



City of Margate

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Meeting Minutes City Commission Workshop

Mayor Tommy Ruzzano
Vice Mayor Arlene R. Schwartz
Commissioners:
Anthony N. Caggiano, Lesa Peerman, Joanne Simone

City Manager Douglas E. Smith
City Attorney Douglas R. Gonzales
City Clerk Joseph J. Kavanagh

Wednesday, February 22, 2017

5:30 PM

Commission Chambers

CALL TO ORDER

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

In Attendance:

City Manager Douglas E. Smith
City Attorney Douglas R. Gonzales
City Clerk Joseph J. Kavanagh

1) DISCUSSION AND POSSIBLE ACTION

MAYOR RUZZANO congratulated Mark Weinrub, Public Works, on his retirement. He announced that this Sunday was the Challenger Program at the Margate Sports Complex, which would begin approximately 1:45 PM with pictures being taken about 3:15 PM to 3:30 PM. He noted that he was working on obtaining a Calypso Cove pass to be presented from the Commission.

COMMISSIONER CAGGIANO requested that Item H be heard prior to Item A.

NOTE: ITEMS C (24 HOUR MANNED POLICE STATIONS), D (PERMITTING), AND J (CODE ENFORCEMENT ON FRIDAYS) WERE DISCUSSED DURING DISCUSSION OF ITEM H (FIVE DAY WORK WEEK).

H. ID 2017-114 FIVE DAY WORK WEEK.

COMMISSIONER CAGGIANO noted that there were issues with the Building Department with regard to obtaining permits and inspections. He said that the Building Department was going to start doing inspections on Friday, but he felt it was important for people to be able to have employees there five days working on the permits and inspections. He said that he would be happy having specifically the Building Department open on Friday; however, he would not have a problem with the whole City being open on Friday. He said that it was important to get employees available as much as possible to get rid of the backlog and to get permits out to provide a business friendly City.

COMMISSIONER PEERMAN disagreed. She felt that having hours from 8:00 AM to

9:00 and 5:00 PM to 6:00 PM allowed residents to come on the four days. She felt that having a four day work week was not an issue, and that Margate always had a longstanding problem with permitting and getting businesses up and running. She said that the Friday inspections had not yet begun; therefore, it was not known whether or not it would work or not.

COMMISSIONER CAGGIANO said that he had no problem with inspections being on Friday; however, he had a problem with not having employees there on Friday getting permits ready for people. He noted that people were not complaining about getting inspections, but were complaining about getting permits.

COMMISSIONER PEERMAN stated that she would like to see the information indicating that permits were not getting out.

VICE MAYOR SCHWARTZ said that she had received complaints.

MAYOR RUZZANO said that there had been a huge problem getting permits out. He noted that he previously suggested having a skeleton crew to help the Building Department and to remain open on Friday. He felt that having inspections on Friday was not the answer. He explained that ten years ago Margate was one of the best cities for pulling a permit, and that Coral Springs and Tamarac were notorious; however, they resolved it and were now the best and easiest to work with. He said that he did not know what the Building Department's problem was, but being open only four days a week was not helping the problem. He added that having inspections on Friday was a small help to the problem. He stated that most of the calls he received were because permits could not be obtained due to the lack of plan reviewers.

COMMISSIONER PEERMAN felt that the City needed to determine exactly what the problem had been for years, because she felt it was not the amount of days the Building Department was open. She noted that many cities went to electronic permitting, and that the City did not have that ability, which was part of the problem.

MAYOR RUZZANO said that contractors did not like going online to do the permits. He stated that Staff had to be increased and the facility needed to be opened more to help relieve the issue.

VICE MAYOR SCHWARTZ explained the permitting process was explained to her and that the paperwork was going from one person's desk to another person's desk. She noted that if someone went on vacation, the paperwork remained on that desk. She said that she asked whether there was a tracking system to determine how long paperwork was sitting, but she received no response. She stated that there was no process and she suggested that the hours being worked were being kept. She felt that if working 8:00 AM to 5:00 PM, the employees needed to be available and working from 8:00 AM to 5:00 PM.

COMMISSIONER PEERMAN agreed that the Water Department had the same problem with closing the window early.

VICE MAYOR SCHWARTZ also suggested staggering Monday to Thursday and Tuesday to Friday to provide having the Building Department open on Fridays.

VICE MAYOR SCHWARTZ mentioned Code Compliance also being a problem to contact on the weekends. She added that there was nobody available in the Police Station on Fridays either, which she felt needed to be manned in case somebody needed help.

COMMISSIONER CAGGIANO mentioned being at the Police Station at 1:00 AM and explained that he had to dial a number on the telephone and wait for an officer to come in off the street. He felt that someone should at least be sitting in the booth, which could save a life and create a safe place.

COMMISSIONER SIMONE asked whether anybody discussed the issue with the Police Chief.

COMMISSIONER CAGGIANO noted that he had emailed the Police Chief, which was why he crossed it off the Agenda.

VICE MAYOR SCHWARTZ noted that she had mentioned some of the issues to Staff.

CITY MANAGER DOUGLAS E. SMITH explained that the Building Department had until the end of the Fiscal Year to be able to accept plans electronically per the State requirement. He said that because of that required change, it would make sense to try to get a whole electronic building system. He stated that once in place, it would allow for simultaneous review of plans, which would help with the desk to desk issue. He explained that now that there were two contracts set up with the private companies, there were two more resources to ask for someone to be brought in when someone was on vacation. He stated that Staff could work at bringing back more details on the complete system.

MAYOR RUZZANO said that he had never been told elsewhere that the electrician is on vacation; therefore, he felt that was ridiculous.

