



# City of Margate

5790 Margate Boulevard  
Margate, FL 33063  
954-972-6454  
www.margatefl.com

## Meeting Minutes Regular City Commission Meeting

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

*City Manager Cale Curtis*  
*City Attorney Janette M. Smith*  
*City Clerk Joseph J. Kavanagh*

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Wednesday, September 4, 2019

6:30 PM

Commission Chambers

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### CALL TO ORDER

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

In Attendance:

City Manager Cale Curtis  
City Attorney Janette M. Smith  
City Clerk Joseph J. Kavanagh

### PLEDGE OF ALLEGIANCE

[ID 2019-388](#) GIRL SCOUT TROOP 10269

### 1) PRESENTATION(S)

No Presentation Items.

### 2) PUBLIC DISCUSSION

ARTHUR J. KRELL, 6117 EDWARDS ROAD discussed a letter that he gave to the City Clerk at the last City Commission meeting pertaining to a Code Officer and an Abatement Order.

JULIE JONES, 7871 NW 1ST STREET discussed Hurricane Dorian that affected the Bahamas and appealed for donations of manual can openers. She highlighted the volunteers who assisted the City and community with the sandbag event.

MARGATE LIONS CLUB PRESIDENT SYDNEY KING referenced Hurricane Dorian and said he was working with the Fire Chief. He advised that they had an airplane and that they would be taking supplies over to the Bahamas.

MICHAEL W. TISHMAN spoke on behalf of the eight masonic lodges in Broward County. He advised that they were looking forward to deploying as rapidly and as often as possible to those that had been affected in the Bahamas.

CLIFF MISSELLE discussed the relief effort for Bahamas and indicated that he welcomed

volunteers.

Discussion ensued on Hurricane Dorian.

MAYOR CAGGIANO requested that Mr. King pass all literature pertaining to Hurricane Dorian to the City Clerk.

RICH ALIANIELLO, 7631 NW 23RD STREET said that he was praying for the people in Bahamas and referenced a cruise ship to assist with the relief.

### 3) COMMISSION COMMENTS

COMMISSIONER JOANNE SIMONE discussed Hurricane Dorian and indicated that the sandbag distribution was phenomenal. She thanked the residents who volunteered and staff for their tremendous effort. She also highlighted the Household Hazardous Waste and Electronics Disposal Event on September 28th.

COMMISSIONER ANTONIO V. ARSERIO mirrored Commissioner Simone's comments during Hurricane Dorian and thanked the staff for doing a tremendous job and to the residents for volunteering. He said the City was collecting donations in aid of the Bahamas which was a safe and trusted way to contribute.

COMMISSIONER ARLENE R. SCHWARTZ thanked the Van Der Meulen for helping out during Hurricane Dorian. She advised that 250 tons of sand was bagged. She spoke about the hometown feel of Margate when it came to the community helping out during Hurricane Dorian and referenced Facebook.

VICE MAYOR TOMMY RUZZANO explained that they moved 500,000 pounds of sand and thanked the City Manager for being hurricane prepared. He spoke of an accident of a car which fell into a canal in Coconut Creek and said that the firefighters did a great job.

MAYOR CAGGIANO discussed Hurricane Dorian and thanked the staff. He explained his absence in not volunteering at the sandbag event and said that he was tired of receiving personal attacks.

### 4) CITY MANAGER'S REPORT

CITY MANAGER CURTIS echoed the City Commission's comments by recognizing staff that was involved in being hurricane ready and said it was truly a team effort. He advised that the Broward County Memorandum of Understanding (MoU) on Solid Waste which was on the previous Agenda would come back before them on September 18th. He also confirmed that the Grants update would be available by the next agenda review.

### 5) 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 2019-448](#) MOTION - APPROVAL OF CITY COMMISSION MINUTES: JULY 8, 2019 - CITY COMMISSION BUDGET WORKSHOP.

APPROVED

- B. [ID 2019-449](#) RESOLUTION - APPROVING AN EXTENSION OF THE AGREEMENT AWARDED UNDER RESOLUTION 16-285 TO LIMOUSINES OF SOUTH FLORIDA, INC. FOR PUBLIC TRANSPORTATION SERVICES THROUGH DECEMBER 31, 2019 OR UNTIL A NEW AGREEMENT IS AWARDED; WHICHEVER OCCURS FIRST; PROVIDING FOR THE CONTINUATION OF THE SAME TERMS AND PROVISIONS OF THE CURRENT AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION 19-092

APPROVED

### Approval of the Consent Agenda

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

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

### 6) RESOLUTION(S)

- A. [ID 2019-462](#) AMENDING REGULAR CITY COMMISSION MEETING DATES FOR CALENDAR YEAR 2019.

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

**Vice Mayor Ruzzano withdrew his Second.**

**Commissioner Schwartz withdrew her First.**

**A motion was made by Commissioner Schwartz, seconded by Mayor Caggiano, that this Resolution, should be denied. This carried by the following vote:**

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

- B. [ID 2019-463](#) APPROVING ACQUISITION AND AUTHORIZING AMENDMENT TO THE EXISTING FIVE YEAR SOFTWARE AS A SERVICE (SAAS) AGREEMENT WITH AVOLVE SOFTWARE CORPORATION, FOR PROJECTDOX E-PLAN SOFTWARE SAAS ADDITIONAL BIC WORKFLOW TIER 4 FOR DEPARTMENT OF ENVIRONMENTAL AND ENGINEERING SERVICES (DEES); PROVIDING FOR ACQUISITION FROM SHI INTERNATIONAL CORPORATION UTILIZING THE STATE OF FLORIDA'S ALTERNATIVE CONTRACT SOURCE AGREEMENT; IN AN AMOUNT NOT TO EXCEED

\$63,550 IN YEAR ONE AND \$7,800 IN YEARS 2 THRU 5; PROVIDING FOR EFFECTIVE DATE.

