



# City of Margate

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## Meeting Minutes Regular City Commission Meeting

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

*City Manager Samuel A. May*  
*Interim City Attorney Goren, Cherof, Doody & Ezrol, P.A.*  
*City Clerk Joseph J. Kavanagh*

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Wednesday, June 20, 2018

7:00 PM

Commission Chambers

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### CALL TO ORDER

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

In Attendance:

City Manager Samuel A. May  
Acting City Attorney Ian Singer  
City Clerk Joseph J. Kavanagh

### PLEDGE OF ALLEGIANCE

[ID 2018-272](#) CUB SCOUT PACK 836

### 1) PRESENTATION(S)

- A. [ID 2018-261](#) HOME OF THE MONTH - JUNE 2018  
(Wanda and Virgil Hyde, 104 East Palm Drive)

### ATHLETES OF THE MONTH

- B. [ID 2018-284](#) TRAVEL SOCCER U10: ETHAN PEREZ, 10 YEARS OLD  
  
SPECIAL OLYMPICS: MICHAEL D'ANGELO

### EMPLOYEE RECOGNITION FOR YEARS OF SERVICE

- C. [ID 2018-280](#) MICHAEL STARKMAN, DETECTIVE - MARGATE POLICE DEPARTMENT -  
10 YEARS

FABIAN MARRERO, FIREFIGHTER/PARAMEDIC - MARGATE FIRE  
DEPARTMENT - 15 YEARS

Fabian Marrero was absent due to work commitments. They will do his presentation at a later date.

**PROCLAMATION(S)**

- D. [ID 2018-277](#) PASTOR CJ WALTER DAY - JUNE 20, 2018 (presented to Pastor CJ Walter)

**2) COMMISSION COMMENTS**

COMMISSIONER LESA PEERMAN mentioned the 4th of July event.

COMMISSIONER JOANNE SIMONE congratulated the Finance Department for receiving the Government Finance Officers Association's Distinguished Budget Presentation Award. She thanked Mark Collins for addressing a fence issue. She mentioned the 4th of July event. She provided an update on the Metropolitan Planning Organization (MPO) project on Rock Island Road. She discussed the "8-80" Cities Broward MPO initiative. She said that she would like an American Association of Retired Persons (AARP) representative to give a presentation at a future City Commission meeting. She discussed the 911 communication issues in the City and referenced an audio recording of a landscaper who was struck by lightning. She advised that 911 Communications should be their top priority.

MAYOR ARLENE R. SCHWARTZ explained that she met with the City Manager and the Fire and Police Chiefs to discuss that issue. She said that they need to partner with other cities and look to sue Broward County.

COMMISSIONER TOMMY RUZZANO discussed the 911 Communication system and the proposed \$13,000,000 to revert to the previous system. He advised that they need to get rid of the County system. He mentioned the Green+Groove event. He mentioned the 4th of July event. He spoke about the Margate Canal System and advised that he spoke with a reporter and that they needed a plan for when seawalls start giving way. He advised that the Mayor was on boat with a reporter looking at the sea walls. He asked for an update on the seawall issue.

CITY MANAGER SAMUEL A. MAY advised that a contractor and homeowner were working through it and it was possibly in permitting.

COMMISSIONER RUZZANO explained that the Community Redevelopment Agency (CRA) bailed them out of that problem. He said that they need a solution and would welcome ideas and mentioned a Special Taxing District.

CITY MANAGER MAY said that he conversed with a partner from the Interim City Attorney Office and that they would look into the feasibility of creating a Special Taxing District.

COMMISSIONER PEERMAN asked for CONSENSUS to find solutions to the Broward 911 dispatch issue, to find out options and bring them back to Commission.

CITY MANAGER MAY advised that they had reached out to Coral Springs and asked for a proposal. He explained that the only other option would be to form their own respective 911 dispatch.

COMMISSIONER PEERMAN advised that they could also look into using the Broward Sheriff's Office (BSO) or County equipment. She also advised that they should look into having more options.

VICE MAYOR ANTHONY N. CAGGIANO discussed the 4th of July festivities. He also talked about parents being appreciated.