CITY MANAGER SMITH said that Staff would provide a complete report on the entire Building operation.

MAYOR RUZZANO added that calls were received everyday regarding the Building Department.

COMMISSIONER CAGGIANO said that he received an email from someone who was waiting seven months for a permit.

POLICE CHIEF DANA WATSON clarified that the lobby of a Police Department was not a safe haven and the person sitting in the window was not there to protect citizens running into the lobby. He stated that unless there was a Police Officer inside the station, there might be a delay getting someone into the lobby area. He noted that he did not want the Police Officers inside the station because he wanted them in the streets protecting the citizens. He noted that there was previously someone in the window 24/7, which was a communications person. He said that he was not against doing that; however, there was a cost involved as he would have to bring in enough employees to create a Staff that could man the window 24/7 and 365 days a year. He explained that the Code people were here seven days a week and were light staffed on the weekends. He stated that people would call the non-emergency number with the issue, which would then be dispatched.

VICE MAYOR SCHWARTZ suggested changing the recording to direct individuals to call the non-emergency number if it was after hours.

POLICE CHIEF WATSON agreed that could be done easily. He reminded everyone that all of the Police Officers were Code Officers and could handle Code issues, such as on a Sunday.

COMMISSIONER CAGGIANO suggested staggering and adding another person to

have more people doing permitting. He mentioned hearing contractors in the Building Department stating they would never work in Margate again due to the problem getting a permit. He stated that if less contractors provided business in Margate, the other contractors would increase their prices, which affected the residents.

COMMISSIONER PEERMAN asked for information to be obtained on what it would take to stagger in order to keep the four day work week, but provide the service.

MAYOR RUZZANO said that he believed the City was increasing the plan reviewers.

CITY MANAGER SMITH explained that one of the plan reviewers started at the beginning of the year and the other started in December. He noted that currently there was one from each firm. He said that additional staffing was put in the Budget this year as well. He recommended letting the Staff provide a report on what positions were open now, how many people were used from the firm and to respond to the request regarding adding additional people to work the five days.

MAYOR RUZZANO suggested hiring more plan reviewers to get the permits out.

CITY MANAGER SMITH said that Staff could work on that.

COMMISSIONER PEERMAN suggested putting out a job request to get somebody to work there and use the existing firms now.

INTERIM CITY MANAGER SAM MAY stated that beginning tomorrow he would take an aggressive approach on getting the permits issue resolved.

COMMISSIONER PEERMAN suggested adding at least one plan reviewer in the Budget. She noted that the Commission did not turn down Staff and that Department Heads should not be afraid to ask for additional staffing at Budget time. She noted that she would like to keep the four day work week, even if it had to be staggered.

COMMISSIONER CAGGIANO said that he had no problem with staggering with more people.

ITEM I WAS HEARD PRIOR TO ITEM A.

I. ID 2017-115 DISCRETIONARY LEAVE PAY.

CITY MANAGER DOUGLAS E. SMITH explained that this was a provision in the City Code that provided for time off for Department Heads above their regular working hours at the discretion of the City Manager. He said that it would not be charged to the sick or vacation time and the City Manager would inform the Commission and keep records. He noted that there was a new payroll system. He said that he would sometimes receive an email from a Department Head asking for a discretionary day for a particular date. He explained that for executive level personnel the job was not confined to 40 hours sitting in an office. He said that there could be times when called upon for events, meetings, trainings, etc. He stated that this would be the opportunity to provide them additional time off because they were professional employed Staff. He noted that at his prior employer, management level Staff received an additional five days on an annual basis. He stated that this process was set up in the Code and he was flexible with how he handled requests for discretionary leave. He noted that Sam May will work on how he would work that out with Department Heads when he becomes City Manager. He stated that any changes to the Code would be at the discretion of the City Commission.

INTERIM CITY MANAGER SAM MAY said that as a former Department Head, some days taken for discretionary leave were for golf tournament events or sponsored events

sent to by the City.

CITY MANAGER SMITH noted that Coconut Creek provided two weeks to the Department Heads to use it or lose it.

MAYOR RUZZANO asked whether the Commission was notified of that.

CITY MANAGER SMITH said that emails should be forwarded to the Commission.

COMMISSIONER PEERMAN said that she did not need the emails. She felt that the City Manager managed the employees as his job.

VICE MAYOR SCHWARTZ said that she worked for 17 years in a government entity but did not receive discretionary time. She stated that she was not in favor of cashing out sick and vacation leave when using discretionary time for City events. She felt that time accrued should be used first.

CITY MANAGER SMITH said that other time was being used as well.

INTERIM CITY MANAGER MAY explained that most Department Heads had maxed out on the time they had or were allowed to bank from year to year, because they had not taken their time. He further explained that there was no more saving time every year, and that those who max out must take 100 percent of that time every year.

VICE MAYOR SCHWARTZ said that she was against not using the time when using a discretionary day.

COMMISSIONER SIMONE said that she did not have a problem with the discretionary hours.

MAYOR RUZZANO asked whether a Department Head would be expected to use discretionary days if asked to accompany the Commission to Tallahassee.

VICE MAYOR SCHWARTZ said no. She stated that it was a work day, unless it was a Saturday or Sunday. She said that they would be paid as a regular work day.

ITEM B WAS HEARD PRIOR TO ITEM A.

B. ID 2017-108 CAR ALLOWANCES.

THE FOLLOWING IS A VERBATIM TRANSCRIPT:

COMMISSIONER ANTHONY N. CAGGIANO: Alright, on this list uh, is a list of all the departments and the car allowances in each department. My first, my first question is, is that uh if you see there's two items that are in purple and that's for the City Manager and the City Attorney. Uh, it's a \$4800 car allowance, city, oh yours is not in purple?

