



City of Margate

5790 Margate Boulevard
Margate, FL 33063
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Meeting Minutes Regular City Commission Meeting

Mayor Arlene R. Schwartz
Vice Mayor Anthony N. Caggiano
Commissioners:
Antonio V. Arserio, Tommy Ruzzano, Joanne Simone

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

Wednesday, November 21, 2018

7:00 PM

Commission Chambers

CALL TO ORDER

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

In Attendance:

City Manager Samuel A. May
Interim City Attorney David Tolces
City Clerk Joseph J. Kavanagh

PLEDGE OF ALLEGIANCE

[ID 2018-633](#) KODY CLARK, 1ST GRADE, PARK SPRINGS ELEMENTARY
KADEN CLARK, 3RD GRADE, PARK SPRINGS ELEMENTARY

1) RESOLUTION(S)

- A. [ID 2018-655](#) CONFIRMING CERTIFICATION OF NOVEMBER 6, 2018, ELECTION RESULTS.

A motion was made by Vice Mayor Caggiano, seconded by Commissioner Simone, that this Resolution, be approved. This carried by the following vote:

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

2) PRESENTATION(S)

- A. [ID 2018-656](#) SWEARING-IN OF NEWLY ELECTED CITY COMMISSIONER ANTONIO V. ARSERIO (SEAT #3)

COMMISSIONER ANTONIO V. ARSERIO said that it was a honor to represent the residents and business owners of Margate and thanked them for their support.

- B. [ID 2018-657](#) SWEARING-IN OF CITY COMMISSIONER JOANNE SIMONE (SEAT #5)

COMMISSIONER JOANNE SIMONE thanked everyone for their support.

- C. [ID 2018-660](#) PRESENTATION TO OUTGOING MAYOR ARLENE R. SCHWARTZ AND OUTGOING VICE MAYOR ANTHONY N. CAGGIANO.

RECESS - CAKE AND REFRESHMENTS WILL BE SERVED.

3) RESOLUTION(S) - Continued

Meeting reconvened.

- A. [ID 2018-658](#) ELECTION OF MAYOR.

A motion was made by Commissioner Ruzzano, seconded by Commissioner Arserio, to nominate Anthony N. Caggiano as Mayor. This carried by the following vote:

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

- B. [ID 2018-659](#) ELECTION OF VICE MAYOR.

A motion was made by Vice Mayor Caggiano, seconded by Commissioner Arserio, to nominate Tommy Ruzzano as Vice Mayor.

LESA B. PEERMAN, 6921 NW 4TH PLACE explained that Commissioner Simone should be nominated as Vice Mayor as this was the third time she was bypassed. She explained that 12,000 residents voted for her in the recent elections and that it was not Commissioner Ruzzano's turn to be Vice Mayor. She also discussed the Commission's previous rotation system.

RICH POPOVIC, 6066 WINFIELD BOULEVARD spoke on rotation under previous Commissioner Arthur Bross and said that they should give Commissioner Simone the position she deserves.

BERTHA E. SMITH, 569 BANKS ROAD explained that she totally agreed with the previous two residents. She said that they should do the right thing and elect her as Vice Mayor.

ARTHUR J. KRELL, 6117 EDWARDS ROAD spoke about issues pertaining to his property before he was asked to leave by Mayor Schwartz.

MANNY LUGO, 1129 EAST RIVER DRIVE explained that Commissioner Ruzzano qualified to be Vice Mayor due to his seawall expertise and said that he shows good leadership.

KEITH RAVELLO, 7458 NW 21ST STREET said that Commissioner Simone deserved where she was supposed to be. He explained that he wanted to see progression amongst the Commission.

TONY SPAVENTO, 3194 W. BUENA VISTA DRIVE concurred with the majority of public speakers and said that Commissioner Simone deserved to be Vice Mayor. He discussed running against Commissioner Simone in the recent election, voters turning down term limits and requested the Commission to set the tone.

COMMISSIONER SIMONE thanked those who supported her for Vice Mayor. She asked the Board what was the reason for leapfrogging her for the third time.

COMMISSIONER RUZZANO said that he was leapfrogged by Commissioner Simone and a previous Commissioner and believed that he never got their support. He said that the role of a Mayor was more than a ceremonial position and spoke about his time served in that role during Hurricane Irma in September 2017.