MAYOR SCHWARTZ introduced Acting City Attorney, Ian P. Singer, who was sitting in for Interim City Attorney, James Cherof. She thanked Firefighters Benevolent Association for assisting a resident with roof issues. She advised that on June 19th, she went out on a boat with Channel 10's Investigative Reporter, Bob Norman, to look at the 59 year old seawalls. She suggested putting a Code Compliance Officer on a boat to look at construction on the canals that may affect seawalls. She thanked Mark Collins, Ron Eyma, Richard Nixon and Robert Massarelli for doing a great job. She explained that she received a call from Renée Narloch to interview two candidates for the City Attorney position and asked for CONSENSUS.

COMMISSIONER PEERMAN - Interview

COMMISSIONER SIMONE - Interview

COMMISSIONER RUZZANO - Interview

VICE MAYOR CAGGIANO - Interview

MAYOR SCHWARTZ said that she would contact Renée Narloch to arrange interviews.

MAYOR SCHWARTZ discussed Arbor View and the project not receiving its temporary certificate of occupancy (TCO). She explained that her job was to ensure people have a safe place to live.

CITY CLERK, JOSEPH J. KAVANAGH recognized Spencer Shambray, Purchasing Manager, for the wonderful job he does in the City.

### 3) PUBLIC DISCUSSION

MANNY LUGO, 1129 EAST RIVER DRIVE discussed seawall and canal issues and read an extract from a manual administered by Broward County.

COMMISSIONER PEERMAN discussed the seawall issue and asked the City Manager to talk with the United States Army Corp of Engineers.

CITY MANAGER MAY said that he would look into it.

COMMISSIONER RUZZANO spoke on this issue.

Discussion ensued on the seawall issue concerning liening a property.

ARTHUR J. KRELL, 6117 EDWARDS ROAD discussed the issues at his address of 6117 Edwards Road.

Discussion ensued on the topic.

ENETTE CHARLES, 5800 MARGATE BLVD, #733-7 discussed the parking issues at Margate Gardens.

CITY MANAGER MAY advised that they could park in the overflow by the North West Focal Point Senior Center (NWFPSC) and Library.

PHILIP R. BERACHA, 6950 NW 14TH PLACE discussed various issues in the City of Margate.

MAYOR SCHWARTZ addressed some of the issues.

CHARLIE ARTNER, 6631 NW 22ND COURT asked if the City Commission could attend a town hall setting meeting with residents regarding the proposed development of the Carolina Golf Course. He explained that questions would be submitted to the Mayor for review by the City Attorney.

ACTING CITY ATTORNEY IAN P. SINGER explained that it would be a Quasi-Judicial matter and that the Commission could not speak about it amongst themselves on the dais. He explained that as it was not on the Agenda, it could be proposed for a different Agenda.

Discussion ensued on this matter.

COMMISSIONER RUZZANO said that he would attend the meeting and that he was against the project.

Discussion ensued on the Sunshine Law and the Broward Office of the Inspector General (OIG).

COMMISSIONER PEERMAN advised that if he could organize a meeting that was noticed and that was allowed by the City Attorney, the City Commission could attend and give an opinion. She also advised that it would need to be a Public meeting and that he understood that the Commission could not provide any information on the developer's intentions. She also stated that the Commission should not give an opinion until they were in receipt of the facts from both sides.

MR. ARTNER said that he had reported three times that there was mold on the ceiling in the Chambers which had been painted over.

ANTONIO V. ARSERIO discussed getting an opinion from the City Commission on golf course re-zonings.

Discussion ensued.

JULIE JONES, 7871 NW 1ST STREET welcomed the Acting City Attorney and discussed the Citizen's Academy.

MS. CHARLES asked a further question concerning parking.

JOHN A. YOKLAVICH, 603 S. STATE ROAD 7, UNIT 1D discussed litter and the City's Club 250 fining system for employee accidents. He also discussed traffic issues in his neighborhood and mentioned lowering the speed limit on SW 7th.

#### 4) CONSENT AGENDA

MAYOR SCHWARTZ pulled CONSENT items 4E and 4F for discussion and moved up Discussion and Possible Action Item 8A to be heard after CONSENT.

Items listed under Consent Agenda are viewed to be routine and the recommendation will be enacted by one motion in the form listed below. If discussion is desired by the Commission, the item(s) will be removed from the Consent Agenda and will be considered separately. Anyone wishing to comment on any item on the Consent Agenda should approach the podium now. Each speaker is limited to three (3) minutes.