COMMISSIONER LESA PEERMAN: City Manager ...

VICE MAYOR ARLENE R. SCHWARTZ: No no you said there's two but you didn't do the third.

COMMISSIONER CAGGIANO: No no, I'm doing those two for a reason.

COMMISSIONER PEERMAN: Obviously the City Manager and City Attorney ...

VICE MAYOR SCHWARTZ: Right.

COMMISSIONER CAGGIANO: *They have ... they have*

VICE MAYOR SCHWARTZ: *I know ...*

MAYOR TOMMY RUZZANO: *\$4800 ...*

COMMISSIONER CAGGIANO: *I took it, I took it right out of the um, the City Budget.*

MAYOR RUZZANO: *I don't think that's what it is in actuality then.*

COMMISSIONER CAGGIANO: *Well it's, it's there in the Budget.*

MAYOR RUZZANO: *Because I think the ...*

COMMISSIONER CAGGIANO: *They have cars ...*

MAYOR RUZZANO: *Yeah they have cars. I think they're either allowed to take a car allowance or receive the car and the City pays the insurance, so this number is probably...*

VICE MAYOR SCHWARTZ: *It's way more than that.*

MAYOR RUZZANO: *It's way more than that.*

COMMISSIONER CAGGIANO: *Oh. Okay. Alright, well that's, that's makes my point even more for what I'm getting to. Alright, my point is, is that I believe that the five City Commissioners who spend their time driving from here to here to here, as opposed to the Department Heads who drive from home to the City and park their car and periodically go out to meetings, uh, when we're constantly driving whether it's to ribbon cuttings, installations, meeting homeowners, uh, going to the lady's house to check and see her, her bushes, uh, going to meetings, everywhere we go, and I believe that there's no reason why Staff, all the Department Heads, are getting a car allowance and the City Commissioners aren't, cause we're the ones who are out there driving around literally everyday while they're driving here and parking their car, for the most part, and working. They drive here, they get a, they get, and by the way, the car allowances are only started for the majority uh, in 2016, and um, I'll ask the question, Doug, why in 2016, did you decide to unilaterally give each Department Head a car allowance whether they drove here and parked and never went anywhere except maybe once a twice a month anywhere and give them the money.*

CITY MANAGER DOUGLAS E. SMITH: *First of all, if I could just distinguish, there's a difference between car allowance and City provided vehicle.*

COMMISSIONER CAGGIANO: *Absolutely.*

CITY MANAGER SMITH: *Okay, so the Department Heads that get, uh, that get car allowances um, and I'm, besides Charter Officers, are Finance, Economic Development and HR. The other ones are City provided vehicles, so where you see that line in the Budget where it's gonna say vehicle benefit instead of like vehicle allowance, uh, yeah instead of vehicle allowance, and just in consulting with the Staff, the thinking here is that that is, you have to pay taxes on that for using it like for you know for personal use or whatever, you're paying taxes on it. Um, I don't know if you don't have to if you handle it a different way and don't drive it for anything else, but that could be possible, but in order to get your salary up to that level that you're taxed on it, the Staff's thinking that's why that vehicle allowance line would be there, okay? So put vehicle allowance*

as somebody that has, I'm sorry, not vehicle allowance the uh, City provided vehicle, vehicle benefit, okay, that's this group over here, that's gonna be the majority of your Department Heads actually have a City provided vehicle. The three other Department Heads that were not getting a car allowance whatsoever. The previous Finance Director prior to the current Finance Director had got a vehicle allowance. That was back in the 2014, Budget, it will show that. In 2015, we did not have any kind of vehicle benefit for those particular Department Heads. 2016, Budget um, that is included in the adopted Budget, which obviously would have been part of my recommendation to the Commission, um, we have you know Department Heads here that can be driving to meetings wherever they have to go. Besides any of that, you're putting all your Department Heads kind of in a level playing field by, okay, we're not gonna provide a City vehicle to everybody, but by doing that everybody's in the same level playing field that there's a vehicle benefit for you as a Department Head. So um, this is, they're, they're not at the, at the higher level that the Charter Officers are by contract, but it is some recognition of being able to provide them with some type of a vehicle allowance. So the vehicle benefits as far as other Department Heads having vehicles that they drive, that would have been some time in the past whenever that was determined um, in years passed.

COMMISSIONER CAGGIANO: So, so I have a question then, for the two Charter Members who have cars you've got here \$4800 bucks. I'm told that it's a lot more. How ...

COMMISSIONER PEERMAN: Insurance.

CITY ATTORNEY SMITH: So, so that ...

MAYOR RUZZANO: it's not that ...

CITY ATTORNEY SMITH: No, we have to pay tax ...

MAYOR RUZZANO: You?

CITY MANAGER SMITH: I have to pay, I pay taxes on ...

MAYOR RUZZANO: On what?

CITY MANAGER SMITH: On that, let's get some help from Finance to make sure I get it right, but on ...

UNDETERMINED SPEAKER: (Inaudible)

CITY MANAGER SMITH: Value of the vehicle I pay taxes on that right? So right now I'm driving the older vehicle, so that's gonna be lower, it's gonna be a lower vehicle level that I have to pay taxes on. You get a new vehicle then you have a higher level vehicle that the employee has to pay taxes on.

MAYOR RUZZANO: How is that? Whose name is the vehicle under?

CITY MANAGER SMITH: It's gonna it's a City vehicle.

MAYOR RUZZANO: But you're paying tax on it?

CITY MANAGER SMITH: Personal like income, income taxes.

VICE MAYOR SCHWARTZ: It's considered a benefit that you get and therefore, even

though it ...

