



City of Margate

5790 Margate Boulevard
Margate, FL 33063
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www.margatefl.com

Meeting Minutes

Regular City Commission Meeting

Mayor Tommy Ruzzano

Vice Mayor Joyce W. Bryan

Commissioners:

Lesa Peerman, Joanne Simone, Frank B. Talerico

City Manager Douglas E. Smith

City Attorney Eugene M. Steinfeld

City Clerk Joseph J. Kavanagh

Wednesday, February 17, 2016

7:00 PM

Commission Chambers

CALL TO ORDER

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

In Attendance:

City Manager Douglas E. Smith

City Attorney Eugene M. Steinfeld

City Clerk Joseph J. Kavanagh

PLEDGE OF ALLEGIANCE

ID 16-0054 REGAN HENDERSON, 4th GRADE, MARGATE ELEMENTARY; GRACE CUTIE, 4TH GRADE, MARGATE ELEMENTARY; AND MAX CUTIE, 7TH GRADE, SAWGRASS SPRINGS MIDDLE SCHOOL

1) PRESENTATION(S)

- A.** ID 2016-081 RECOGNITION OF DR. MARTIN LUTHER KING JR. / TOGETHER WE MAKE IT GREAT DAY OF SERVICE COMMUNITY SERVICE PROJECTS
EMPLOYEE RECOGNITIONS WERE HEARD PRIOR TO ATHLETES OF THE MONTH

EMPLOYEE RECOGNITION FOR YEARS OF SERVICE

- C.** ID 2016-084 JOSEPH J. KAVANAGH, CITY CLERK - 5 YEARS

ATHLETES OF THE MONTH

- B.** ID 2016-083 SWIM: ADEN THOMPSON, 6 YEARS OLD
(Margate Motion Swim Team)
- BASEBALL: ZACK MACKENZIE, 11 YEARS OLD
(Margate Pony Elite Baseball and Softball, Bronco Marlins)

PROCLAMATION(S)

- D. ID 16-0058 GUARDIAN AD LITEM MONTH - FEBRUARY, 2016 (presented to Laura Davis, Recruiter, Guardian ad Litem Program - 17th Judicial Court)

The meeting reconvened following a brief recess.

2) COMMISSION COMMENTS

COMMISSIONER SIMONE, as Metropolitan Planning Organization (MPO) representative, she provided an update on things occurring within the County. She stated that a one cent surcharge for transportation was discussed at a lengthy MPO meeting. She added that the MPO met with the Broward County Commissioners yesterday for a three hour discussion about it. She explained that there were 1.8 million people living in Broward County with 31 municipalities. She said the County felt that if something was not done to help the transportation, there would be a grid lock. She added that there was a \$25 million dollar deficit in transportation and transit in the County. Commissioner Simone explained that the County was originally going to have a 100 percent, one cent surtax for transportation. She said that after listening to the MPO members, it was realized that would help the Cities on the east side; however, the west side did not have the same transportation needs and needed the money for infrastructure. She stated that having two referendums on the ballot; one cent sales tax for transportation and ½ cent sales tax for infrastructure. She noted that 40 percent would go to the County for infrastructure while 60 percent would go to the Cities. She said that after it was reworked, it was coming back as a 50/50 split. She said that the County believed that if having two referendums on the ballot, either one or both would not pass; therefore, a compromise of 50/50 was made. Commissioner Simone stated that if passed, 25 percent would go for infrastructure with 25 percent going to a regional transportation bank. She added that of the ½ cent for infrastructure, ¼ would be for large transportation with the other ¼ for eligible infrastructure. She stated that there was a need to get this on the November ballot, because there was currently a proposal in legislation that would change the electorate approval requirements for adoption of transportation surtax. She said that if passed, it would prohibit a transportation surtax referendum being placed on the ballot at any special election ballot. She stated that it could only be held on a primary or presidential preference primary approved by at least 60 percent of the voters. She explained that in a General Election it would have to be by a simple majority of the voters. She stated that if passed, it would go into effect on July 1, 2017. She said that March 30th, 2016, was the date that a determination to go one way or the other would be made. She explained that the Broward County Commissioner Ryan to be the head point person. Commissioner Simone added that May 31st the language must go to the Board of Elections. She further explained that Statewide, Florida did not have a good history because only two transportation sales taxes had passed in the State of Florida. She stated that details with regard to infrastructure were not clear; therefore, she felt it could not be discussed. She added that there were discussions about having an independent oversight board if it went through; however, the Broward County Commission did not want that and preferred that the MPO, communities and the County work together to spend the money. Commissioner Simone mentioned the WAVE on Las Olas Boulevard, which was 14 stations including a rail street car that traveled a 2.5 mile circular route. She stated that the MPO wanted to expand that to include the airports, seaports and convention center. She mentioned that the MPO also discussed the Bike Solar Markers; however, more information was needed prior to passing a resolution. She noted that it cost \$150 per light and if the road was resurfaced, all of the lights needed to be removed; therefore, it might not be a good thing to go forward with. She stated that Pompano Beach passed a resolution because of the