Discussion ensued.

This motion carried as follows:

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

No: 1 - Commissioner Simone

4) PRESENTATION(S)

- A. ID 2018-671** HOME OF THE MONTH - NOVEMBER 2018
(Frank & Gloria Shirley, 4921 SW 11th Circle)
- B. [ID 2018-602](#)** T'KEYAH TINDALL, COMMUNITY SERVICE AIDE - CIVILIAN OF THE MONTH AUGUST
- C. [ID 2018-603](#)** KAHLYL ANTOINE, POLICE OFFICER OF THE MONTH (AUGUST) & LIFESAVER COMMENDATION.

ATHLETES OF THE MONTH

- D. [ID 2018-600](#)** TYLER WATTERS - MARGATE WOLFPACK

JULIAN SOTO - TRAVEL SOCCER U10

EMPLOYEE RECOGNITION FOR YEARS OF SERVICE

- E. [ID 2018-638](#)** SANDRA WILLIAMSON, OFFICE SPECIALIST II - POLICE DEPARTMENT - 25 YEARS

Meeting went into recess.

5) COMMISSION COMMENTS

Meeting reconvened.

COMMISSIONER ARSERIO thanked everyone and said that it was a pleasure and honor to serve the Community. He said that he was looking forward to serving and working with the Commission. He thanked the staff for putting together the Christmas lights and wished everyone a healthy and happy Thanksgiving.

COMMISSIONER SIMONE wished everyone a wonderful Thanksgiving. She said that she was extremely grateful and honored to be re-elected and have the trust of the residents and businesses to make decisions on their behalf. She spoke about the residents she met during her election campaign and read a quote from Jean Vanier. She congratulated the incoming Mayor Caggiano and Vice Mayor Ruzzano and thanked those who supported her for Vice Mayor.

COMMISSIONER RUZZANO wished everyone a happy Thanksgiving and warned people to be careful when travelling. He congratulated Police Chief Shaw who was recently sworn in. He discussed coyote sightings in Margate and shared the information through his Facebook page. He advised that residents should be careful and to watch their animals. He said that the Christmas lights should be incredible.

CITY MANAGER SAMUEL A. MAY confirmed that the County would be taking care of the openings in the fence by Fern Forest which was being used by coyotes.

COMMISSIONER RUZZANO discussed the Charter changes and Amendments and asked how they would be implemented for the Police Chief, Fire Chief and Assistant City Manager. He asked whether they were Charter Officers.

INTERIM CITY ATTORNEY DAVID TOLCES said that he would have to review the Amendments with Mr. Cherof and return to the Commission with a memo.

COMMISSIONER RUZZANO congratulated the newly elected and the elected and wished them the best.

VICE MAYOR ANTHONY C. CAGGIANO wished everyone a safe and happy Thanksgiving and thanked them for attending the meeting. He congratulated the Police Chief and spoke about his swearing in.

MAYOR ARLENE R. SCHWARTZ congratulated the Police Chief and wished everybody a happy and healthy Thanksgiving. She thanked everyone for allowing her to be Mayor and reflected upon her time in that role. She also thanked the City Clerk's Office for providing Calendar updates of her daily schedule and for those working behind the scenes.

INTERIM CITY ATTORNEY TOLCES wished everyone a very happy Thanksgiving and congratulated Commissioners Arserio and Simone on their election.

CITY CLERK JOSEPH J. KAVANAGH congratulated Commissioner Arserio for winning Seat #3 and Commissioner Simone for winning Seat #5. He welcomed incoming Vice Mayor Ruzzano and Mayor Ruzzano and said that he looked forward to working with them. He wished everyone a happy Thanksgiving.

6) PUBLIC DISCUSSION

ELSA J. SANCHEZ, 6930 NW 15TH STREET questioned the Bond and asked what the money was being used for.

CITY MANAGER MAY confirmed that the Bond was being used to improve parks in the City.

Discussion ensued.