COMMISSIONER PEERMAN: Yes.

VICE MAYOR SCHWARTZ: Yes. He's paying tax on it because it's an employee benefit.

MAYOR RUZZANO: But look at the people who are receiving the \$300, at the end of the year they're paying \$3600 in taxes.

VICE MAYOR SCHWARTZ: But that's ...

UNDETERMINED SPEAKER: Except for 750.

VICE MAYOR SCHWARTZ: Do we provide the gas too?

CITY MANAGER SMITH: Yes. For, if it's a City provided vehicle the City provides the fuel.

COMMISSIONER CAGGIANO: And all the repairs?

CITY MANAGER SMITH: Yes, repairs, maintenance.

COMMISSIONER CAGGIANO: Oil change and all that stuff.

CITY MANAGER SMITH: mhuh, mhuh.

COMMISSIONER CAGGIANO: Alright. I'm going to again ask then uh for the City Commissioners to get the, the same \$300 a month for the cars since we're driving them all over the place.

UNDETERMINED SPEAKER: Want to get a new car?

COMMISSIONER CAGGIANO: I'm not asking that. I, I, I'm not asking that. I'm going to the very low end. So ...

COMMISSIONER PEERMAN: Enough. I'm just ...

VICE MAYOR SCHWARTZ: Doug I have a question. Years ago, and I only go by years ago, for argument's sake, when Debra Thomas was the City Clerk, for once a week that she have maybe needed to go somewhere, there was a pool vehicle, kind of like (inaudible) drives available. She picked up the keys, she got in there, she drove to the one place she needed to go that one time a week, she parked it. It didn't cost us \$3600 a year for that. I, don't doubt in my mind that Economic Development drives all around the City. I kind of question whether or not the Finance Director, she may or she may not, goes anywhere other than to and from work, which if I were in, filling my IRS taxes, again, I drove between three schools. I had (inaudible). I was only allowed \$.55 ½ a mile between, no to and from. That, you can't deduct that on your taxes, but yet, and I get you want to put everyone on a level playing field, but it's, every time I make a remark it's as a resident who pays taxes to the City of Margate. If a person sits here and he comes to work, parks their car and gets in it and goes home, you can't take it off their taxes, and it really shouldn't be in my mind, a benefit someone gets to come to work unless we're gonna give it to everyone who does exactly the same thing. So, sometimes not everybody can be on a level playing field. It, it doesn't, if that, if that allowance shouldn't (inaudible) to them. If you don't go anywhere, why do we pay for your car if it sits here, because the whole idea of giving someone a car was to drive

around Margate as you do to people in business, whether doing the people's business remains in this building, it's a hard nut to swallow and I had this conversation with you before because I know that it was not in previous Budgets or at least not in the ones that I considered and I wondered why you said because you were giving it to those you mentioned the positions. I wish people came with mention with what I thought my position was worth, but I, you know it just hits me as beyond the regular raise then you get compensated \$600 on top of that and you don't go anywhere other than to work is questionable. Again, my opinion.

CITY MANAGER SMITH: Okay, and if I can just clarify, whatever taxes have to be paid there could be City's share of certain taxes that get paid when you have income or whatever the employee has to pay. I just want to make sure I'm not boxing myself into specifically what I was saying regarding how that tax part is handled, but uh, if you need any more information for that we'll give it to you.

VICE MAYOR SCHWARTZ: It's taxable revenue. Taxable revenue.

MAYOR RUZZANO: So I guess Commissioner, your question is, well, from what I'm hearing from Commissioner Arlene, uh, Vice Mayor Arlene is either nobody gets it or from what you're saying the Commission should also get it.

COMMISSIONER CAGGIANO: Correct, since we're the ones who are driving around constantly.

MAYOR RUZZANO: Well I think that everyone can realize that this is a perk or a benefit. I think we can all agree to that. If you're gonna break ...

COMMISSIONER PEERMAN: Actually it is when you're trying to get people ...

MAYOR RUZZANO: Yeah ...

COMMISSIONER PEERMAN: ... to come and work for your City ...

MAYOR RUZZANO: I got that ...

COMMISSIONER PEERMAN: ... and they check with other Cities ...

MAYOR RUZZANO: I got that ...

COMMISSIONER PEERMAN: ... and see what they're ...

MAYOR RUZZANO: ... and, and in my business, if a guy has a pickup truck and uses it, I'll pay him for it so getting to what you're saying, if we're driving around or using our car for City business, which we all do, you're asking to be compensated for it. I agree with you on that. I agree with you.

COMMISSIONER JOANNE SIMONE: I don't uh, I don't want it, but if you guys want to take it that's okay with me uh, you know, I'm here because I want to be here for the people. I don't want to charge the residents for using my car. I do it because I want to do it, so I don't need to be compensated for it.

MAYOR RUZZANO: That's fine. Lee?

COMMISSIONER PEERMAN: Yeah ditto, but I do want to say that if you do business outside of the City of Margate, you are entitled to mileage ...

VICE MAYOR SCHWARTZ: Absolutely.

COMMISSIONER PEERMAN: ... to go, to go to like if you uh, Broward League of Cities, I don't take it ...

VICE MAYOR SCHWARTZ: Absolutely.

COMMISSIONER PEERMAN: ...but Broward League of Cities meetings, you're on the board, you're entitled. MPO meetings, you're entitled to mileage on the outside, outside of the City. Inside of the City you were never, you were never given mileage for driving inside of the City.

VICE MAYOR SCHWARTZ: What are you talking about? Who are you talking about Staff or ...

COMMISSIONER PEERMAN: The Commissioners.

VICE MAYOR SCHWARTZ: Mileage?