Sea Turtles and the streets being dark for biking at night. She noted that the Police Assessment Bill passed the House of Representatives and was going to the Senate this week. Commissioner Simone added that Commissioner Graziose of North Lauderdale asked for a grant from the MPO for bike stations from Fern Forest to the dike out west. She noted that there was currently a park in North Lauderdale off of Southgate Boulevard that was a Linear Park. She said that it was located on NW 81st Street and Southgate Boulevard. She said that there was originally a road there that was supposed to connect to Coral Springs; however, Coral Springs did not want it connected. She stated that the land was vacant for many years and would be made into a Linear Park. She explained that there was property next to it that was owned by the City. She said that discussions with the City were held to see if the MPO could be piggybacked to put benches along the corridor. She stated that flashing lights were also discussed on the back of school zone signs. She explained that most tickets were written in the school zones for people stopped at a stop light who get sidetracked when the light turned green. She said that a study was performed and flashing lights were put on the back of the school zone lights so people could realize they were still in a school zone.

MAYOR RUZZANO asked what the County planned on doing with the money if the one cent tax went through.

COMMISSIONER SIMONE said that it was to improve transportation with regard to synchronizing signal lights, improving the WAVE System and working on Tri-Rail.

MAYOR RUZZANO agreed that there was a transportation problem; however, the County was approving housing everywhere. He did not believe that everyone would be riding busses in the future.

COMMISSIONER SIMONE said that the County was trying to scare people by saying if the vote was not in favor, taxes might have to be raised in the future. She noted that the County was suggesting that the Cities do something like the schools did when they put up signs showing where the money was going.

MAYOR RUZZANO mentioned the Principals receiving \$100,000 up front.

COMMISSIONER TALERICO stated that the City could not expend City funds to promote bond issues.

CITY ATTORNEY EUGENE STEINFELD clarified that money could be spent to educate; however, money could not be spent to advocate.

CITY MANAGER DOUGLAS E. SMITH said that there would be further discussions between Broward County, the MPO and the Cities regarding the focus being more on transportation. He noted that the timeline was for the end of March to bring it back for additional discussion.

COMMISSIONER SIMONE explained that she asked for the specifics of the infrastructure at the MPO meeting and was told a list would be provided; however, the list was not received yet. She felt that the Commission could not vote on something that was unknown.

COMMISSIONER SIMONE reminded everyone about the Movies in the Park this Saturday, which was showing Minions. She stated that March was Bike Month and she encouraged everyone to join the Broward MPO for the 2016, Let's Go Biking Event. She noted that it included group bike rides, goodies and giveaways, as well as a bicycle

raffle. She said that it was scheduled for Sunday, March 6, 2016, from 9:00 AM to 11:00 AM at CB Smith Park in Pembroke Pines.

COMMISSIONER PEERMAN stated that the MPO brought the one cent surcharge before the Broward League of Cities (BLOC) Board of Directors for approval, which was not given due to lack of information and specifics. She said that impressive numbers of what the Cities would receive were shown. She stated that she appreciated Commissioner Simone bringing back the information. She commended Alison Saffold for providing information.

