



City of Margate

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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

Wednesday, September 18, 2019

7:00 PM

Commission Chambers

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 2019-457 SACHI URQUIAGA, MARGATE RESIDENT

1) PRESENTATION(S)

- A. ID 2019-458 HOME OF THE MONTH - SEPTEMBER 2019
(Sue and Sherri Sommer, 7552 Parkside Place)

6) RESOLUTION(S)

- C. ID 2019-475 APPROVING MEMORANDUM OF UNDERSTANDING REGARDING COLLABORATIVE STUDY AND SUBSEQUENT DEVELOPMENT OF AN INTEGRATED SOLID WASTE AND RECYCLING SYSTEM.

RESOLUTION 19-107

CONSENSUS was given by the City Commission to hear Item 6C immediately after Presentations.

CITY OF WESTON, MAYOR DANIEL J. STERMER spoke on this Item. He explained that the only way to be part of the working group was to pass the Broward County Memorandum of Understanding (MoU). He advised that twenty-seven cities have passed with a remainder of four and he requested the City Commission to revisit their vote of two weeks ago. He explained that he was advised not to attend the previous City Commission meeting where this Item was previously discussed. He recommended

Margate to join the rest of collaborative group of cities and Broward County to decide their future.

A motion was made by Commissioner Simone, seconded by Commissioner Schwartz, that this Resolution, should be discussed.

VICE MAYOR TOMMY RUZZANO spoke on this Item.

Discussion ensued including the study and getting a seat at the table.

CITY OF SUNRISE, CITY MANAGER RICHARD SALAMON spoke on this Item.

Discussion ensued including funding.

CITY MANAGER CALE CURTIS explained that they were here to vote on a process to gather more information and to be part of that conversation. He advised that the City of Weston's Mayor Stermer and City of Sunrise's City Manager Salamon were invited to provide the City with additional information and answer questions that they had about the MoU process and the potential future of the project. He recommended that they participate in the MoU and have someone at the working group table.

Discussion ensued.

CHARLIE ARTNER, 6631 NW 22ND COURT spoke on this Item.

Discussion ensued.

CITY JANETTE M. SMITH provided legal advice on this Item.

Discussion ensued.

The motion carried as follows:

Yes: 4 - Commissioner Simone, Commissioner Arserio, Commissioner Schwartz and Mayor Caggiano

No: 1 - Vice Mayor Ruzzano

2) PUBLIC DISCUSSION

ARTHUR J. KRELL, 6117 EDWARDS ROAD alleged that two letters he brought to the Code Office were destroyed. He also discussed a letter that he sent to Internal Affairs to investigate a Code Enforcement Officer and referenced awnings.

RICH ALIANIELLO, 7631 NW 23RD STREET discussed garbage and Penn Dutch leaving Margate and Hollywood.

BARBARA ALBRECHT, ORIOLE GARDENS II explained that she did not want any building on the Executive Golf Course and discussed her concerns.

JEAN E. KAPLAN, ORIOLE GARDENS PHASE II discussed the Lennar proposed town home development.

JOHN HALL, 6421 FRENCH ANGEL TERRACE alleged that he was mistreated by a City employee and referenced a conflict of interest.

JULIE JONES, 7871 NW 1ST STREET thanked Police Officer Lombardo and Commissioners Arserio and Ruzzano and referenced Penn Dutch and she also thanked Police Officer Samuel Phanor for a dog rescue. She referenced the First Amendment and said that she had the right and civic duty to criticize her government. She also discussed being abused on social media.

CHARLIE ARTNER, 6631 NW 22ND COURT discussed the Assistant City Manager position.

COMMISSIONER ANTONIO V. ARSERIO questioned City Manager Curtis whether the Broward Office of the Inspector General (OIG) investigated this matter.

CITY MANAGER CALE CURTIS said they looked at our recruitment practices surrounding a number of hiring cases. He advised that no final report had been received from the Broward OIG.

Discussion ensued.

JUDITH D. NELSON, ORIOLE GARDENS II said that she moved to Margate 46 years ago and that it was her first time in front of the City Commission. She was opposed to the Lennar Development and discussed her concerns about the potential impact on the environment and climate change if this project went ahead.