RESOLUTION 19-093

**A motion was made by Commissioner Schwartz, seconded by Commissioner Arserio, that this Resolution, should be approved.**

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

## 7) RESOLUTION(S) - QUASI-JUDICIAL HEARING

- A. [ID 2019-398](#) CONSIDERATION OF RENEWAL OF SPECIAL PERMIT FOR EXTENDED HOURS OF ALCOHOL SALES FOR CONSUMPTION ON PREMISES FY 2019/2020 FOR:

Amaya's Centenario Night Club  
199 South State Road 7

American Legion Post #157  
1791 Mears Parkway

AMF Margate Lanes  
2020 North State Road 7

Applebee's Neighborhood Grill and Bar  
5377 West Atlantic Boulevard

Bohio Latin Flavors  
2179-2181 North State Road 7

Brady's Irish Pub  
986 South State Road 7

Carolina Country Club (McDivot's Restaurant)  
3011 Rock Island Road

El Balcon De Las Americas  
7932 West Sample Road

Gerri's Sports Pub  
6500 West Atlantic Boulevard

Gold Choice Ballroom  
345 South State Road 7

Guapo's Cocktail Bar & Lounge  
2160 Mears Parkway

Jasmine Thai Sushi Restaurant  
1785 North State Rd 7

Jawil Enterprise DBA Master Billiards  
201-205 South State Rd 7

Jesse's Xtreme Sports Bar  
5442 West Atlantic Blvd

O'Malley's Sports Bar, Inc.  
1388 North State Road 7

Sharkey's Blvd. Lounge  
5889 Margate Blvd

TQLA Station  
5190 Coconut Creek Parkway

**A motion was made by Commissioner Arserio, seconded by Commissioner Schwartz, that this Resolution - Quasi-Judicial Hearing, be discussed.**

COMMISSIONER ARSERIO said that he could not think of many places that opened until 4:00am. He said that he had no problem with them being opened later but it should come at a cost and was concerned about the time frame. He indicated that he would also like to put in for special exceptions and conditions.

MAYOR CAGGIANO explained that he had discussions with both the City Clerk and Chief of Police and to his knowledge, all the establishments that sold alcohol had been reviewed by the Police Chief.

Discussion ensued including tabling this Item until the next meeting and next steps on how staff could increase the Alcohol License.

SERVICE OFFICER OF AMERICAN LEGION, SUSAN BUTLER was sworn in and spoke on this Item.

Discussion ensued.

MR. ALIANIELLO spoke in opposition of this Item.

BRADY'S PUB, 986 S. STATE ROAD 7, OWNER, TOM REID spoke on this Item and said that he only received this notice today.

MR. ARTNER spoke in opposition of this Item.

MR. ZUCCHINI spoke on this Item.

Discussion ensued including raising the fee and changing the current Code.

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

**No:** 5 - Commissioner Simone, Commissioner Arserio, Commissioner Schwartz, Vice Mayor Ruzzano and Mayor Caggiano

CITY ATTORNEY JANETTE M. SMITH advised that the current permit would expire on September 30th and this would be effective October 1st and that they would have to wait until three months from the expiration of the permit to appeal the decision.

Discussion ensued including arranging a Workshop.

CITY MANAGER CURTIS said that he would discuss it at their Code Workshop and get detailed direction.

- B.** [ID 2019-400](#) CONSIDERATION OF SPECIAL PERMIT FOR EXTENDED HOURS OF ALCOHOL SALES FOR CONSUMPTION ON PREMISES FOR LOS PERROS DEL SOBRINO, 7950 WEST SAMPLE ROAD, FOR FY 2019/2020.

**This Item died for a lack of a Motion.**

**8) ORDINANCE(S) - FIRST READING**

- A.** [ID 2019-461](#) AN ORDINANCE OF THE CITY OF MARGATE, FLORIDA; AMENDING ORDINANCE 2018-10 PROVIDING FOR THE ADDITIONAL COST OF THE WEEKLY BULK WASTE COLLECTION TO BE PLACED ON RESIDENTS' UTILITY BILLS; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CITY'S CODE OF ORDINANCES BY REFERENCE; AND, PROVIDING FOR AN EFFECTIVE DATE.

**A motion was made by Commissioner Arserio, seconded by Vice Mayor Ruzzano, that this Ordinance, First Reading, should be approved.**

MIARA MOOI WILTEN, ORIOLE GOLF AND TENNIS PHASE II queried Item 7B.

Discussion ensued.

MR. ARTNER requested further clarification on this Item and spoke in opposition of the same.

Discussion ensued.

MR. ALIANIELLO spoke in opposition of this Item.

Discussion ensued including changing the current Code.

CITY ATTORNEY SMITH confirmed that the City Commission had been heard and that she had been working with the Police Department. She advised that Ashley McCarthy was working on a presentation for the City Commission.

COMMISSIONER SCHWARTZ suggested that they research the City of Lauderhill's policy on bulk waste.

TONY SPAVENTO, 3194 W. BUENA VISTA DRIVE spoke on this Item.

**The motion carried as follows:**

**Yes:** 3 - Commissioner Arserio, Vice Mayor Ruzzano and Mayor Caggiano

**No:** 2 - Commissioner Simone and Commissioner Schwartz

**ADJOURNMENT**

There being no further business, the meeting adjourned at 8:02pm.

Respectfully submitted,

Transcribed by Salene E. Edwards

  
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Joseph J. Kavanagh, City Clerk

Date: 10/17/19

**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.

One or more members of the City of Margate advisory boards may be in attendance and may participate at the meeting.