COMMISSIONER PEERMAN: Yes, mileage for going outside of the City.

VICE MAYOR SCHWARTZ: Never took mileage in my life.

COMMISSIONER PEERMAN: You never took it but it was there.

VICE MAYOR SCHWARTZ: Never offered it either.

COMMISSIONER PEERMAN: Well, trust me. It was there. Ask Varsallone. It was there. He was mostly on the Board so he did a lot of driving outside of the City of Margate. Many of the meetings were in Margate so he got mileage for outside the City of Margate and he can tell you about how to do the taxes on that money too, because that was his, one of his issues was how do you figure out the taxes but, I, I, I don't know.

VICE MAYOR SCHWARTZ: If you get mileage from the City you don't have to figure out the taxes, it's put, it's added on to your uh, income.

COMMISSIONER PEERMAN: No it isn't.

MAYOR RUZZANO: Yeah but you can add it on ...

VICE MAYOR SCHWARTZ: If you take it individually, but if the City reimburses you then it's added in, it's a wash, okay.

COMMISSIONER PEERMAN: It isn't, but I don't, again, I don't want it. I think if a Commission position is an elected position and I don't think it gets the same perks. I've said it since 2003. I, I will continue to say it. I don't think that the Commissioners should have health insurance. I don't think they should have FRS Pensions. I don't think they should have, you know, 90 percent of the things that they get in other Cities even.

VICE MAYOR SCHWARTZ: Well then I must be one of your favorites cause I'm not getting health insurance so I don't have an FRS benefit. So that makes me a sterling example of what not to get.

COMMISSIONER PEERMAN: There you go.

VICE MAYOR SCHWARTZ: *However, I do have an issue with some, and if you're gonna tell me that I have to pay someone to come to the City to work here and reimburse them for the car they would drive to go everywhere else, I have an issue with that, so if you want to leave that the way it is, I don't you're necessarily wrong that uh, the people who shop are most accountable to the residents get that perk as well. If we're gonna be that good to everybody else who sits and parks their car here, and no disrespect for employees, cause I don't mean it that way, but it's legitimately the use of a car is to go within the City or go for the City outside the City, but not to and from just to work, so if you're gonna leave that there, then I don't think it's necessarily wrong that the City Commissioner who goes around and actually is involved in the City gets something for doing so. I never had that and I never did that for the 10 years I was on the Commission; however ...*

COMMISSIONER PEERMAN: *I think that ...*

VICE MAYOR SCHWARTZ: *... we never gave this for the 10 years I was on the Commission.*

COMMISSIONER PEERMAN: *I think maybe that what they need is a breakdown of who's getting this car allowance and why and the necessity of it, maybe if you'd had better information ...*

VICE MAYOR SCHWARTZ: *Yep. Yep.*

COMMISSIONER PEERMAN: *... there's no backup except for this so if you guys could give us maybe if they'll ...*

COMMISSIONER CAGGIANO: *I took it straight out of the City Budget.*

COMMISSIONER PEERMAN: *I understand, but it doesn't say why are we giving, I understand why we're giving Public Works and Building then you know cause those are employees and these are people that in case of emergencies they are the ones that have to come and they have to be there. IT, the other ones, I don't know, but maybe if you can give us a reason and if that reason is because we were able to get this person hired because Sunrise offers this or Coconut Creek offers this as a perk, as a perk, your saying it's a perk.*

MAYOR RUZZANO: *It is a perk so let's treat it as a perk. Don't say that if you're driving a car here and you're not using it, then go back to the Vice Mayor was saying, then you don't get it, but don't say that you're driving a car here and we give it to you as a perk that's why we want you here. It's contradicting.*

COMMISSIONER PEERMAN: *It's in other City's contracts that they give ...*

MAYOR RUZZANO: *But there's no reason to ask Staff to go back and look at it. We know what it is. We all know what it is.*

COMMISSIONER PEERMAN: *You know why they give IT a car?*

MAYOR RUZZANO: *It's up to the City Manager.*

COMMISSIONER PEERMAN: *You know why?*

VICE MAYOR SCHWARTZ: *Because he goes ...*

COMMISSIONER PEERMAN: *Do you know why?*

VICE MAYOR SCHWARTZ: Because he goes to City locations, City locations repairing technology, because there are City locations where we send ...

COMMISSIONER PEERMAN: So you're saying it's his job.

VICE MAYOR SCHWARTZ: Correct.

COMMISSIONER PEERMAN: So it's not necessarily a perk.

VICE MAYOR SCHWARTZ: No not in his case, no.

COMMISSIONER PEERMAN: That's why I was just asking.

VICE MAYOR SCHWARTZ: That's what he said, some people have a City car.

COMMISSIONER PEERMAN: If you're saying giving it to every Commissioner because it's a perk, I want to know who's in here is the perks.

VICE MAYOR SCHWARTZ: I'm gonna ...

MAYOR RUZZANO: I mean I don't want to pick it apart, I mean you want to ...

VICE MAYOR SCHWARTZ: I'm gonna (inaudible) perk.

COMMISSIONER PEERMAN: I'm not taking it so it's not up to me.

MAYOR RUZZANO: Okay that's that's fine. I mean there probably people that do not leave the building all day. I'm not gonna call them out and say you know what, you shouldn't get it. That's not what I'm gonna do. But I'm just saying if everybody else is getting it and the reason why we're getting it is for to drive around the City, we drive around more in the City than probably any of them. It's only fair.

COMMISSIONER CAGGIANO: Alright. I think we have consensus on that. Um, let's go to our ...

COMMISSIONER PEERMAN: We have no vote yet Sam. Don't write it down (inaudible). They've got to go before the people and we'll vote up on the dais first okay.

