristofaro agreed.

COMMISSIONER PEERMAN noted that Mr. DeCristofaro was previously involved in a Volunteer Program in the City.

COMMISSIONER TALERICO asked about the volunteers that worked in Police Records.

CITY MANAGER DOUGLAS E. SMITH said that he could identify and come up with a list of things the Volunteers would be recruited for and keep it under the Volunteer Program. He noted that the Community Emergency Response Team (CERT) was a separate program.

COMMISSIONER TALERICO asked about the indemnification and whether they were included in the City policies.

CITY ATTORNEY EUGENE STEINFELD responded that the City did have an Indemnification Policy for volunteers, and that it was an Umbrella Policy.

COMMISSIONER PEERMAN noted that some City departments already use the volunteers to do filing and assist, but she felt the program needed to be organized.

COMMISSIONER TALERICO asked about restrictions, such as with certain records and the Police Department.

COMMISSIONER PEERMAN felt that any department would have to make that determination. She added that each department had certain rules and regulations to follow.

MAYOR SIMONE noted that the City Clerk's office previously used volunteers.

COMMISSIONER BRYAN had no problem with Commissioner Peerman being the Volunteer Coordinator and she felt Mr. DeCristofaro would do a fine job. She spoke about her work with Martin Luther King Day and needing volunteers.

COMMISSIONER PEERMAN said that the Volunteer Program would be open to branching out.

COMMISSIONER BRYAN spoke of possibly having a separate Volunteer Program for the Volunteer Day for the Martin Luther King Day because many people wanted to volunteer.

COMMISSIONER PEERMAN felt that the application should be filled out to be ahead of the game, even if it was a separate type of Volunteer Day such as with the Martin Luther King Day.

CITY ATTORNEY STEINFELD said that the paperwork could be filled out in advance.

COMMISSIONER PEERMAN said that once the application was changed it could be provided to Commissioner Bryan.

VICE MAYOR RUZZANO felt it was a great idea. He asked who could and could not be a volunteer now.

COMMISSIONER PEERMAN said that individuals could not have a felony background.

VICE MAYOR RUZZANO mentioned his prior trip to Orlando where the Mayor was

*speaking who was previously a convicted felon.*

*COMMISSIONER PEERMAN agreed that there were things that needed to be worked out with regard to background checks. She said that maybe one person could be responsible for a specific group. She mentioned Group Home residents wanting to become part of the Volunteer Program. She noted that many people did not want to fill out the form because they did not want to do the background check. She had a different opinion pertaining to people working with children directly and those not working with children, such as having a felon pick up garbage.*

*VICE MAYOR RUZZANO asked whether there would be a speedy method to provide volunteers when needed on the weekends.*

*COMMISSIONER PEERMAN hoped to have a speedy program to provide the Volunteers. She noted that the Coordinator could get the people out; however, the City Manager would have to handle the background checks. She felt that the shorter application would get more people to sign up.*

*COMMISSIONER BRYAN questioned how long it would take to get the background check.*

*DIRECTOR OF HUMAN RESOURCES JACKIE WEHMEYER said that it would take a couple of days.*

*VICE MAYOR RUZZANO asked whether something could be put at the parks, such as a glass cabinet for posting upcoming events, which could also show the Volunteer Program available.*

*CITY MANAGER SMITH said that he would explore where that type of a board could be placed. He asked that Staff discuss with Commissioner Peerman putting everybody through a background check, but with different criteria pertaining to how the background check was applied based on what the Volunteer was doing.*

*COMMISSIONER PEERMAN agreed.*

*CONSENSUS was taken and all agreed.*

**B.     ID 14-1367**

**DISCUSSION OF HOURS FOR ALCOHOL SALES**

*COMMISSIONER PEERMAN noted that she did not drink beer or watch Football; therefore, this was not a personal agenda. She stated that over the past years she heard from numerous residents about buying beer, wine and alcohol on Sunday when it was Football season. She noted that Coral Springs recently changed their ordinance to allow the purchase of alcohol on Sunday. She asked whether the City wanted to do the same, and if so, with what parameters. She was not a huge fan of having bars open earlier than they could be on Sunday, but she did not know if package liquor stores could be separated. She added that she was unaware of the Districts. She stated that the ordinance was written a long time ago; however, she would not be a fan of having the bars able to do that until they were legally allowed.*

*COMMISSIONER TALERICO mentioned seeing something about mimosas and asked how that affected bars with certain food.*

*CITY ATTORNEY EUGENE STEINFELD said that as far as he could remember, Code required a meal to be served on Sunday.*

DIRECTOR OF ECONOMIC DEVELOPMENT BEN ZISKAL explained that the Code was currently written that all alcohol sales on Sunday start at noon. He noted that the City provided an exemption for those that had a 4-COP and had full meal service allowing them to start at 10:00 a.m. He said that the exemption could be modified to include just package sales, but not to allow 2-COP's, such as a bar, consumption on the premises.