MARILYN A. KNEELAND, 7955 NW 5TH CT, ORIOLE GARDENS II echoed all of what her neighbors and friends have said about the potential development on the golf course.

SUSAN HOFFMANN, ORIOLE GOLF & TENNIS PHASE II discussed environmental concerns pertaining to the development of the golf courses and referenced effects from cancer.

3) COMMISSION COMMENTS

COMMISSIONER JOANNE SIMONE reminded the residents to recycle responsibly, thanked the City for educating their residents and also referenced the City's contamination fee. She thanked the Director of Public Works and Public Works Superintendent for addressing a resident's storm drain concerns. She noted that a black topping was being installed at the little tennis courts. She congratulated former Fire Chief Dan Booker on his new job.

COMMISSIONER ANTONIO V. ARSERIO referenced wearing a green shirt. He discussed the property values that had decreased in Oriole Gardens II.

COMMISSIONER ARLENE R. SCHWARTZ stated that the City had nothing to do with Penn Dutch's closure. She asked the City Manager whether he was considering having a Code Review Committee. She highlighted the traffic issue at Renaissance Charter School at Coral Springs and suggested that there should be a meeting brokered between the two cities and the Broward County School Board to discuss the bus and traffic pattern. She referenced the C14 canal and a meeting with South Florida Water

Management District (SFWMD) and asked if another meeting had taken place with the engineers.

CITY MANAGER CURTIS explained that the meeting had been postponed due to Hurricane Dorian and that it would be rescheduled.

COMMISSIONER SCHWARTZ said that she wanted to attend the rescheduled meeting. She wished Happy Rosh Hashanah.

VICE MAYOR TOMMY RUZZANO discussed his support for the green shirts and referenced Lennar Homes. He spoke about erecting flags in neighborhoods and referenced a friend's wife's passing. He asked his fellow City Commissioners if they would consider getting Code Compliance out of the Police Department.

Discussion ensued on whether Code Compliance should be moved to the Building Department.

VICE MAYOR RUZZANO discussed an outside lighting issue with Walmart and questioned why Code had not addressed it.

CITY MANAGER CURTIS confirmed that he would speak to Code Enforcement about the issue.

Discussion ensued.

CONSENSUS was given by the City Commission to have staff bring back research on possibly moving Code Compliance to the Building Department.

4) CITY MANAGER'S REPORT

CITY MANAGER CURTIS provided an update on the Parks Bond and referenced Calypso Cove. He explained that they had gone through a preliminary review of the Lazy River Project at Calypso Cove and that it was staff's recommendation that they move forward with the construction of this project which would be located exclusively within the existing property lines. He asked the City Commissioners for CONSENSUS to commit to a not to exceed amount of \$3,500,000 for this project which would allow them to move forward with other Parks projects that were in the Park bond that the residents had voted upon.

Discussion ensued.

PARKS AND RECREATION DIRECTOR MICHAEL JONES provided an update on Southeast Park. He explained that the Field Representative who had their engineering representative doing the design did not submit the permit last Thursday for Broward County Surface Water Management as they were doing the same project for Fort Lauderdale.

Discussion ensued including the bathrooms, delays with permits and the City and Commission working together as a team.

MAYOR CAGGIANO asked for the City Commission's CONSENSUS.

COMMISSIONER SIMONE - YES

COMMISSIONER ARSERIO - YES.

COMMISSIONER SCHWARTZ - NO

VICE MAYOR RUZZANO - YES

MAYOR CAGGIANO – YES

CONSENSUS was given by the City Commission to place a cap of \$3.5 million on the cost of the Lazy River Bond Project at Calypso Cove.

CITY MANAGER CURTIS discussed the banners for recycling and contamination causing the revenue into a cost. He asked if there was a CONSENSUS from the City Commission to have staff look at options for developing a Code Committee.

MAYOR CAGGIANO - YES

COMMISSIONER SCHWARTZ - YES

VICE MAYOR RUZZANO - YES

COMMISSIONER ARSERIO – YES and asked if they could utilize the Planning and Zoning Board.