- A. [ID 2018-293](#) MOTION - A MOTION OF THE CITY OF MARGATE, FLORIDA TO WAIVE



FEES IN THE AMOUNT OF \$990 FOR THE USE OF ORIOLE PARK SOFTBALL FIELD BY SPECIAL OLYMPICS, INC - FLORIDA - BROWARD PURSUANT TO RESOLUTION NO. 16-174. PROVIDING FOR AN EFFECTIVE DATE.

**APPROVED**

- B. [ID 2018-270](#) ~~RESOLUTION—ACCEPTING BILL OF SALE AND APPROVING THE UTILITY AND ACCESS EASEMENTS FOR MAINTENANCE OF WATER FACILITIES AT 2000 NORTH STATE ROAD 7, MARGATE, FLORIDA.~~

**Item not read.**

- C. [ID 2018-276](#) RESOLUTION - VACATING, RELEASING, AND ABANDONING A UTILITY EASEMENT AT 5485 WEST ATLANTIC BLVD; LAKEWOOD RETAIL, LLC, PETITIONER.

RESOLUTION 18-064

**APPROVED**

- D. [ID 2018-279](#) RESOLUTION - APPROVING PURCHASE AND INSTALLATION OF A WIRELESS FUEL MASTER 3505 SYSTEM FROM ADAMS TANK & LIFT, UTILIZING NATIONAL JOINT POWERS ALLIANCE (NJPA) COOPERATIVE PURCHASING CONTRACT NUMBER 022217-SYS; IN AN AMOUNT NOT TO EXCEED \$30,000.

RESOLUTION 18-065

**APPROVED**

### Approval of the Consent Agenda

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

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

- E. [ID 2018-290](#) RESOLUTION - AWARDING CONTINUING SERVICES AGREEMENTS WITH (1) HAZEN AND SAWYER, P.C., (2) CAROLLO ENGINEERS, INC., (3) CHEN-MOORE & ASSOCIATES, INC., (4) ECKLER ENGINEERING, INC., AND (5) CRAIG A. SMITH & ASSOCIATES, INC. FOR REQUEST FOR QUALIFICATIONS (RFQ) 2018-009 - WATER AND WASTEWATER ENGINEERING SERVICES; PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION 18-066

Item 4E. was pulled from Consent Agenda for discussion.

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

VICE MAYOR CAGGIANO spoke about Page 8 of 18 on the backup. He spoke about 8.1, Ownership rights of documents.

ACTING CITY ATTORNEY SINGER said that he would have to defer to answer as he would have to review and research and would get back to the Commission.

CITY MANAGER MAY said that he wanted to remove Hazen & Sawyer.

**An amendment was made by Commissioner Peerman, seconded by Vice Mayor Caggiano, to remove Hazen & Sawyer, P.C., from the Resolution.**

**The amendment carried by the following vote:**

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

MR. YOKLAVICH discussed this item and spoke about the previous expertise of Department Of Environmental and Engineering Services (DEES) Director, Reddy Chitepu.

Discussion ensued on this item.

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

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

- F. [ID 2018-292](#)** RESOLUTION - APPROVING THE TERMS AND CONDITIONS OF THE AUTHORIZE.NET PAYMENT GATEWAY MERCHANT SERVICE AGREEMENT TO SERVE AS A PAYMENT GATEWAY BETWEEN THE CUSTOMER AND THE CITY'S CONTRACTED AUTOMATED MERCHANT TO ACCEPT CREDIT CARD PAYMENTS ONLINE THROUGH CIVIC REC., THE NEW WEBSITE PORTAL FOR PARKS AND RECREATION TRANSACTIONS.

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

PARKS AND RECREATIONAL DIRECTOR MICHAEL JONES spoke on this item and

said that they currently use USAePAY. He explained that when they move forward with the new webpage, they would be utilizing new software for Parks and Recreation to accept online credit card transactions. He said that the customer would receive the frequent flyer miles.

Discussion ensued about the California based software company.

**A motion was made by Commissioner Simone, seconded by Mayor Schwartz, to table this Resolution. This motion carried by the following vote:**

**Yes:** 3 - Commissioner Peerman, Commissioner Simone and Mayor Schwartz

**No:** 2 - Commissioner Ruzzano and Vice Mayor Caggiano

Meeting went into recess.