VICE MAYOR BRYAN thanked the City Commission for the award pertaining to the Dr. Martin Luther King Service Day. She also thanked Adam, Alison and Joseph, as well as the City Clerk's office, the City Manager's office and Mike Jones and his department for the outstanding job they did. She mentioned Black History Month and Charlie Sifford, who was the first African American to become a member of the Professional Golfer's Association (PGA) Tour and be inducted into the World Golf Hall of Fame in 2004. She announced the Relay for Life event coming up. She noted that Coconut Creek High School would be getting a Magnet School Program, and commended all those involved.

MAYOR RUZZANO noted that there was a Workshop tonight at 5:30PM regarding the City Attorney applicants. He stated that there were 70 applicants that applied and that was now narrowed to 7 applicants. He said that the interview process would take place over the next few months. He said that previously, a piece of property about 400 feet on Atlantic Boulevard by Palm Lakes was discussed, which he recently found out was sold about four months ago for \$20,000. He introduced former North Lauderdale Vice Mayor Frank Messana. He requested that Item 4A be moved from the Consent Agenda to Discussion and Possible Action.

CITY CLERK JOSEPH KAVANAGH announced that Margate and Coconut Creek were in Relay for Life season. He noted that the event was on April 9th, from 3:00 PM to Midnight. He said that a committee meeting would be held next week to disseminate more information and details. He mentioned that Margate had done Dress Down Days and a Bake Sale coming up. He said that when he received updates he would provide them to the Commission, Staff and residents.

MAYOR RUZZANO noted that there would be a Workshop next month on the E-911 System.

CITY ATTORNEY EUGENE STEINFELD mentioned that the flag was lowered in memory of the Associate Justice of the Supreme Court Anton Scalia, the first Italian on the Court, who was Associate Justice for 30 years and was known as the intellectual anchor of the Court.

3) PUBLIC DISCUSSION

ANTHONY CAGGIANO, 7856 NW 1st Street, thanked everybody for the City Attorney Workshop. He asked whether an in-house Attorney should be hired or if the City should hire a Consultant. He felt that the City needed to determine how many hours of legal work the City Attorney actually did in a week, as well as how much litigation and whether any litigation was outsourced. He questioned whether the City Attorney should be part of the management team or was his role that of a consultant. He asked whether it was more economical to pay hourly rates for the legal work or to have a salaried attorney. He stated that if considering the hiring of a CRA and City Attorney, the City was looking at a minimum of approximately \$150,000 for the City Attorney. He said he did not know the salary of consultants, but felt it should be looked into.

COMMISSIONER PEERMAN stated that the City already had a Workshop regarding the hiring of a consulting firm or City Attorney. She noted that the pros and cons were discussed and it was decided to have an in-house attorney.

FRANK MESSANA, 7310 NW 1st Street #206, stated that in 2000, as a Commissioner of North Lauderdale, he served on the Metropolitan Planning Organization (MPO) with Joe Varsallone and the same concerns were talked about. He said that before spending any tax dollars the City should be careful and realize that the County wasted so much money.

RICH POPOVIC, 6066 Winfield Boulevard, stated that since Mayor Ruzzano took over, there were no problems with people saying anything, which was refreshing and provided a relaxed feeling. He said that he agreed with Mr. Messana about the MPO. He mentioned bike paths on 441 being stupid because people were traveling at 50 miles per hour (mph). He said that the MPO stated that there would be 20,000 more people in Margate. He suggested that the Commission pay attention to the Redevelopment Plan. He felt that the MPO wanted to cram Margate.

RICK RICCARDI, 4829 South Hemingway Circle, President of the Chamber of Commerce, reminded everyone that Northwest Regional Hospital opened up a State of the Art Maternity Ward with the ribbon cutting taking place a few weeks ago.

MAYOR RUZZANO said that he recently meet with the CEO who stated that another \$60 million dollars would be put into the hospital.