Discussion ensued.

CONSENSUS was given by the City Commission for staff to bring back research on a Code Review Committee.

6) RESOLUTION(S) CONTINUED

- A. [ID 2019-466](#) APPROVING SPONSORSHIP OF THE SOS CHILDREN'S VILLAGES 2019 "STEPS FOR SOS 5K RUN/WALK" EVENT; APPROVING USE OF THE CITY'S MOBILE STAGE AND WAIVING OF RELATED FEES FOR THE NOVEMBER 16, 2019 STEPS FOR SOS 5K RUN/WALK" EVENT; PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION 19-105

CONSENSUS was given by the City Commission to hear Item 6A immediately after the City Manager's Report.

A motion was made by Commissioner Schwartz, seconded by Commissioner Simone, that this Resolution, should be discussed.

COMMISSIONER SIMONE said that they had already discussed the increase in residents' costs and referenced the Millage rate, storm water and recycling. She said that the City needed to tighten their belts and explained that she did not have a problem with donating the City's stage but had concerns about the monetary amount of \$2,500. She also spoke about other cities receiving sponsorship from other organizations and referenced Coral Springs.

An amendment was made by Commissioner Simone, seconded by Commissioner Schwartz, to donate the stage and associated costs but not to include the \$2,500.

Discussion ensued including associated City costs, sponsorship from other cities and whether this was a budgeted Item.

MRS. JONES discussed her experience with SOS Children's Villages and said that she disagreed with the amendment.

MR. ARTNER questioned the marketing value of having the City of Margate's logo at this event.

Discussion ensued.

MR. ALIANIELLO discussed this Item and said that \$2,500 was fair and that they should go for it.

Discussion ensued on compromise and reducing the City's contribution to \$1,250.

The amendment failed by the following vote:

Yes: 1 - Commissioner Simone

No: 4 - Commissioner Arserio, Commissioner Schwartz, Vice Mayor Ruzzano and Mayor Caggiano

The original motion carried by the following vote:

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

No: 1 - Commissioner Simone

- D. [ID 2019-468](#) APPROVING A TASK ORDER FOR THE AGREEMENT WITH SALTZ MICHELSON ARCHITECTS, INC. FOR ARCHITECTURAL DESIGN AND RELATED SERVICES FOR THE DESIGN OF A NEW FIRE STATION 58; PROVIDING FOR ADDITIONAL SERVICES AND CHANGES IN SCOPE OF WORK.

RESOLUTION 19-108

CONSENSUS was given by the City Commission to hear Item 6D immediately after Item 6A.

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

VICE MAYOR RUZZANO questioned when the documents would be available to be put out to bid.

SALTZ MICHELSON ARCHITECTS PRINCIPAL CHARLES MICHELSON explained that he had people available to start on the project this Friday but said that it would take two to three months to put the documents together. He also advised that the site plan approval process to get the site planned approved may take two months. He reiterated that he would start immediately and within three to four months, they would have construction documents ready.

Discussion ensued.

MR. ALIANIELLO questioned the location of the proposed firehouse.

Discussion ensued.

The motion carried as follows:

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

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 2019-486](#) APPROVING A DONATION OF \$1,500.00 TO THE "FLORIDA MISSING CHILDREN'S DAY FOUNDATION INC.", PROVIDING FOR FUNDING FROM THE LAW ENFORCEMENT TRUST FUND.

RESOLUTION 19-100

APPROVED

- B.** [ID 2019-487](#) APPROVING A DONATION OF \$1,500.00 TO "A CHILD IS MISSING" (ACM); PROVIDING FOR FUNDING FROM THE LAW ENFORCEMENT TRUST FUND.

RESOLUTION 19-101

APPROVED

- C.** [ID 2019-488](#) APPROVING A DONATION OF \$1,500.00 TO "THE BROWARD VICTIM'S RIGHTS COALITION"; PROVIDING FOR FUNDING FROM THE LAW ENFORCEMENT TRUST FUND.