## 5) CITY MANAGER'S REPORT

Meeting reconvened.

CITY MANAGER MAY advised that on the Pastor C. J. Walter Day, they would have a Food Box and Dressdown Day for City Staff. He explained that they would take donations for the food drive to the Cokesbury United Methodist Church.

PASTOR CHERYL J. WALTER spoke on this matter.

CITY MANAGER MAY thanked the Finance Department and other departments for helping the City receive its very first Government Finance Officers Association's Distinguished Budget Presentation Award. He asked for CONSENSUS for BlueWay Trails Grant of \$250,000 with \$50,000 match by the City.

COMMISSIONER PEERMAN - YES

COMMISSIONER SIMONE – NO. She explained that it was not something that needed to be done right now. She said that although she was not against it, it was not a priority at this time.

COMMISSIONER RUZZANO - YES

VICE MAYOR CAGGIANO - YES

MAYOR SCHWARTZ asked if they could use it to pay for some of the Wayfinding signs for the canals that they were going to pay from the City's budget.

PARKS AND RECREATION DIRECTOR JONES explained that the grant they applied through the state was for the Recreation and Trails Program. He explained that it was a total project of \$250,000 with \$50,000 of the match coming from the City. He advised that it was for two canoe/kayak launches to be located at Winfield Park and at Lemon Tree Lake Park. He explained that their application was ineligible as they had the Marina location on it which they did not own. He explained that when they re-submitted the application, they removed the Marina location and said that they were on the eligibility list. He said that Wayfinding signage would then be put on the waterways.

COMMISSIONER PEERMAN spoke about the boat ramp at Lemon Tree Lake Park.

PARKS AND RECREATION DIRECTOR JONES said that it could not be done for this grant.

Discussion ensued about canoes and kayaks.

CONSENSUS GIVEN.

CITY MANAGER MAY advised that approximately \$28,000 was used from the Tree Preservation Fund for the Tree Giveaway. He explained that the Commission asked for the Tree Giveaway to be twice per year which would cost approximately \$60,000 per year. He advised that there was approximately \$20,000 left in that Fund. He asked for CONSENSUS to move forward with having it twice per year.

Discussion ensued on the Tree Giveaway.

PARKS AND RECREATION DIRECTOR JONES explained that developers who could not meet the required tree canopy through the City's Code were responsible for funding the Tree Preservation Fund.

COMMISSIONER SIMONE said that she would like to see it done once per year or for Arbor Day. She advised that for next year, they should eliminate unpopular trees and offer citrus trees.

COMMISSIONER PEERMAN said once a year. She suggested that it should also be one or two trees per household. She also suggested that they should put on the Parks and Recreation website, a link to the Arbor Day website where they could receive 10 free trees if they joined.

Discussion ensued on the Tree Giveaway.

PARKS AND RECREATION DIRECTOR JONES said that they could go to an online system or early registration where the residents could apply online.

COMMISSIONER RUZZANO said that he would love to see the Tree giveaway done twice per year. He suggested that trees could be done on Arbor Day and fruit trees provided in October. He said that there was over \$1,000,000 in the Special Margate Resident Fund which could fund the Tree Giveaway.

MAYOR SCHWARTZ asked about residencies within the CRA and if they could get funding from that respective fund.

CITY MANAGER MAY said that he would need to see if it conforms to their plan and state statute.

Discussion ensued on the funding for this project.

COMMISSIONER SIMONE said that she would prefer to put the \$1,000,000 towards getting the 911 Communication system back.

Discussion ensued on how to obtain funding.

MAYOR SCHWARTZ polled the Commission on whether the Tree Giveaway should be



once or twice per year.

COMMISSIONER PEERMAN - ONE  
COMMISSIONER SIMONE - ONE  
COMMISSIONER RUZZANO - TWO  
VICE MAYOR CAGGIANO - ONE  
MAYOR SCHWARTZ - ONE

CONSENSUS FOR ONCE PER YEAR.

CITY MANAGER MAY advised that there was a request to rename Southeast Park to Anthony Borges Park after the student who was injured during the shooting at the Marjory Stoneman Douglas High School in Parkland. He said that he was not a resident.