MARIE H. GRIFFIN, 2902 NW 62ND AVENUE explained that it was her third attendance at the City Commission meeting and that the tarp was still on her property. She said that

it was the worst Thanksgiving and festive season she would experience due to an upcoming eviction by November 30, 2018. She spoke about the Code issues, referenced \$50,000 being spent on a park and explained that she had not received money or support from anyone within Broward County.

MAYOR SCHWARTZ explained that as she lived in Coral Kay and that she owned a trailer but did not own her own property, the federal government did not allow them to give grants to mobile homes. She also discussed that the Fire Department Benevolent placed tarps on her trailer home after she attended the first meeting. She advised that the cost of replacing the roof would cost more than what the trailer was worth and said that her issue was with her Homeowners Association (HoA) but she could speak to the Police Chief pertaining to Code Compliance.

Discussion ensued.

INTERIM CITY ATTORNEY TOLCES repeated that the City could not legally spend any money on her private residence. He advised that the City could possibly help locate entities.

Discussion ensued.

COMMISSIONER RUZZANO said that the City could help and that he was willing to assist.

Discussion ensued.

INTERIM CITY ATTORNEY TOLCES explained that the City, as an entity, was limited in what it could do with its own specific funds but as an individual, they could utilize their own funds. He said that without any further information, he would caution against the City taking any further action.

Discussion ensued.

RICHARD ZUCCHINI, 380 LAKEWOOD CIRCLE E, #B discussed the situation with Ms. Griffin and advised that he was going to launch a GoFundMe page. He said that going forward, he would continue to try and find a place for her to relocate with handicapped facilities.

JULIE JONES, 7871 NW 1ST STREET commended Commissioner Ruzzano for wanting to help Ms. Griffin and suggested doing carwashes or garage sales to help raise money. She congratulated newly elected Commissioner Simone. She thanked newly elect Commissioner Arserio.

MANNY LUGO, 1129 EAST RIVER DRIVE requested an update on the seawalls and asked for clarification on Florida Statutes pertaining to water sewer drainage. He spoke about the Comprehensive Plan which was discussed at a recent Planning and Zoning (P&Z) meeting pertaining to drainage.

MR. SPAVENTO congratulated Commissioner Simone on her re-election. He congratulated Commissioner Caggiano on becoming Mayor. He said that he agreed with Commissioner Ruzzano that there should be a strong Mayor and said that he did not always agree with rotation. He discussed the election campaign and wished everyone a happy Thanksgiving.

MR. POPOVIC said that he expected nothing to change with the new City Commission. He also spoke about nothing being done on redevelopment.

CHARLIE ARTNER 6631 NW 22ND COURT yielded his three minutes to Mr. Zucchini.

MR. ZUCCHINI discussed seawalls, responsibility and jurisdiction. He asked if the City would consider taking out a lawsuit against South Florida Water Management District (SFWMD) with immediate effect.

7) CONSENT AGENDA

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 2018-556](#) RESOLUTION - APPROVING A REVOCABLE LICENSE AGREEMENT (RLA) BETWEEN BROWARD COUNTY, TVC MARGATE C.O., LLC, AND THE CITY OF MARGATE, TO PROVIDE FOR THE MAINTENANCE OF LANDSCAPING AND RELATED IMPROVEMENTS IN THE COPANS ROAD SWALE IN FRONT OF 2000 N STATE ROAD 7.

APPROVED

- B. [ID 2018-644](#) RESOLUTION - AWARDED BID NO. 2018-021 - MUNICIPAL COMPLEX ELEVATORS REHABILITATION TO ORACLE ELEVATOR COMPANY, IN AN AMOUNT NOT TO EXCEED \$220,902.00; PROVIDING FOR ADDITIONAL WORK OUTSIDE OF THE GENERAL WORK SPECIFIED, IF ANY, TO BE PERFORMED AT \$250 PER MECHANIC HOUR AND \$100 PER HELPER HOUR; PROVIDING FOR AN EFFECTIVE DATE.

APPROVED

- C. [ID 2018-640](#) RESOLUTION - VACATING, RELEASING, AND ABANDONING A UTILITY EASEMENT AT 5496 NW 27TH COURT; LENNAR HOMES, LLC, PETITIONER.

