



City of Margate

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

Meeting Minutes Regular City Commission Meeting

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

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

Wednesday, July 1, 2020

6:30 PM

Commission Chambers for Public Hearing Item
and/or

Virtual Meeting

<https://us02web.zoom.us/j/84339846143>

CALL TO ORDER

ROLL CALL

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

Commissioner Caggiano attended via Zoom

Commissioner Simone attended via Zoom

Commissioner Arserio attended via Zoom

Vice Mayor Schwartz attended in person

Mayor Ruzzano attended in person

City Manager Cale Curtis attended in person

City Attorney Janette M. Smith attended in person

City Clerk Joseph J. Kavanagh attended in person

MOMENT OF SILENCE - INVOCATION

PLEDGE OF ALLEGIANCE

CRA COORDINATOR RITA RODI read a statement pertaining to the City's virtual public meeting pursuant to the Sunshine Law and Governor Ron DeSantis' Executive Order.

1) PRESENTATION(S)

No Presentations.

2) PUBLIC DISCUSSION

ELSA J. SANCHEZ, 6930 NW 15TH STREET thanked City Clerk Kavanagh for assisting her with a Zoom issue. She was disappointed that the Community Emergency Response Team (CERT) would not be able to participate in the July 4th Parade. She also hoped that there would not be any distribution of campaign material or discussions at the Parade by current City Commission candidates. She indicated that other candidates were not able to promote their campaigns which she found unfair and disrespectful and questioned why that decision was made.

MAYOR TOMMY RUZZANO responded to Ms. Sanchez's comments on the Parade. He said that he was only made aware of CERT's non-participation in the Parade this week.

Discussion ensued on the Parade, campaign material and CERT.

COMMISSIONER ANTONIO V. ARSERIO asked for CONSENSUS from the City Commission to have a CERT vehicle at the July 4th Parade.

Discussion ensued on adding a CERT vehicle at the July 4th Parade.

CITY MANAGER CALE D. CURTIS said that there was no intent to exclude any one particular party or organization from the Parade. He indicated that the Parade was obviously different to those they had organized previously. He said that when they discussed having the Parade, it was suggested that they should be limited to the City Commission and City employees which was only due to logistical challenges.

Discussion ensued including the use of a CERT vehicle, team members and insurance liabilities pertaining to non-City staff.

CONSENSUS was reached by the City Commission to add a CERT vehicle to the July 4th Parade, and Tom Savoca and Coco, the dog, could ride in the back of the Mayor Ruzzano's truck.

6) PUBLIC HEARING(S)

Item 6A was heard after Item 2.

A. [ID 2020-221](#) PUBLIC HEARING TIME OF 7:00 P.M.

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, 2020; APPROVING THE RATE OF ASSESSMENT; APPROVING THE ASSESSMENT ROLL; AND PROVIDING AN EFFECTIVE DATE.

RESOLUTION 20-036

A motion was made by Vice Mayor Schwartz, seconded by Commissioner Arserio, that this Item should be approved.

MAYOR RUZZANO advised that at the last meeting, they set the Fire Assessment cap to \$300 which could not be exceeded.

CITY CLERK JOSEPH J. KAVANAGH explained that the attendees that arrived at City Hall had left. He confirmed that there was nobody from the public that wished to comment.

The motion carried by the following vote:

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

CITY ATTORNEY JANETTE M. SMITH confirmed that the amount just voted on was set at \$300.

2) PUBLIC DISCUSSION (CONTINUED)

LAUREN BERACHA asked for clarification on the policy of wearing masks in the City.

MAYOR RUZZANO explained that there was a Mayors' call and he indicated that they wanted the County to implement this by putting something in place.

CITY ATTORNEY SMITH received an Emergency Order 20-20 that was sent out from Broward County which addressed the facial covering requirements. She confirmed that this would come into effect at 11:59pm on Thursday, July 2, 2020.

Discussion ensued on the two sections of the Emergency Order 20-20 pertaining to facial coverings.

3) COMMISSION COMMENTS

COMMISSIONER ANTHONY N. CAGGIANO asked the public to maintain social distancing and to wear a mask in public. He wished everyone a safe and Happy July 4th.