COMMISSIONER PEERMAN asked whether grocery stores could be included.

DIRECTOR ZISKAL agreed.

COMMISSIONER PEERMAN believed that was what was being requested. She said that they wanted the ability to go to Publix and get party stuff.

COMMISSIONER BRYAN clarified that they could currently pick up the liquor after Noon; however, they would now be able to pick it up before.

CITY ATTORNEY STEINFELD believed it would be 10:00 a.m.

COMMISSIONER PEERMAN said that she was not sure what Coral Springs did.

VICE MAYOR RUZZANO asked whether the City could regulate alcohol hours.

CITY ATTORNEY STEINFELD explained that the State said that the City could not have shorter hours than 8:00 a.m. to 12:00 midnight every day, except Sunday. He said that if the City wanted them to remain open until 2:00 p.m. or for 24 hours it could do so; however, it could not be shortened. He stated that was the rule for sale of alcohol, whether in a bar or restaurant.

COMMISSIONER TALERICO questioned how McDivots differed from a Sports Bar.

DIRECTOR ZISKAL replied that the license was based on the amount of revenue derived from food sales, square footage and seating capacity. He noted that a full service restaurant received a different license called a 4-COPSRX. He stated that another was the 4-COP that had liquor. He said that if they just had beer and wine it was a 2-COP. He explained that 4-COPSRX is the license you get with food, but a small bar would never get a SRX because they did not have the square footage and the seating capacity.

VICE MAYOR RUZZANO asked for clarification that the 4-COP could serve liquor without food, but could not serve liquor before noon.

DIRECTOR ZISKAL clarified that the 4-COP could not serve before noon on Sunday. He stated that the only establishment that could serve between 10:00 a.m. and Noon on Sunday was the full service restaurant or SRX.

COMMISSIONER TALERICO asked about Dave and Buster.

DIRECTOR ZISKAL said that it was probably a 4-COP.

COMMISSIONER TALERICO asked if some bars may be able to serve alcohol if they were a full service restaurant.

CITY ATTORNEY STEINFELD clarified that if the establishment served enough food in conjunction with liquor.

VICE MAYOR RUZZANO stated that an SRX meant you had to serve a certain amount of food to get that license; however, you could have a 4-COP and sell food, such as Hurricane Wings, which was different than an SRX. He noted that this had nothing to do with the sales of food. He clarified that the 4-COP, such as O'Malley's who served food, could be open before noon.

COMMISSIONER PEERMAN said that a \$50 special permit was required to open on Sundays before noon.

VICE MAYOR RUZZANO stated that SRX was different than 4-COP.

COMMISSIONER PEERMAN said that she would like to confine it to APS, package and grocery stores, but not liquor stores.

COMMISSIONER BRYAN said that she was opposed, because she did not feel it was necessary.

MAYOR SIMONE also said that she was opposed to the suggestion, because she felt that they did not need to make the purchase the morning of their event. She said that she did not want to make it easier to buy alcohol on Sunday.

COMMISSIONER PEERMAN said that she was in agreement to allow it in package stores and grocery stores.

COMMISSIONER TALERICO agreed to allow it in package stores as well, because other Cities did it.

COMMISSIONER PEERMAN said that Coral Springs already did it and other Cities were looking into it. She thought that Coral Springs might have let the bars open early as well; however, she was not in favor of that.

VICE MAYOR RUZZANO said that he was in favor of the Football guy wanting to get his beer to go to the game; however, he did not think that was how this would be used; therefore, he was not in favor.

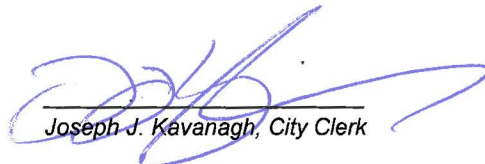
CONSENSUS failed by 3-2 vote.

#### ADJOURNMENT

There being no further business, the meeting adjourned at 6:42 PM.

Respectfully submitted,

Transcribed by Carol DiLorenzo

  
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Joseph J. Kavanagh, City Clerk

Date: 10/28/15