



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

Wednesday, October 16, 2019

7:00 PM

Commission Chambers

CALL TO ORDER

Commissioner Arserio attended via Skype video conferencing.

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 2019-521](#) GIRL SCOUT TROOP 10269

1) PRESENTATION(S)

A. [ID 2019-513](#) HOME OF THE MONTH - OCTOBER 2019
(Wayne and Malissa Powell, 165 NW 77th Avenue)

B. [ID 2019-523](#) OFFICER OF THE MONTH - JUNE - OFFICER NICHOLAS BROWN

OFFICER OF THE MONTH - JULY - OFFICER JEFFREY ARBOGAST &
OFFICER DANIEL SHAW

OFFICER OF THE MONTH - AUGUST - OFFICER NICHOLAS BROWN

LIFESAVER COMMENDATION - CURTIS BOYETTE

EMPLOYEE RECOGNITION FOR YEARS OF SERVICE

Item 1D. was heard before Item 1C.

D. [ID 2019-505](#) KEVIN STRANSKY - POLICE DEPARTMENT - POLICE SERGEANT - 15
YEARS

ANTHONY J. DEMARIZE - POLICE DEPARTMENT - POLICE OFFICER - 5 YEARS

Item 1C was heard directly after 1D.

ATHLETES OF THE MONTH

- C. [ID 2019-547](#) T-BALL: AUTUMN WATTERS, 5 YEARS OLD
(Marlins Team)

2) PUBLIC DISCUSSION

ARTHUR J. KRELL, 6117 EDWARDS ROAD spoke about a resident who was advised to remove her hurricane awnings. He also alleged that there were 21 Code violations on West Palm Drive that were not actioned.

VICE MAYOR TOMMY RUZZANO replied to Mr. Krell's comments.

COMMISSIONER ARLENE R. SCHWARTZ discussed Mr. Krell.

Discussion ensued on Mr. Krell.

JULIE JONES, 7871 NW 1ST STREET commended Officer Nicholas Brown pertaining to an arrest made on October 4th. She discussed Mr. Krell and spoke about the flyers for recycling.

JULI VANDERMEULEN, 2913 NW 68 LN. discussed Mr. Krell circling the neighborhood.

BRUCE VANDERMEULEN, 2913 NW 68 LN. discussed Mr. Krell circling the block.

RICH ALIANIELLO tipped his hat to Police Officer Boyette. He also discussed Mr. Krell's behavior.

DONNA RABEIRO, NW 9 CT, PARADISE GARDENS I discussed a drainage issue on her inherited home which was causing problems with a neighbor.

MAYOR ANTHONY N. CAGGIANO requested Ms. Rabeiro to provide her contact details with the City Clerk.

AUDREY E. SMITH, 601 NW 77 AVE #103 referenced the potential development on the Golf Course and discussed the property value of her recently sold apartment decrease by \$20,000 from the original asking price.

ELSA J. SANCHEZ, 6930 NW 15TH STREET congratulated and expressed her gratitude to the Fire and Police Departments. She explained her comments from the last City Commission meeting. She requested clarification on recycling and acquired information on the City's Code for shutters.

Discussion ensued on Code through social media.

DANIEL SALAZAR, 601 76TH TERRACE, #208, ORIOLE GARDENS II requested the City Commission to consider keeping the City the way it was and referenced the Executive Golf Course.

DARA KUSTLER, 554 NW 76TH TERRACE highlighted that members of the public were smoking in front of City Hall and requested the erection of signs prohibiting the same. She discussed the Golf Course pertaining to Oriole Gardens and sought clarification whether an email was sent from the owner to former City Manager May about arranging a potential meeting.

CHARLIE ARTNER, 6631 NW 22ND COURT discussed email communication from City staff before it was voted upon that golf courses were no longer included in the S2 zoning and requested an explanation.

BARBARA ALBRECHT, ORIOLE GARDENS II thanked the person responsible for installing the electronic sign at NW 5th Court.

PETA ZUNE, 7700 NW 5TH COURT, ORIOLE GARDENS II echoed Ms. Albrecht's comments and also thanked Sergeant Kevin Wilson for erecting the sign on 76th Avenue. She addressed the letter for Margate Executive Golf Course and read an article published by Margatenews.net on October 11th.

LAUREN BERACHA, PARADISE GARDENS III compared how Mr. Krell and Ms. Sanchez were respectively treated during Public Discussion at the last City Commission meeting. She highlighted the City Commission's budget increases in recent years.

MARILYN A. KNEELAND, 7955 NW 5TH CT, ORIOLE GARDENS PHASE II discussed the Margate Executive Golf Course and said that she had been involved with the petition drive. She also discussed the decrease in the market value of their properties.

SUSAN HOFFMANN, ORIOLE GOLF & TENNIS PHASE II said that she had a copy of the letter dated October 8th addressed to the City Commission and City Manager Curtis and asked if a meeting had been arranged. She said that it was time for the City Commission to vote "no" to Lennar.

CITY ATTORNEY JANETTE M. SMITH referenced the future of the golf course and explained that there was a process of the City's Code that they had to adhere to.

VICE MAYOR RUZZANO discussed the golf course process and he also indicated that there was another Lennar project on Atlantic Boulevard and Lyons Road.

3) COMMISSION COMMENTS

COMMISSIONER JOANNE SIMONE congratulated Margate's Advance Life Support (ALS) teams who recently completed in Orlando. She thanked the Chief of Police Shaw and his amazing team for being recognized by the Home Security Advisor for Margate being the seventh safest place to live in Florida with a population of 50,000. She provided a Metropolitan Planning Organization (MPO) update from a recent meeting.