COMMISSIONER JOANNE SIMONE explained that times were still tough for everybody and thanked City employees for their dedication and service to the City. She reminded the residents of two food distribution sites. She wished everyone a Happy July 4th and said that it was the nation's 224th anniversary on Saturday. She said that she looked forward to seeing everybody at the Parade and to practice social distancing. She also spoke on the importance of wearing facial coverings.

COMMISSIONER ANTONIO V. ARSERIO thanked first responders and City staff. He echoed Commissioner Simone's comments pertaining to the Coronavirus disease (COVID-19) and asked people to wear masks and practice social distancing. He said that people had to be responsible and self-police. He was looking forward to the July 4th Parade and Firework show and said that details were available on the City's website. He thanked resident, Grant O'Donnell, who spoke recently at a City Commission meeting pertaining to his Manager and Home Depot and said that he put him in touch as a follow up with Parks and Recreation Director Jones and the City Manager Curtis. He was also curious whether there was any follow-up on his suggestion for shrubbery on the perimeter

around the fence at the Dog Park and also sought an update for his request for fast growing shade trees.

CITY MANAGER CURTIS was aware that Parks and Recreation Director Jones had spoken to Mr. O'Donnell and that they were coordinating some sort of partnership or event but he would bring the information to the City Commission for discussion and action. He confirmed that he would also work with him on the shade trees. He said that he did not have any information of putting sponsorship banners on that inner fence that separated the small park from the large dog park. He explained that they had a similar one at the Sports Complex and said that it was up to the City Commission if they wanted to put banners of that nature at the Dog Park.

Discussion ensued on the proposal of the banner.

CITY MANAGER CURTIS asked the City Commission if it was their wish to expand the banner sponsorship program at the Dog Park as Commissioner Arserio suggested.

COMMISSIONER ARSERIO asked for CONSENSUS from the City Commission to have a banner sponsorship program at the Dog Park that was based on the existing model from Parks and Recreation.

Discussion ensued.

CONSENSUS was reached by the City Commission to expand the banner sponsorship program at the Dog Park as long as it was not visually obstructive. It was also agreed that the City Manager would speak with Parks and Recreation Director Jones about the program.

COMMISSIONER SIMONE reminded residents to complete the 2020 Census.

VICE MAYOR ARLENE R. SCHWARTZ referenced the COVID-19 virus and echoed what everyone had said about staying safe and also referenced a wedding in India where the virus had spread. She discussed her attendance at a recent virtual School Board meeting and said that school would start on August 19th, but no one knew what it was going to look like. She wished everyone a Happy July 4th and spoke about the City's planned firework display. She spoke about the recent Mayors' call and referenced an increase in the COVID-19 numbers. She said that they were trying to make precautions and said that there were many concerns.

MAYOR RUZZANO wished everyone a Happy July 4th and highlighted the City's forthcoming firework display and parade. He said that he made a statement at a recent Broward County meeting about financial assistance in the purchase of masks, in particular, for the seniors. He also discussed The Coronavirus Aid, Relief, and Economic Security (CARES) Act funding and recent protests and rallies which may have spread the COVID-19 virus.

CITY ATTORNEY SMITH wished everyone a happy and safe July 4th.

4) CITY MANAGER'S REPORT

CITY MANAGER CURTIS asked for CONSENSUS from the City Commission for the City of Margate to host another Blood Drive with free COVID-19 antibody testing on Saturday, July 18, 2020, on Community Redevelopment Agency (CRA) property.

Discussion ensued.

CONSENSUS was reached by the City Commission.

CITY MANAGER CURTIS asked for CONSENSUS from the City Commission to partner with State Representative Omphroy to distribute 10,000 masks on CRA property to the City of Margate residents at a date and time to be determined.

CONSENSUS was reached by the City Commission.

CITY MANAGER CURTIS congratulated the Finance Department for receiving the Distinguished Budget Award from the Government Finance Officers Association (GFOA) for their budget presentation for fiscal year 2020.

5) CONSENT AGENDA

CITY ATTORNEY SMITH explained that there was a Resolution that was updated and modified and that the title was expanded upon as to what they saw on tonight's Agenda. She advised that she would also update the Resolution to send to the City Clerk to ensure that they had the correct title for the Resolution signed.

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 2020-231](#) RESOLUTION - A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, APPROVING AN INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY AND CITY OF MARGATE PROVIDING FOR FUNDING AND ADMINISTRATION OF THE FY 19-20 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM; AUTHORIZING THE CITY MANAGER TO EXECUTE AND/OR SUBMIT ANY AND ALL RELATED DOCUMENTS TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT; PROVIDING FOR EFFECTIVE DATE.