COMMISSIONER SIMONE clarified that the MPO was previously made up of 18 members; however, it recently was expanded to 25 members. She noted that all members were elected officials with five County Commissioners and one School Board member.

RICH ALIANIELLO, 7631 NW 23rd Street, wished the City could improve the transportation it already had by putting money into getting the busses operating. He commended Commissioner Simone for her knowledge of the transportation issue. He said that having the Free City Bus Service was good. He stated that Pompano Beach and North Dade got blasted with a tornado and he felt that the Margate trees needed pruning to avoid having them top over.

4) CONSENT AGENDA

ITEM 4A WAS PULLED FROM CONSENT AGENDA AND WAS HEARD FOLLOWING CITY MANAGER COMMENTS.

B. ID 16-0078 MOTION - APPROVAL OF CITY COMMISSION MINUTES

Approval of the Consent Agenda

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

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

5) CITY MANAGER'S REPORT

CITY MANAGER DOUGLAS E. SMITH stated that the Progressive Firefighters Association of Broward County along with Margate/Coconut Creek Fire Rescue and the Broward Sheriff's Fire Rescue Departments were sponsoring a free Firefighter Orientation Class. He noted that it would be held at the Community Center on February 29th, 2016, at 6:00 PM. He explained that Boy Scout Troop 836 was hosting a small scale Bicycle Rodeo at Firefighters Park on Saturday, March 12th, 2016, from 8:30 AM to Noon. He stated that the event was free, and that there were limited supplies. He noted that Police Staff would be attending at the Safety Town facility. He requested that the Commissioner consider co-sponsoring the event to assist with marketing the event. He added that it was in conjunction with an Eagle Scout Project.

A motion was made by Commissioner Peerman, seconded by Vice Mayor Bryan, to support the event. The motion carried by the following vote:

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

CITY MANAGER SMITH said that the concrete slab had been poured for the sidewalks at the previously discussed Outdoor Fitness Park. He stated that the equipment would be installed in the next several weeks, after which the poured in place safety surfacing would be installed. He said that the equipment was estimated to be available for use in March, and that a ribbon cutting ceremony would be held as it would be the first completed from the Parks and Recreation Master Plan. He noted that the Cokesbury United Methodist Church had a Car Show event coming up on February 27th, 2016, and he requested that the City provide some give-away items.

Consensus to approve the give-away items was given by the Commission.

COMMISSIONER PEERMAN noted that there was a dip in the road where the exercise equipment was going to be, and she asked whether the area would be repaired.

DIRECTOR OF PUBLIC WORKS SAM MAY stated that it was being repaired.

COMMISSIONER PEERMAN questioned when the City College was starting and whether applications were being taken yet.

CITY MANAGER SMITH said that he would get a schedule going and provide notification.

ITEM 4A WAS PREVIOUSLY PULLED FROM CONSENT AGENDA TO BE HEARD FOLLOWING CITY MANAGER COMMENTS.

4A. ID 2016-089

MOTION - AUTHORIZATION TO ADVERTISE AN ORDINANCE AMENDING THE CODE OF THE CITY OF MARGATE, FLORIDA, CHAPTER 21. MARGATE INNER-CITY MINIBUSES; SECTION 1. FEES ESTABLISHED; PROVIDING FOR THE ELIMINATION OF FARES FOR THE CITY OF MARGATE INNER-CITY MINIBUS TRANSIT SYSTEM; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE

CITY MANAGER DOUGLAS E. SMITH said that the City had a ridership issue with one of the routes because it was not meeting the requirement of the County ridership number.

DIRECTOR OF PUBLIC WORKS SAM MAY explained that there had been a decline on

the A Route. He said that to maintain the County subsidy the City had to have 7.1 riders per hour; however, the City was currently averaging about 6.2 to 6.6 riders. He stated that the City had lengthy discussions with County Staff and the recommendations were to eliminate the fares to raise the ridership up enough to 7.1 riders per hour. He noted that if the ridership was not raised the subsidy of about \$34,000 would be lost. He explained that the total fares were currently \$35,000, and that by eliminating the fares the \$35,000 would be lost; however, the subsidy would be received by the County. He added that the processing of the fares was a timely chore. He noted that other Cities, such as Lauderhill, had the same issue, dropped their fares and the ridership sky rocketed to 24 riders per hour.