ITEM G WAS HEARD PRIOR TO ITEM A.

G. ID 2017-113 INTERIM CITY MANAGER COMPENSATION.

COMMISSIONER CAGGIANO believed that Interim City Manager Sam May was named Interim City Manager until City Manager Douglas E. Smith left.

MAYOR RUZZANO stated that it was Interim City Manager until he was hired.

COMMISSIONER CAGGIANO thought that once City Manager Smith, Interim City Manager May would have six months to decide whether or not he wanted to keep the position. He felt that Interim City Manager May should get an increase in salary during the interim status and he asked what the Commission's opinion was and what the increase should be.

COMMISSIONER SIMONE explained that the interim position was probationary, and she never heard of someone getting a City Manager salary while on probation. She felt that he was excellent and the best in the field at Public Works and was hopeful he

would be the same as City Manager; however, she felt he needed to show the Commission the quality, after which the money would follow. She did not agree with starting his salary at what City Manager Smith was currently making. She noted that City Manager Smith started at \$165,000 and worked his way up for two years to his current pay.

MAYOR RUZZANO felt that Interim City Manager May should get paid by what he was worth.

INTERIM CITY MANAGER SAM MAY said that the Commission was expecting the same of him as they expected of the current City Manager and not anything less. He added that the Commission was probably expecting more of him. He stated that he was going to step up and if he did not, he could be sent back to Public Works; therefore, he was requesting the same salary as the current City Manager starting at the time he became Interim City Manager. He explained that he ran the numbers for everything staying the same as it was with the current City Manager not leaving, himself remaining as Public Works Director and Nick remaining Superintendent, for the 7 ½ months that he was named as Interim City Manager, and determined that it would have cost the City \$241,867, not including extra benefits the City Manager currently received. He then explained that if he received the same salary as the City Manager when he became Interim City Manager for 7 ½ months, City Manager Smith received his current salary for 1 ½ months and Nick received the Acting Public Works Director pay for 7 ½ months, the City would have spent \$198,000, which saved \$42,000.

COMMISSIONER PEERMAN suggested paying Interim City Manager May what City Manager Smith started at as an Assistant City Manager for his time in training, and when he became City Manager alone, he should make the same money as City Manager Smith.

MAYOR RUZZANO asked whether there was ever an Interim that received the full pay.

COMMISSIONER PEERMAN said that there was never an Interim that did that.

MAYOR RUZZANO clarified that he was referring to Dan Booker being Interim Fire Chief for a long time.

CITY MANAGER SMITH said that there might have been an adjustment for him because he was an Interim for longer than six months. He could research whether there was an adjustment.

COMMISSIONER SIMONE said that if she accepted a position as Interim she would not ask her boss for the same pay as the City Manager within one month. She felt that being on a probationary period for only one month was not deserving of the City Manager salary.

COMMISSIONER CAGGIANO asked whether Interim City Manager May would accept Commissioner Peerman's suggestion.

COMMISSIONER PEERMAN noted that \$165,000 was the salary when he started the position.

COMMISSIONER SIMONE felt that someone needed to show their work and then be compensated accordingly.

COMMISSIONER PEERMAN mentioned working with Public Works Director while dealing with City Manager responsibilities.

VICE MAYOR SCHWARTZ noted that he was still working with City Manager Smith.

COMMISSIONER PEERMAN said that City Manager Smith would be leaving in two weeks.

COMMISSIONER SIMONE suggested having Interim City Manager May wait until then.

INTERIM CITY MANAGER MAY said that would be fine.

COMMISSIONER PEERMAN noted that his title would not change to City Manager in two weeks, but that he was still an Interim City Manager until the six months was over.

INTERIM CITY MANAGER MAY explained that every employee coming into the City was on probation and all received the same pay for one full year. He noted that during probation anyone could be asked to leave.

COMMISSIONER PEERMAN felt that being City Manager was different than being Public Works Director, because he would now have the responsibility of every employee, answered to five Commissioners and dealt with legalities, etc.

COMMISSIONER SIMONE said that it was his personal choice to leave Public Works Director for City Manager.

COMMISSIONER CAGGIANO asked whether Commissioner Simone would consider what Commissioner Peerman was suggesting with going to \$165,000 on the day City Manager Smith left.

COMMISSIONER SIMONE agreed.

MAYOR RUZZANO said that the fair decision was to put him at a rate until his Interim was over, then come back and negotiate for the City Manager.

VICE MAYOR SCHWARTZ said that she agreed with going in the middle.

CITY MANAGER SMITH said that as an Assistant he was receiving in the \$140's range.

COMMISSIONER PEERMAN asked Interim City Manager May if he would work for \$165,000 until he was appointed City Manager.

INTERIM CITY MANAGER MAY clarified that when he took this role he was asked about the salary and he said he would take the same salary without the benefits, because the benefit package was about \$196,000 between the contribution and the salary. He reiterated that he would take the salary that the City Manager was currently receiving until the end of the six month period, and then his contract would be renegotiated. He stated that he would like to keep the same benefits he was currently receiving as the Public Works Director. He noted that was through an email and verbally when he was first asked to take the position. He clarified that he wanted \$178,000 after the City Manager leaves, with \$160,000 to \$165,000 from when he became Interim City Manager.

COMMISSIONER PEERMAN reiterated that the salary would be \$160,000 until March 12th, and \$178,000 on March 13th with no perks.

INTERIM CITY MANAGER MAY agreed with the same benefits he was receiving as Public Works Director.