RESOLUTION 20-034

Approval of the Consent Agenda

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

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

- B. [ID 2020-229](#) RESOLUTION - A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, APPROVING TECHNICAL REVISION TO THIRD AMENDMENT SHIP LOCAL HOUSING ASSISTANCE PLAN (LHAP) 2016-2017, 2017-2018, AND 2018-2019; PROVIDING FOR AMENDMENT TO THE DISASTER MITIGATION STRATEGY TO INCLUDE UP TO \$5,000 FOR TEMPORARY RENTAL, MORTGAGE, UTILITY, AND HOMEOWNER ASSOCIATION PAYMENT ASSISTANCE FOR ELIGIBLE RESIDENTS FINANCIALLY IMPACTED BY THE COVID-19 PANDEMIC, IN THE EVENT THAT ADDITIONAL FUNDS

ARE ALLOCATED TO THE CITY UNDER THE STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) PROGRAM; AUTHORIZING THE MAYOR AND CITY MANAGER TO APPROVE ANY AMENDMENTS TO THE LHAP THAT PROVIDES FOR RECEIPT OF FUNDS FROM THE STATE AND NO CHANGE OF TERMS, WITHOUT FURTHER COMMISSION ACTION; PROVIDING FOR EFFECTIVE DATE.

RESOLUTION 20-035

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

CITY MANAGER CURTIS said he was advised that there was \$20,000 that was allocated to disaster mitigation for State Housing Initiatives Partnership program (SHIP) funds for the City.

Discussion ensued.

Approval of the Consent Agenda

The motion was carried by the following vote:

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

2) PUBLIC DISCUSSION (CONTINUED)

MARGATE RESIDENT JAMES GORDON said that he had been a resident since 1975. He said that it was nice to finally have a Dog Park but questioned why it closed early. He asked if they could install lights and have it opened during the night time.

Discussion ensued.

MAYOR RUZZANO suggested that they could look at installing lights in the upcoming budget.

Discussion ensued.

7) RESOLUTION(S)

- A. [ID 2020-211](#) A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, ESTABLISHING THE FEE STRUCTURE FOR ALCOHOL EXTENDED HOURS PERMITS; PROVIDING FOR APPLICATION FEE, LATE FEE, AND BOND; PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION 20-037

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

MAYOR RUZZANO provided a history on the licensing rules within the City.

Discussion ensued.

JESSIE WALCUTT said that he was confused about the cash bond. He said that he did not think the higher fee would be affordable this year and referenced the recent Executive Order setting the operational hours back to midnight.

Discussion ensued on the cash bond, higher fee due to COVID-19, amending the Resolution by October 2020, setting a rate and applying a discount.

A motion was made by Commissioner Arserio, seconded by Commissioner Caggiano, to set the Tier 1 Fee at \$500, the Tier 2 Fee at \$2,500, with a \$1,500 discount, the Late Fee at \$500, if past the July 15th due date, and the Cash Bond at \$2,500.

Discussion ensued.

MR. GORDON was concerned about the discussion on Jessie's X-Treme Sports Bar, the 4:00 a.m. license and the City's fees applied to a low margin business. He stated that bars and restaurants were the number one businesses in the USA, that they were vital to the economy and questioned the Commission's morals. He also spoke on development in the neighboring City of Coconut Creek and said that Margate was losing business.

Discussion ensued including a short succession for the fee change.

GERRI'S SPORTS PUB OWNER, JUR said that his bar had been closed for four months and that it was a very bad time to talk about raising the license fee. He questioned how businesses, such as himself, could pay the fee if he had a closed business, on struggling to pay his rent and subsequently receiving no income.

Discussion ensued.

CITY MANAGER CURTIS advised that the setting of the fees was not for profit making or producing revenue and that its purpose was for extending alcohol hours and the serving of alcohol. He said that traditionally or historically, there was an increased need for Police services.

Discussion ensued.

The motion carried as follows:

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

No: 2 - Commissioner Simone and Vice Mayor Schwartz

Meeting went into Recess.

Meeting Reconvened.