MAYOR RUZZANO said that it sounded like a great idea and he hoped it would work.

COMMISSIONER TALERICO asked whether the 7.1 was for all of the routes or for one route.

DIRECTOR MAY stated that the routes were independent of each other, and one route was falling low. He explained that the subsidy would be lost on just the one route; however, the City could not just reduce the fare for one route. He stated that the fares would have to be reduced for all routes.

COMMISSIONER TALERICO questioned the timeframe.

DIRECTOR MAY said that the research was complete and if authorization to advertise was received, he would put an ordinance on the next Commission meeting with the second reading at the following meeting.

COMMISSIONER TALERICO asked how long the trial period for no fares would continue.

DIRECTOR MAY stated that the ridership was monitored daily.

IRVING MINNEY, Broward County Transit Contract Administrator, explained that the agreement stated that for any 12 month consecutive period, the City had to maintain a 7.1 average. He said that the ridership started declining in May.

COMMISSIONER TALERICO asked whether it would take affect the day the ordinance had passed its final reading.

DIRECTOR MAY disagreed and clarified that the 12 month period was running now.

MAYOR RUZZANO asked whether the City could make it this year.

DIRECTOR MAY said that an advertising campaign would be done to promote the zero fare and promote ridership with the free fare.

MR. MINNEY explained that when Lauderhill dropped its fare, the ridership immediately went up; however, Margate was a different community and could not be compared. He stated that about five years ago Pembroke Pines initiated a fare and the ridership dropped immediately.

COMMISSIONER PEERMAN asked whether there was a way to start it quicker.

CITY ATTORNEY EUGENE STEINFELD stated that per the Charter, fees must be done by ordinance; however, he was not sure the Charter said anything about the lack of fees.

COMMISSIONER PEERMAN asked whether an amendment could be made stating that the lack of fees would start as of now.

DIRECTOR MAY clarified that there was a Public Hearing required with a 10 day notice to the public to raise or lower fees. He noted that when the authorization to advertise was done for the ordinance, that would be counted. He reiterated that the fees could not be lowered or raised without notifying the public first according to the contract with Broward County.

CITY ATTORNEY STEINFELD said that if the Commission believed that this was an emergency, it could be done in one hearing as an emergency ordinance.

A motion was made by Commissioner Peerman, seconded by Commissioner Simone, to advertise as an emergency ordinance and pass it in one reading, which was later withdrawn.

RICH POPOVIC, 6066 Winfield Boulevard, said that more people did not go to Calypso Cove when the City charged less. He stated that the bus ridership issue never worked in Margate. He said that there was no such thing as free.

COMMISSIONER SIMONE noted that all routes were going down each month and would soon be in the same position as Route A.

RICK RICCARDI, 4829 South Hemingway Circle, asked for clarification of the \$34,000 versus the \$35,000.

DIRECTOR MAY explained that the City was currently receiving \$34,000, which was going to be lost. He agreed that the City was also receiving \$35,000 with the fares. He agreed with Mr. Riccardi that the City would be down \$35,000 no matter what.

MR. RICCARDI felt that advertising was needed to get the \$35,000 back.

COMMISSIONER TALERICO questioned the loss of one route at \$34,000.

DIRECTOR MAY clarified that the City was only losing the subsidy for one route, which was the A Route. He noted that if the City lost all three routes, \$104,000 would be lost.

CITY MANAGER SMITH asked whether the Saturday Route might be able to qualify for a subsidy if the City was able to increase the Saturday route numbers.

DIRECTOR MAY agreed that if the Saturday route increased to 7.1, the City could approach the County to ask for them to Budget the additional subsidy.

VICE MAYOR BRYAN asked whether the County would have to see 12 months of increased numbers to have the Saturday route subsidized.