RESOLUTION 19-102

APPROVED

- D.** [ID 2019-489](#) APPROVING A DONATION OF \$2,500.00 TO "THE MARGATE POLICE EXPLORER PROGRAM POST #97"; PROVIDING FOR FUNDING FROM THE

LAW ENFORCEMENT TRUST FUND.

RESOLUTION 19-103

APPROVED

- E. [ID 2019-490](#) APPROVING AND ACCEPTING AN AGREEMENT AND FUNDING FROM THE OFFICE OF THE ATTORNEY GENERAL, BUREAU OF ADVOCACY AND GRANTS MANAGEMENT, VICTIMS OF CRIME ACT (VOCA) GRANT IN THE AMOUNT OF \$63,365.00 FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2019, THROUGH SEPTEMBER 30, 2020, TO FUND THE CITY OF MARGATE POLICE DEPARTMENT'S FULL-TIME VICTIM ADVOCATE POSITION; AND PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION 19-104

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) CONTINUED

- B. [ID 2019-500](#) APPROVING AMENDMENT NO. 4 TO THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF COCONUT CREEK AND THE CITY OF MARGATE PROVIDING FOR DELIVERY OF EMERGENCY MEDICAL AND FIRE PROTECTION SERVICES; PROVIDING FOR AN INCREASE IN FEES TO BE PAID TO THE CITY.

RESOLUTION 19-106

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 Simone, Commissioner Arserio, Commissioner Schwartz, Vice Mayor Ruzzano and Mayor Caggiano

- E. [ID 2019-479](#) APPROVING A TWO PERCENT (2.0%) COST OF LIVING (COLA) FOR THE PERIOD FROM OCTOBER 1, 2019 THROUGH SEPTEMBER 30, 2020, FOR ALL NON-BARGAINED FOR PERSONNEL.

RESOLUTION 19-109

A motion was made by Commissioner Caggiano, seconded by Commissioner Simone, that this Resolution should be discussed.

COMMISSIONER SIMONE expressed her support for this Item for the non-bargaining personnel except for the Assistant City Manager and the Fire Chief. She said that she was also against the increase for the City Commission.

Discussion ensued including previous salary negotiations for the Assistant City Manager and the STEP program.

MR. ARTNER commented on the hiring process for the Assistant City Manager and explained that he was not in support of giving the Assistant City Manager the two percent Cost of Living Allowance (COLA).

Discussion ensued.

MR. ALIANIELLO compared his previous employment policies with an airline pertaining to COLA and Fair Adjustment with that of the City of Margate.

Discussion ensued.

COMMISSIONER SIMONE asked for CONSENSUS from the City Commission not to accept the two percent COLA increase for the City Commission salaries.

No action was taken.

Commissioner Schwartz discussed this Item and proposed calculating the COLA on the actual Consumer Price Index (CPI) value for the next fiscal year.

CITY MANAGER CURTIS asked if it was the CONSENSUS of the City Commission to do that.

VICE MAYOR RUZZANO - NO
MAYOR CAGGIANO - NO
COMMISSIONER ARSERIO - NO

CONSENSUS was not given by the City Commission to move forward on this proposal.

The original motion carried by the following vote:

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

7) ORDINANCE(S) - SECOND READING

- A. [ID 2019-467](#) 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.

ORDINANCE 2019-9

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

MR. ALIANIELLO wanted further clarification on this Item.

Discussion ensued.

The motion carried by the following vote:

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

No: 2 - Commissioner Simone and Commissioner Schwartz

8) DISCUSSION AND POSSIBLE ACTION

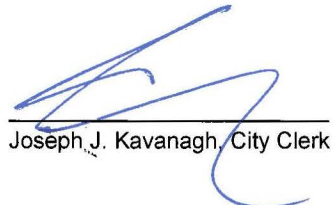
- A. [ID 2019-481](#) ~~DISCUSSION AND POSSIBLE ACTION – MARGATE 2.0 PUBLIC INPUT SURVEY.~~

ADJOURNMENT

There being no further business, the meeting adjourned at 11:00pm.

Respectfully submitted,

Transcribed by Salene E. Edwards


Joseph J. Kavanagh, City Clerk

Date: 11/27/19

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.