Discussion ensued on this item.

COMMISSIONER PEERMAN did not have a problem with it.

CONSENSUS NOT GIVEN TO RENAME THE PARK.

COMMISSIONER PEERMAN asked if that Park was closed for renovations.

PARKS AND RECREATION DIRECTOR JONES advised that Southeast Park and the Sports Complex were closed for renovation.

Discussion ensued on an advertisement for football.

## 8) DISCUSSION AND POSSIBLE ACTION

8A. was heard before Public Hearing(s)

### A. [ID 2018-297](#) DISCUSSION AND POSSIBLE ACTION - SHADE CANOPY INSTALLATIONS

This item was heard immediately after item CONSENT ITEM 4F.

COMMISSIONER RUZZANO spoke about a picture for the shade canopy for a business owner's building. He asked if the City wanted to be business friendly as the owner was cited by Code.

DEVELOPMENT SERVICES SENIOR PLANNER ANDREW PINNEY gave a presentation on canopies. He said that he wanted to talk about code issues, the use of an application of the temporary structures or being found or used, how they could resolve the issue and where could they go next. He explained that the origin of this discussion was from a Code complaint concerning citations on businesses which caused a chain reaction. He showed pictures taken from a Code Officer of the different types of canopies which were found in an industrial area. He explained that the Zoning Code defines structure as anything constructed or erected which requires location on the ground or attached to something having location on the ground. He explained the Code violations and that there were a number of those structures which were installed without a permit. He read the broad definition of Building in the Zoning Code and spoke on temporary structures and its exemption. He said that the primary function of a canopy was shade. He spoke about the duration of canopies. He indicated that this was not an isolated issue and that it was throughout the City in residential and commercial areas. He advised that they would have to talk about balance, alternatives and enforcement. He also explained the process for a permitted installation and worst case scenarios such as maintenance and lack of

enforcement. He said that for the next steps, they were looking for a policy directive from the Commission.

Discussion ensued on the item.

PETE CENZANO, 1934 NW 54TH AVENUE discussed the two canopies on his property. He said that he had been there for approximately 15 years and that he did not know about the permit.

VICE MAYOR CAGGIANO said that while he had no problem with the temporary shelters, he had concerns that they were not temporary as they were there all the time and not put back at close of business.

MR. CENZANO said that he had discussed this issue with the Code Enforcement Officer as to what he could and could not do. He also read an excerpt from the Code and said that due to liability issues, he only removed the temporary canopy when there was bad weather. He said that his Landlord was strict but was not aware of all the Code issues.

Discussion ensued on the Landlord and nearby canopies.

DEVELOPMENT SERVICES SENIOR PLANNER PINNEY asked for a CONSENSUS.

DEVELOPMENT SERVICES DIRECTOR, ROBERT J. MASSARELLI advised that there were several issues and said that there were Zoning and Building Code inconsistencies. He said that the way the Code was written applies City-wide. He said that the idea of putting the canopy on wheels emphasizes it as a temporary structure. He said that it would be a reasonable way that the canopy was on the ground to address this issue. He advised that they would need to do a comprehensive review of canopy structures. He said that he was hoping that at the next Commission meeting, he would address a workplan for the Development Services Department.

Discussion ensued.

CITY MANAGER MAY advised that before they did anything, they should have a consensus amongst staff

COMMISSIONER PEERMAN advised that they should keep it up until they figure out the Code. She said that she had a problem with them having the canopy near the garage area. She said that she also had a concern if the canopy was on wheels in bad weather as it could be a safety issue. She said that they should call them temporary and have them up for a year.

CITY MANAGER MAY said that although they could suspend Code Compliance from enforcing, they could not suspend the Building Department's violation Code.

Discussion ensued.

BUILDING DIRECTOR RICHARD NIXON explained that South Florida Building Code views temporary structures was a tent awning canopy that as setup for a special event. He said that in his opinion, they would be considered as not temporary and would require engineering permitting in compliance with the Fire Prevention Code.

Discussion ensued on the different types of canopies under the current Code.

COMMISSIONER PEERMAN asked the Acting City Attorney if they could do a temporary motion to have shade structures temporary for one year while they figure it out.

ACTING CITY ATTORNEY SINGER explained that the consensus was not for a motion on any particular item.