MR. MINNEY said that had happened in the past. He explained that when a City dropped out of the system, there was more money available in the Budget. He said that at that point, applications were sent to all Cities to apply for the money. He stated that it was a competitive process.

COMMISSIONER PEERMAN read that the elimination of fares will result in a reduction of

revenues in the amount of approximately \$35,000 for all the fares for all the routes. She questioned whether that was correct.

DIRECTOR MAY confirmed that it was for all the fares for all the routes.

COMMISSIONER PEERMAN read that losing the subsidy for one route was \$34,000.

DIRECTOR MAY agreed.

COMMISSIONER PEERMAN clarified that for all of the routes, lowering the fare would lose \$35,000; however, if the City did not lower it and the subsidy was taken away, the City would lose \$35,000 again.

DIRECTOR MAY clarified that if all routes were lost it would be about \$104,000.

CITY ATTORNEY STEINFELD clarified that the Charter did not allow an emergency ordinance to set user charges; therefore, it would have to be done as a regular ordinance.

COMMISSIONER PEERMAN said that she withdrew her motion.

A motion was made by Commissioner Peerman, seconded by Commissioner Simone, to advertise.

RENATA CASTRO, 1534 NW 61st Avenue, said that her husband rode the bus and always commented on the cleanliness of the bus. She questioned whether it was determined that people were not riding the bus because of the fares or some other issue making them uncomfortable or unhappy with the services provided, such as safety or cleanliness. She felt it should be looked into before eliminating the fares. She agreed that many people rely on the busses and even if helping one resident, they should be kept going.

MAYOR RUZZANO felt that people loved the word free and he felt that this would work.

RICH POPOVIC, 6066 Winfield Boulevard, said that the City was not making money on the busses and he would have gotten volunteers to drive or even subsidize the buses itself. He stated that he did not like seeing government waste.

RICH ALIANIELLO, 7631 NW 23rd Street, suggested doing a study to see which routes were good.

MAYOR RUZZANO said that a study was performed last year and Commissioner Peerman came up with a better route, but the Coconuts Flea Market was coming in.

MR. ALIANIELLO noted that he saw the buses riding around empty most of the time. He mentioned the Casino and the Isles of Pompano because people love to gamble and would like to ride the bus for free.

COMMISSIONER PEERMAN said that there was a previous route to Turtle Run, Publix, WalMart and the Casino; however, a week later former City Manager Yolanda Rodriguez said it did not work. She would love to see something like that in the future.

The motion carried by the following vote:

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

6) RESOLUTION(S)

- A. ID 16-0069 APPROVING REAPPOINTMENT OF RANDY HARRIS TO THE UNSAFE STRUCTURES BOARD FOR A TERM COMMENCING FEBRUARY 20, 2016 TO FEBRUARY 19, 2019.

RESOLUTION 16-172

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 Simone, Commissioner Peerman, Commissioner Talerico, Vice Mayor Bryan and Mayor Ruzzano

- B. ID 2016-082 RECOGNIZING THE PLIGHT OF ROBERT LEVINSON AND DEMANDING HIS SWIFT AND SAFE RETURN TO HIS FAMILY.

RESOLUTION 16-173

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

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

- C. ID 16-0038 APPROVING THE SCHEDULE OF FEES AND CHARGES FOR PARKS AND RECREATION FACILITIES, PROGRAMS, SERVICES, AND EQUIPMENT

RESOLUTION 16-174

A motion was made by Commissioner Peerman, seconded by Commissioner Simone, that the updated resolution provided by the City Manager be approved. The motion carried by the following vote:

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

- D. ID 2016-086 APPROVING THE AGREEMENT WITH BROWARD COUNTY FOR TRAFFICWAY BEAUTIFICATION FOR COPANS ROAD FROM STATE ROAD 7 TO HAMMOCKS BOULEVARD.