COMMISSIONER PEERMAN believed that once he was doing the job on his own, he was doing the job of the City Manager; therefore, she agreed with giving him \$160,000 from the time he became Interim City Manager through March 12th with the increase to \$178,000 on the March 13th. She said that in six months it could be renegotiated and if need be, he would go back to Public Works to the salary in the \$140's. She noted that if Interim City Manager May left tomorrow, the City would have to hire somebody within that range.

INTERIM CITY MANAGER MAY said that he meant no disrespect and that he loved Margate, but he now had more stress than he had at Public Works.

COMMISSIONER SIMONE clarified that he was receiving \$145,000 and had 10 days left, and she asked whether he would be willing to remain at that salary for the 10 days.

INTERIM CITY MANAGER MAY added that the Commission had asked him to take this position. He clarified for the Vice Mayor that his salary would have to be renegotiated after because he had a typical Department Head benefit package.

There was a brief discussion regarding confusion pertaining to the renegotiation of his salary after the six month probation.

VICE MAYOR SCHWARTZ noted that six months was the beginning of the next Budget year and he would be receiving an increase anyway.

MAYOR RUZZANO said that at that point the Charter Officers should be addressed individually.

COMMISSIONER PEERMAN said that she was trying to get three Commissioners to agree to giving him \$160,000 from the time he started as Interim, with \$178,000 when he started as City Manager.

COMMISSIONER CAGGIANO agreed.

MAYOR RUZZANO agreed.

ITEM K WAS HEARD PRIOR TO ITEM A.

K. ID 2017-106 CHARTER OFFICER CONTRACTS.

COMMISSIONER CAGGIANO asked whether this would be handled at Budget time.

COMMISSIONER PEERMAN suggested having a Workshop before doing that review because she felt it was too early.

COMMISSIONER CAGGIANO agreed.

VICE MAYOR SCHWARTZ asked whether the Charter Officer contract was annually renewable without ever coming before the City Commission.

MAYOR RUZZANO said that it was.

VICE MAYOR SCHWARTZ said that it would have to be discussed because it was annually renewable and she questioned whether it was based on fiscal year or hire date.

CITY MANAGER DOUGLAS E. SMITH stated that his contract was not annually

renewable and was open ended.

VICE MAYOR SCHWARTZ clarified that nobody would have to go over it again.

CITY MANAGER SMITH agreed, unless any changes were being made.

VICE MAYOR SCHWARTZ reiterated that it would go on unless someone wanted to renegotiate for salary, benefits, etc.

MAYOR RUZZANO said that he just found out about the 457.

COMMISSIONER PEERMAN noted that the 457 was first given to City Manager Smith.

MAYOR RUZZANO agreed, but explained that he was not familiar as he was from the private sector.

VICE MAYOR SCHWARTZ explained that the 457 was a tax sheltered annuity that money went into under a person's name as an alternative pension fund. She said that people that were vested with the Florida Retirement System (FRS) then retired and collected a pension from FRS. She stated that about five years ago the Governor decided that those retirees could not come back to a Florida Retirement System (FRS) employer, which the City was, and vest in a second FRS pension. She explained that as a way around that, the City offered a 457, which was a fund in the retiree's name that belonged to them regardless of how long they were here. She stated that it was based on a percentage and was a double pension system with the FRS payment and the 457. She noted that three people who were getting the 457 were not yet receiving their first pension, and there was an employee in the City currently who was collecting a first pension and was receiving a 457.

MAYOR RUZZANO asked whether the 457 was available yearly.

VICE MAYOR SCHWARTZ said that it was an annual amount that continued to go up based on the salary.

MAYOR RUZZANO questioned why it was not offered to all the employees.

COMMISSIONER PEERMAN explained that it started with City Manager Smith, and was done because he was starting new with FRS and other Cities were providing the 457 option. She noted that he would not be vested in the regular FRS for six years, unless with the Investment Plan; therefore, he was not being offered a pension plan, which was why the 457 was provided. She explained that the second person to receive it was the City Attorney under the same circumstances. She noted that if vested in the FRS from the first day of hire, the 457 would probably have not been offered. She explained that the third person to receive the 457 was the City Clerk, because he was a Charter Officer that was not receiving what the other two Charter Officers were receiving. She further explained that the Police Chief that retired from the City and then came back to the City and could not take his FRS pension.

CITY MANAGER DOUGLAS E. SMITH explained that the 457 was sometimes given because the City Manager position turned over more than other positions. He said that another reason for the 457 was when the employee had not taken any pension plan. He added that another way to handle the situation was to have the employee provide the maximum allowable contribution into the account, which was not being done here.

MAYOR RUZZANO felt that the 457 should be offered to the Police Officers as well.

CITY MANAGER SMITH noted that the Police Officers were in a special risk class at the FRS as well. He explained that the Investment Plan for Senior Management was approximately 7 percent that goes into the individual account, but the City had to pay whatever the required contribution was above that.

VICE MAYOR SCHWARTZ felt that it was the employee's issue if they did not remain long enough to get vested. She said that the purpose of a pension system was to make the employee want to remain to get vested and collect the pension.

CITY MANAGER SMITH said that when looking into having Interim City Manager May being the successor City Manager, the Commission might want to consider what was competitive in the marketplace with regard to what other cities were offering in a retirement package.

POLICE CHIEF DANA WATSON clarified that he did collect the FRS benefit; however, he had to take a suspension of six months of his pension, which he would never get back. He added that part of the agreement he had when leaving Margate as the Deputy Chief was that he left eight months early and did not collect his full Deferred Retirement Option Program (DROP) so he could come back to take the job as Chief. He further clarified that he was collecting his FRS; however, he could not start a new pension as the Chief, and that he did not get a pension other than the 457 while back as Chief. He explained that if he went somewhere else as Chief he would receive the FRS benefit.