COMMISSIONER PEERMAN asked if they could make a moratorium that their Code Officials suspend citing people for the time period for looking into it.

Discussion ensued on Commissioner Peerman's request.

ACTING CITY ATTORNEY SINGER advised that there would have to be public discussion on that particular item and would need to be noticed accordingly and make sure that there were no Code or Building violation issues.

MAYOR SCHWARTZ said that they could put it on the next agenda to do something.

ACTING CITY ATTORNEY SINGER said he agreed.

COMMISSIONER SIMONE said a year was too long and that they could not ignore the Building Code. She said it needed a full length Workshop.

VICE MAYOR CAGGIANO said that he had a problem with the word temporary in the same sentence as a year.

MAYOR SCHWARTZ asked the Commission to decide on a Workshop or come back at a future City Commission meeting.

COMMISSIONER SIMONE said Workshop.

COMMISSIONER PEERMAN said that they could not do it without a Workshop but it would not help Mr. Cenzano.

COMMISSIONER RUZZANO recommended that Mr. Cenzano should leave it the way it was and that he should not be cited.

Discussion ensued.

MAYOR SCHWARTZ asked that until there was a Workshop that would prevent him from making any violations, could there be a compromise. She said that they would try and schedule a Workshop.

MR. CENZANO said that he would do what he had to do. He explained that in his area, most business owners thought that there was only one Code Enforcement Officer in Margate. He asked if they could advise the Code Officer of this compromise.

Discussion ensued on letting Code know that Mr. Cenzano could erect his temporary canopy and put it away at the end of the day.

DEVELOPMENT SERVICES SENIOR PLANNER PINNEY explained that the Zoning Code requires a permit for the structure on non-residential property. He explained that the Zoning Code does not recognize a temporary structure. He said that he was open for direction.

CITY MANAGER MAY asked Code Compliance not to enforce the City Code for this issue until such time it can be addressed by the City Commission at a future Workshop.

## 6) PUBLIC HEARING(S)

- A. [ID 2018-289](#) RESOLUTION - RELATING TO THE PROVISION OF FIRE RESCUE SERVICES, FACILITIES AND PROGRAMS IN THE CITY OF MARGATE, FLORIDA; REIMPOSING FIRE RESCUE ASSESSMENTS AGAINST ASSESSED PROPERTY LOCATED WITHIN THE CITY OF MARGATE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2018; APPROVING THE RATE OF ASSESSMENT; APPROVING THE ASSESSMENT ROLL; AND PROVIDING AN EFFECTIVE DATE.

RESOLUTION 18-067

This item was heard immediately after 8A - DISCUSSION AND POSSIBLE ACTION.

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

GREENSPOON MARDER LLP M, GLENN N. SMITH, 200 EAST BROWARD BOULEVARD explained that he was acting on behalf of Toscana Park Villas LLC. He said that he was shocked when their assessments were more than double. He advised that there were 240 apartments and the assessment would now be \$72,000. He said that the rates were not assessed the same as last year. He said that the biggest concern was Coconut Creek, who are served with the same agency and fire department was charged \$177.79 for a single family and \$160.03 for a multi-family. He asked for their reconsideration to re-study the rates.

COMMISSIONER PEERMAN explained that Coconut Creek's Commission sets their Fire Assessment.

Discussion ensued on the cost allocation.

CITY MANAGER MAY said that the Coconut Creek's fire assessment was independent of what the City pays.

GREENSPOON MARDER LLP M, GLENN N. SMITH asked about the combined system with Coconut Creek.

Discussion ensued on the budget and apportionment fees for the fire assessment.

MAYOR SCHWARTZ explained that the reason why the fire assessment fee had increased was that they were now fully rented and that there were more apartments that were subject to that \$300. She said that last year, they were not fully rented and that they had not increased anything for those two years.

Discussion ensued.

ASSISTANT DIRECTOR OF FINANCE KELLY SCHWARTZ clarified that when GSG does

the study, they remove all revenue from Coconut Creek, the calls from Coconut Creek and their proportion of the costs. She explained that when that fee and the maximum rate are established, it was strictly for Margate. She advised that \$367 was the maximum she could charge for the client as opposed to \$300 per unit and each apartment was considered a residence.