RESOLUTION 16-175

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

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

- E. ID 2016-088 APPROVING AN AGREEMENT WITH BROWARD COUNTY FOR WATER SAFETY EDUCATION AND INSTRUCTION SERVICES

RESOLUTION 16-176

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 Simone, Commissioner Peerman, Commissioner Talerico, Vice Mayor Bryan and Mayor Ruzzano

7) RESOLUTION(S) - QUASI-JUDICIAL HEARING

- A. ID 2016-094 A RESOLUTION TO APPROVE A SPECIAL EXCEPTION USE TO ALLOW CAMP CANINE IN PENN DUTCH PLAZA, SUBJECT TO THE FINDINGS OF THE DEVELOPMENT REVIEW COMMITTEE.

RESOLUTION 16-177

MAYOR RUZZANO stated that this item was a Quasi-Judicial Hearing, and he asked that those wishing to speak be sworn in by the City Clerk. He asked that any Commissioner that engaged in ex parte communications regarding this Quasi-Judicial Agenda item disclose that information.

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

DIRECTOR OF ECONOMIC DEVELOPMENT BEN ZISKAL explained that this was a Special Exception Hearing to consider a new business to be located in the Penn Dutch Shopping Center. He stated that the business was called Camp Canine. He explained that it was a Cage Free Open Day Care where the animals could roam while residents were at work. He stated that 24 hour supervision was offered, as well as boarding for both cats and dogs. He said that it had an indoor and outdoor play area with unique programs. He noted that it was located to the left of Penn Dutch. He said that the outdoor play area required the conversion of a number of under-utilized parking spaces in the rear of the property, which would be accessed through the back door to the rear of the property. He clarified that the Penn Dutch Shopping Center was located at the north end of Margate on State Road 7 and NW 31st Street adjacent to a number of residential communities including the new Toscana Villas. He showed the bays that would be occupied, as well as the outdoor area. He showed the current site conditions of the outdoor play area as well. He also showed the parking lot area indicating that though there are residential areas along NW 31st Street, two commercial properties would have to be crossed into a street in order to get into the area. He noted that this item went before the Development Review Committee (DRC) on January 26, 2016. He stated that there were two conditions imposed on the applicant at that time. He explained that the first condition was to provide a parking calculation to ensure that removing the parking spaces and creating the outdoor play area would still comply with the existing parking requirements on the site. He added that the second condition was that all necessary permits must be obtained and any deficiencies existing on the property with regard to landscaping, irrigation or lighting be remedied prior to obtaining a Certificate of Occupancy (CO). He said that this was different because it was a new tenant coming into an existing shopping center where there could be existing site deficiencies due to weather, bulbs burning out or other property maintenance issues. He stated that Staff found that items A-K of the review criteria were met and the property was in compliance with the review criteria. He added that the project would not create any nuisance or adverse impacts to the adjacent areas. He stated that there were minimal impacts to the exterior of the property and was an interior build out of an existing space with the slight conversion of the rear parking area.

He said that there were no changes to the drive aisles, pedestrian walkways or the ingress and egress to the site. He noted that Staff found that the applicant would provide a product and service that was not currently offered within the City, and that it would be a benefit to the residents and employees.

COMMISSIONER TALERICO asked how close it was to Penn Dutch.

DIRECTOR ZISKAL said that it was next door.

COMMISSIONER SIMONE noted that Camp Canine had been looking to move into the City for a year. She said that she had researched them and found they were a good organization with good reviews. She thanked Camp Canine for wanting to stay in Margate.

DIRECTOR ZISKAL added that he personally worked with the representatives of Camp Canine for over two years to find the right location.

VICE MAYOR BRYAN asked whether there was an opportunity for children or teenagers to obtain Community Service hours in the future.

JENNIFER SNIDER, Camp Canine, replied that Camp Canine did not currently offer any volunteer opportunities; however, she was involved with animal rescue and could direct the teenagers to them.

MAYOR RUZZANO asked whether this company had previously looked at the property by the Funeral Parlor. He thanked Camp Canine for staying in Margate.

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


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

ADJOURNMENT

There being no further business, the meeting adjourned at 9:47 PM.

Respectfully submitted,

Transcribed by Carol DiLorenzo


Joseph J. Kavanagh, City Clerk

Date: 4/20/16