APPROVED

Approval of the Consent Agenda

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

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

- D. [ID 2018-647](#) ~~RESOLUTION APPROVING AMENDMENT TO MERCHANT PROCESSING AGREEMENT WITH AUTOMATED MERCHANT SYSTEMS, INCORPORATED FOR PCI COMPLIANT INTERNET GATEWAY SERVICES AND PRICING; PROVIDING FOR AN EFFECTIVE DATE.~~

8) CITY MANAGER'S REPORT

CITY MANAGER MAY congratulated Commissioner Arserio, the re-elected Commissioner Simone, Vice Mayor Ruzzano as well as Mayor Caggiano on their respective positions. He advised that the City were sponsoring the Challenger Baseball Opening Day Ceremony and provided an update on the same. He wished everyone a happy Thanksgiving.

9) RESOLUTION(S) - Continued

- A. [ID 2018-620](#) APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE MARGATE COMMUNITY REDEVELOPMENT AGENCY AND THE CITY OF MARGATE FOR MAINTENANCE OF ASSOCIATED WITH THE MEDIANS AND SWALE AREAS OF MARGATE BOULEVARD AND BRICK PAVER MAINTENANCE ALONG NW 58TH AVENUE FROM MARGATE BLVD. TO PARK DRIVE AND THE SWALE EXTENDING FROM THE NORTHEAST CORNER.

A motion was made by Commissioner Simone, seconded by Vice Mayor Caggiano, that this Resolution, be approved. This carried by the following vote:

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

- B. [ID 2018-663](#) RATIFYING COLLECTIVE BARGAINING AGREEMENT WITH THE FRATERNAL ORDER OF POLICE, FLORIDA STATE LODGE (POLICE OFFICERS AND SERGEANTS) FOR THE PERIOD FROM OCTOBER 1, 2018, THROUGH SEPTEMBER 30, 2021.

A motion was made by Vice Mayor Caggiano, seconded by Commissioner Arserio, that this Resolution, be approved. This carried by the following vote:

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

10) ORDINANCE(S) - SECOND READING

- A. [ID 2018-648](#) AMENDING FISCAL YEAR 2018 BUDGET (ORDINANCE NUMBERS 2017-16 AND 2017-22) AND FISCAL YEAR 2019 BUDGET (ORDINANCE NUMBER 2018-5); PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Vice Mayor Caggiano, seconded by Commissioner Simone, that this Ordinance, Second Reading, be discussed.

COMMISSIONER SIMONE asked if this Item was setting the budget for 2019.

Discussion ensued.

CITY MANAGER MAY confirmed that it was for amending fiscal year 2018 budget and also for approving the budget for fiscal year 2019.

COMMISSIONER SIMONE repeated her request that going forward, they should implement a line item for all charities.

Discussion ensued.

MR. ZUCCHINI said it would be difficult to anticipate a year in advance what charity donations were required. He also referenced about donations made to GoFundMe for Ms. Griffin.

Discussion ensued.

MS. PEERMAN asked the Commission not to accept the Cost of Living Adjustment (CoLA) raise and put the money back into the General Fund.

MS. GRIFFIN said that she did not understand what those charities were for. She repeated her request for financial help from one of those charities.

COMMISSIONER RUZZANO explained that there were two types of contributions the City gave and asked why Ms. Griffin would not be eligible for the individual contribution.

Discussion ensued.

POLICE OFFICER GEORGE W. WOOLLEY explained that if there was a request in excess of \$250, the Fraternal Order of Police Associates (FOP) would need to be voted upon by membership. He confirmed that he would look into Ms. Griffin's request.

Discussion ensued on assisting Ms. Griffin.

MRS. JONES spoke about her charity work.

The motion carried by the following vote:

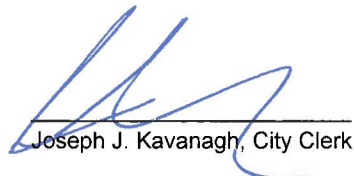
Yes: 5 - Commissioner Arserio, Commissioner Simone, Commissioner Ruzzano, Vice Mayor Caggiano and Mayor Schwartz

ADJOURNMENT

There being no further business, the meeting adjourned at 9:40pm.

Respectfully submitted,

Transcribed by Salene E. Edwards



Joseph J. Kavanagh, City Clerk

Date: 1/25/19

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.