**The motion carried by the following vote:**

**Yes:** 4 - Commissioner Simone, Commissioner Ruzzano, Vice Mayor Caggiano and Mayor Schwartz

**No:** 1 - Commissioner Peerman

## 7) RESOLUTION(S)

- A. [ID 2018-291](#) WAIVING FORMAL BIDDING PROCEDURES AND AWARDING CONTRACT IN AN AMOUNT NOT TO EXCEED \$176,285.00 TO STONE CONCEPT MIAMI, INC. FOR INSTALLATION OF RESTROOM BUILDINGS AT VETERANS MEMORIAL PARK AND SOUTHEAST PARK AS PER SPECIFICATIONS PREVIOUSLY OPEN FOR FORMAL BIDS UNDER CITY RFQ NO. 2018-011; PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION 18-068

**A motion was made by Commissioner Peerman, seconded by Commissioner Ruzzano, that this Resolution, be discussed.**

COMMISSIONER RUZZANO said that in the future, they should look at hiring a general contractor to pull permits and do the bulk of the work at a nominal price.

VICE MAYOR CAGGIANO said that from the outset, he was against spending the money on the bathrooms for those locations and that he was not a big fan of this as it was costing more money.

**The motion carried by the following vote:**

**Yes:** 4 - Commissioner Peerman, Commissioner Simone, Commissioner Ruzzano and Mayor Schwartz

**No:** 1 - Vice Mayor Caggiano

- B. [ID 2018-294](#) AWARDING BID NO. 2018-019 - CDBG FUNDED REPLACEMENT OF PEDESTRIAN CROSSWALK (14) AND ROUNDABOUT SOLAR POWERED LED SIGNS TO STONE CONCEPT MIAMI, INC., IN AN AMOUNT NOT TO EXCEED \$314,110.

**A motion was made by Commissioner Peerman, seconded by Commissioner Ruzzano, that this Resolution, be discussed.**



COMMISSIONER RUZZANO advised that the City had \$350,000 that they needed to spend or they would lose it. He asked if there were any other projects coming up that they could use this money for.

Discussion ensued on last minute emergencies due to a lack of planning.

CITY MANAGER MAY said that there were some additional park projects.

PARKS AND RECREATIONAL DIRECTOR JONES explained that they met with a vendor who had done competitive solicitation and met the 2-CFR (Code of Federal Regulations) Guidelines for the park improvements at Coral Gate Park. He advised that they were a week out from pricing from that proposal and that the Purchasing Manager was going through the original contract of that solicitation to verify that it was in compliance.

Discussion ensued on using the money for improvements to the Park, solar lights, roundabouts, Meadows Project, air conditioning, public facilities and repairing the seawall.

PURCHASING MANAGER SPENCER SHAMBRAY said the timeline was probably a month and that it was fast tracked due to the grant timeline.

Discussion ensued on the project, process of the bid and a crosswalk lights for the visually impaired.

MR. ARSERIO said that they should start holding people accountable.

**The motion failed by the following vote:**

**Yes:** 2 - Commissioner Peerman and Commissioner Simone

**No:** 3 - Commissioner Ruzzano, Vice Mayor Caggiano and Mayor Schwartz

Discussion ensued after the vote.

CITY MANAGER MAY said he would call Broward County to research how these funds could be expended and report back to the City Commission.

FINANCE DIRECTOR MARY BEAZLEY explained that the County had to vet those people to ensure they meet the requirements. She advised that it could take a while and said that this was Community Development Block Grant (CDBG) money.

- C. [ID 2018-296](#) APPROVING AN AGREEMENT FOR PURCHASE AND SALE OF REAL PROPERTY WITH SUNSHINE SEWING COMPANY, INC. FOR THE PURCHASE OF 1815, 1817, 1819, 1821, 1823 AND 1845 BANKS ROAD, MARGATE, FLORIDA, IN THE AMOUNT OF \$840,000.00, FOR USE BY THE FIRE-RESCUE DEPARTMENT; PROVIDING FOR EFFECTIVE DATE.

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

COMMISSIONER RUZZANO said that he was not a fan of this project. He said that they raised the fire assessment as they told the people they were going to build a state of the art Fire Department. He said that they now want to take \$840,000 and go and buy 6,000 square feet of warehouse space. He said that he would prefer the money be used towards the fire station.