COMMISSIONER ANTONIO V. ARSERIO echoed Vice Mayor Ruzzano's comments pertaining to the golf course process and also highlighted the decrease of property values surrounding that area. He also discussed the recent letter received from the Executive Golf Course owner. He asked the City Commission for CONSENSUS to allow City Manager Curtis and Parks & Recreation Director Jones to meet with Broward County to discuss the Executive Golf Course, with himself serving as a point person.

Discussion ensued.

CONSENSUS was given to the City Commission to have Commissioner Arserio, City Manager Curtis and appropriate staff meet with Broward County and report back to the City Commission.

COMMISSIONER SCHWARTZ stated that she had never seen the letter from the Executive Golf Course before it was sent in October. She also discussed Broward County offering to buy Palm Lakes Golf Course in 2004 and make it a County Park. She explained that she would not give an opinion and would remain an impartial judge pertaining to zoning matters until it formally comes before the City Commission to vote upon. She responded to the comments made by Mr. Artner during Public Discussion. She asked the City Commission for CONSENSUS to have City Attorney Smith research a Nuisance Abatement Ordinance.

CONSENSUS was given by the City Commission to have City Attorney Smith research and come back with information.

COMMISSIONER SCHWARTZ highlighted the forthcoming Fall Festival and Trunk or Treat events.

VICE MAYOR RUZZANO advised that the Calypso Cove Aquatic Facility would be giving away free water passes to children. He responded to comments made during Public Discussion and also referenced the LUPA 1800 Land Use Plan Amendment pertaining to 1,800 additional apartments in the downtown area. He discussed Code issues pertaining to rental properties. He explained that in 2017 during an Agenda Review, City Manager May explained and read a letter from the Golf Course owner that he was looking for approximately \$200,000 per year to help subsidize his golf course.

CITY ATTORNEY SMITH explained the legal process pertaining to quasi-judicial.

Discussion ensued.

MAYOR ANTHONY N. CAGGIANO encouraged everyone to attend the Fall Festival and WinterFest events. He said that he was ecstatic that Margate was the 7th safest City in the State of Florida.

4) CITY MANAGER'S REPORT

CITY MANAGER CALE CURTIS asked the City Commission for CONSENSUS to designate both a primary and alternate representative to participate in the Integrated Solid Waste and Recycling System group and bring this back as a Resolution at the November 6th, 2019 Regular City Commission meeting.

Discussion ensued on recycling.

CONSENSUS was given by the City Commission to nominate Mayor Caggiano as the primary representative and Commissioner Simone as the alternate representative.

CITY MANAGER CURTIS asked the City Commission for CONSENSUS to fund or cancel the Sounds at Sundown events for November and December.

Discussion ensued including sponsorship.

CONSENSUS was given by the City Commission to cancel the Sounds at Sundown events for November and December and look at future options for the event.

CITY ATTORNEY SMITH discussed and thanked Commissioner Schwartz for bringing attention the problems with liens and referenced Code Enforcement and Statute 197 where she would conduct research. She explained that there was a deadline for January 1, 2020 with the Broward County Property Appraiser's office but forewarned that it may have to be extended if they wanted to start this for next year.

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 2019-530](#) MOTION - APPROVAL OF CITY COMMISSION MINUTES: SEPTEMBER 4, 2019 - REGULAR CITY COMMISSION MEETING; SEPTEMBER 5, 2019 - CITY COMMISSION BUDGET HEARING.

APPROVED

- B. [ID 2019-520](#) RESOLUTION - RECOGNIZING FLORIDA CITY GOVERNMENT WEEK FOR OCTOBER 21-27, 2019.

RESOLUTION 19-112

APPROVED

- C. [ID 2019-537](#) RESOLUTION - APPROVING AN AGREEMENT WITH THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA PROVIDING FOR SCHOOL SURVEILLANCE CAMERA SYSTEM ACCESS IN THE EVENT OF A PUBLIC SAFETY INCIDENT OR EMERGENCY.

RESOLUTION 19-113

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) ORDINANCE(S) - SECOND READING

- A. [ID 2019-528](#) AN ORDINANCE OF THE CITY OF MARGATE, FLORIDA; AMENDING CHAPTER 19, SECTION 19-3 - EXCLUSIVE FRANCHISE AGREEMENTS TO PROVIDE COLLECTION SERVICES FOR RESIDENTIAL DWELLING UNITS AND COMMERCIAL ESTABLISHMENTS; PROVIDING FOR AGREEMENTS AND BILLING OF COLLECTION, PROCESSING, DISPOSAL AND RELATED SERVICES; PROVIDING FOR TITLE AMENDMENT; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND, PROVIDING FOR AN EFFECTIVE DATE.

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

An amendment was made by Commissioner Simone, seconded by Commissioner Schwartz, to have \$370,000 taken from the Resource Recovery Board Fund (renamed Citizen Project Initiative Fund) this year to defray the costs of recycling contamination and remove \$10,000 from the rebranding budget, should be discussed.

Discussion ensued.

MR. ALIANIELLO spoke on this Item.

MR. ARTNER spoke on this Item and advised that he had spoken to Barbara Herrera from Waste Management.

MS. SANCHEZ discussed this Item.

A motion was made by Mayor Caggiano to table this Item for another 30 or 60 days. This failed for a lack of second.

The original motion failed by the following vote:

Yes: 2 - Commissioner Arserio and Mayor Caggiano

No: 3 - Commissioner Simone, Commissioner Schwartz and Vice Mayor Ruzzano

ADJOURNMENT

There being no further business, the meeting adjourned at 10:15pm.

Respectfully submitted,

Transcribed by Salene E. Edwards



Joseph J. Kavanagh, City Clerk

Date: 12/12/19

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.