COMMISSIONER PEERMAN said that everybody was eligible for FRS, but the Commission could give it to Commissioners who were not eligible just as it was given to the non-eligible Charter Officers. She noted that there were two Commissioners that were not receiving the three percent the City was paying for all the Commissioners. She stated that it would be fair to give them three percent in the 457.

MAYOR RUZZANO asked the Commissioners if they wanted the 457. He questioned why the Commission only had three percent while everyone else had seven percent.

VICE MAYOR SCHWARTZ noted that if the Police Chief was hired normally as a Police Chief it would have been three percent.

DIRECTOR OF HUMAN RESOURCES JACKIE WEHMEYER explained that the City did not contribute the three percent, but it was the multiplier.

VICE MAYOR SCHWARTZ questioned how much the City contributed for everyone who was on the multiplier of three percent.

DIRECTOR WEHMEYER further explained that the three percent was the multiplier, and what the City had to contribute to the FRS was actuarially determined every year by the State; therefore, it could go up or down. She noted that the City had no say in that amount and had to pay a certain percent for special risk employees, Commissioners, City Managers, etc.

COMMISSIONER PEERMAN asked what was paid for Commissioners.

DIRECTOR WEHMEYER said she was not sure at the moment, but reiterated that every July 1st, the amount was actuarially determined to keep the plan sound. She said that the determination was based on the class and on the multiplier. She clarified that as a non-FRS employee, there was a certain amount that the City must pay to FRS even for those people who were not eligible to receive additional FRS funds from FRS. She said that it was almost like a penalty. She explained that the seven percent was a number that was chosen when the contract was bargained for the 457, and it was not a

multiplier.

COMMISSIONER PEERMAN asked Director Wehmeyer to provide the information on how much it cost to do the 457 for the two Commissioners at the same rate as the rest of the Commissioners.

DIRECTOR WEHMEYER explained that would depend on whether or not the Commissioners were taking a pension or the investment plan. She noted that the amount could change every year, but she would calculate the current dollar figure.

COMMISSIONER PEERMAN said that it could be discussed at a Budget Workshop.

MAYOR RUZZANO felt it should be discussed prior to that to determine if it was wanted.

VICE MAYOR SCHWARTZ mentioned receiving it retroactively.

DIRECTOR WEHMEYER said that she would provide the information requested.

MAYOR RUZZANO felt that the Countywide 911 System was not going in the right direction. He said that he agreed with Commissioner Simone's suggestion last year regarding bringing Margate in with Coral Springs and Coconut Creek. He said that he spoke with officers and residents of the cities and felt that was the way to go. He noted that a report was done of the 911 system.

VICE MAYOR SCHWARTZ stated that more time was being requested.

MAYOR RUZZANO said that was the response for a while now, and that he believed that this was sold to the City Managers who sold it to the Commissioners. He noted that Coral Springs had opted out.

COMMISSIONER PEERMAN said that it was supposed to be run by Broward Sheriff's Office. She suggested having the City Manager speak to those cities to see if they wanted to go in together.

VICE MAYOR SCHWARTZ noted that years ago Coral Springs came to Margate because Margate had the State of the Art equipment; however, Coral Springs now had that equipment and Margate would have to purchase it.

MAYOR RUZZANO stated that he was informed each City had to pay for the Countywide System whether they were on it or not.

COMMISSIONER PEERMAN agreed and explained that the amount was in the millage taxes from the County. She noted that 10 years ago it was the residents who voted to have this.

MAYOR RUZZANO asked that Interim City Manager Sam May look into the issue.

A. ID 2017-107 SALARIES.

MAYOR RUZZANO said that the Commission was underpaid.

COMMISSIONER PEERMAN stated that she would never vote for a raise for the City Commission.

MAYOR RUZZANO disagreed and felt that salary should be increased and health insurance should be provided. He stated that the Commission job was a full time job with a lot of commitment and major decision making.

VICE MAYOR SCHWARTZ stated that the Commission last received an increase in 2009.

COMMISSIONER PEERMAN said that until 2011, the Commission was receiving the same percentage the union was getting. She stated that she was challenging the numbers provided by the City Clerk, because the ordinance was written in 2008, tying the Commissioners raises to the union raises. She stated that was stopped by ordinance in 2011.

MAYOR RUZZANO asked whether the consensus was for the Commissioners to get a raise.

COMMISSIONER PEERMAN said no.

COMMISSIONER SIMONE said no.

COMMISSIONER CAGGIANO said yes.

VICE MAYOR SCHWARTZ said yes.

MAYOR RUZZANO said yes.

C. ID 2017-109 ~~24 HOUR MANNED POLICE STATIONS.~~

DISCUSSED PREVIOUSLY UNDER ITEM H (FIVE DAY WORK WEEK).

D. ID 2017-110 ~~PERMITTING.~~

DISCUSSED PREVIOUSLY UNDER ITEM H (FIVE DAY WORK WEEK).

E. ID 2017-111 ~~TENNIS COURTS AT CITY PARKS.~~

THIS ITEM WAS NOT DISCUSSED.

F. ID 2017-112 ~~POLICE EVIDENCE PROCEDURES AT ACCIDENT SCENES.~~

THIS ITEM WAS NOT DISCUSSED.

J. ID 2017-116 CODE ENFORCEMENT ON FRIDAYS.


DISCUSSED PREVIOUSLY UNDER ITEM H (FIVE DAY WORK WEEK).

ADJOURNMENT

There being no further business, the meeting adjourned at 7:40 PM.

Respectfully submitted,

Transcribed by Carol DiLorenzo



Joseph J. Kavanagh, City Clerk

Date: 5/18/17