VICE MAYOR CAGGIANO said that he agreed with Commissioner Ruzzano.

FIRE CHIEF DAN BOOKER explained that it was a long process that started last year. He said that the first option presented to the Commission by the architect recommended for a two story building but the Commission rejected that idea as they wanted a one story station. He advised that the space would be inefficient to put all the equipment they have on that plot. He said it was suggested in the future that they could do a Public Safety Complex which he agreed. He said that if they went along with option one, they would be short of space and would not be able to put an Emergency Operating Center (EOC) in there. He advised that there was an EOC nearby but that belonged to Coconut Creek. He advised that this building was probably the most resilient building in Margate that they could purchase. He said that if they purchase that facility and build a one story Fire Station, it would meet their needs and in the future, if they did a Public Safety Complex, they could sell the property for a profit. He said that he would recommend going with option two, build a one story station and proceed with purchasing the Banks Road property which would save the residents approximately \$1.2 million dollars.

Discussion ensued.

RICHARD ZUCCHINI, 380 LAKEWOOD CIRCLE E, #B spoke about the firehouse opposite his office in Fort Lauderdale which was a design build project by Burke Construction who were ahead of schedule and under budget. He asked the City Manager of the exact location of 1845 Banks Road.

MR. ARTNER, 6631 NW 22ND COURT asked if storage was the issue for the other stations, then they should purchase one or maybe two bays.

RICHARD SPENO, 6098 NORTHWEST 80TH TERRACE, PARKLAND said that he was with Preferred Realty & Development who was the listing agent for the property. He explained about the 1845 Banks Road address and said that the property was adjacent to the existing fire offices which were six bays.

Discussion ensued about 1845 Banks Road, developing a new fire station and the FPL Easement.

Commissioner Peerman left the dais at 12:34am.

**The motion failed by the following vote:**

**Yes:** 2 - Commissioner Peerman and Commissioner Simone

**No:** 3 - Commissioner Ruzzano, Vice Mayor Caggiano and Mayor Schwartz

**B. ID 2018-298** DISCUSSION AND POSSIBLE ACTION - RECYCLABLE MATERIALS PROCESSING.

RESOLUTION 18-069

CITY MANAGER MAY explained there was a dispute between Sun Bergeron and Waste Management (WM). He explained that they were trying to work something out with Sun Bergeron as they were not honoring the agreements. He said that if they could get it honored even if they did not enter into a contract with Coral Springs as the City was piggy backing on their agreement with WM. He advised that the agreement was similar to the agreement with Oakland Park that they were looking to do with WM. He said that there was a 30 day termination.

VICE MAYOR CAGGIANO said that there was a court case where the Judge made a decision that Sun Bergeron had to offer a five year extension. He advised that they need to jump on it.

Discussion ensued on the five year extension.

CITY MANAGER MAY said that they will prepare a letter to be drafted from the Mayor to the Attorney General, Pam Bondi, for them to honor it. He also advised that they would be sending a letter to Sun Bergeron demanding them to honor the contract. He said it was a stop-gap measure so that they could continue to process their recycling.

Discussion ensued about the recycling and the contract with WM

**The motion carried by the following vote:**

**Yes:** 4 - Commissioner Simone, Commissioner Ruzzano, Vice Mayor Caggiano and Mayor Schwartz

**Absent:** 1 - Commissioner Peerman

**ADJOURNMENT**

There being no further business, the meeting adjourned at 12:41am.

Respectfully submitted,

Transcribed by Salene E. Edwards

  
Joseph J. Kavanagh, City Clerk

Date: 8/6/8/18

PLEASE NOTE:

If a person decides to appeal any decision made by the City Commission with respect to any matter considered at this meeting, the person will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Anyone desiring a verbatim transcript shall have the responsibility, at his/her own expense, to arrange for the transcript.

[Appendix A – Zoning – Section 3.3] Any representation made before any City Board, any Administrative Board, or the City Commission in the application for a variance, special exception, conditional use or request for any other permit shall be deemed a condition of the granting of the permit. Should any representation be false or should said representation not be continued as represented, same shall be deemed a violation of the permit and a violation of this section.

Any person with a disability requiring auxiliary aids and services for this meeting may call the City Clerk's office at (954) 972-6454 with their request at least two business days prior to the meeting date.