- B. [ID 2020-234](#) A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, APPROVING THE PURCHASE OF MASKS AND HAND SANITIZER FOR MARGATE SENIOR CITIZEN RESIDENTS; PROVIDING FOR WAIVING OF BIDDING; PROVIDING FOR FUNDING FROM THE CITIZEN PROJECT INITIATIVES ACCOUNT IN AN AMOUNT NOT TO EXCEED \$175,000; PROVIDING FOR BUDGET AMENDMENT; PROVIDING FOR EFFECTIVE DATE.

RESOLUTION 20-038

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

COMMISSIONER ARSERIO said it was a great idea but his only concern was that there was a pretty hefty price tag for hand sanitizer. He suggested that they should just buy both a combination of disposable and washable masks and remove the hand sanitizer due to the high cost.

CITY MANAGER CURTIS explained that they were able to get the hand sanitizer prices down significantly. He suggested that they look at the cloth, reusable masks and provide one per senior citizen.

Discussion ensued including the possibility of being reimbursed, issuing washable/reusable masks with guidelines, CARES Act funds, the reason for waiving the bid on Personal Protective Equipment (PPE) and defining the age of a senior citizen.

An amendment was made by Vice Mayor Schwartz, seconded by Commissioner Caggiano, to amend the amount to \$100,000. The amendment carried by the following vote:

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

The original motion as amended carried by the following vote:

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

CITY MANAGER CURTIS estimated that they should receive all the material within a couple of weeks.

- C. [ID 2020-235](#) A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, APPROVING INTERLOCAL AGREEMENT RELATED TO COVID-19 EMERGENCY ORDER ENFORCEMENT BETWEEN BROWARD COUNTY AND CITY OF MARGATE;

PROVIDING FOR COMPENSATION; PROVIDING FOR TERM; PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION 20-039

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

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

8) DISCUSSION AND POSSIBLE ACTION

A. [ID 2020-237](#) DISCUSSION AND POSSIBLE ACTION - NON-RESIDENTIAL COLOR PALETTE.

MAYOR RUZZANO said that there was a color palette change in 2012. He explained that when they spoke previously in their City Commission and CRA meetings on businesses operating in Margate and if they had a color palette such as a Bahama Breeze, he would not want to be the one to advise that they had to change their colors. He said that he recalled speaking to the owners of Applebees who were very upset with the color palette that Margate had.

COMMISSIONER ARSERIO said that they spoke previously about having an architectural review or architectural standards so they would have to have a color palette. He said that it was a tough one, especially if they would have to advise businesses to change what they currently had.

VICE MAYOR SCHWARTZ explained the history on how this Item came about which pertained to two CRA owned plazas and referenced the Chevy Chase and Ace Plaza and that in April 2012, they decided to get rid of the color palette.

COMMISSIONER SIMONE suggested that they should allow Mr. Fett to select the color palette and see if it would be acceptable to the City.

CITY MANAGER CURTIS said that he talked with Development Services staff and Mr. Fett who provided an update on the design standards. He also had a preempted discussion about Mr. Fett working on a new color scheme and provided a history on the City's palette that was adopted back in 2000.

Discussion ensued on updating the 2000 color palette to make it more current.

JOHN HALL was astounded to learn that a previous City Commissioner got rid of the color palette rather than make an exception. He said that he did not want to see businesses look out of place in the City.

Discussion ensued on the color palette.

MS. SANCHEZ described going through a similar situation at her Homeowners Association (HOA) which took them approximately six months to select all the colors and said it was not an easy task.

Discussion ensued.

MARILYN A. KNEELAND discussed the color palette of her building. She said that colors had an effect as styles changed and also spoke of its importance.

Discussion ensued including downgrading roofs from tile to shingles.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:36pm.

Respectfully submitted,

Transcribed by Salene E. Edwards



Joseph J. Kavanagh, City Clerk

Date: 8/25/2020

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.

The City of Margate's procedure for the virtual public meeting are as follows:

- Pursuant to Governor DeSantis' Executive Orders 20-51 and 20-52, in which the Governor declared a public health emergency and a state of emergency, there is a recommendation to limit public gatherings.
- On March 20, 2020, Governor DeSantis issued Executive Order 20-69, suspending the quorum requirements for public meetings held by a local government body, and the requirement that a local government body must meet at a specific public place.
- On June 23, 2020, Governor DeSantis issued Executive Order 20-150, extending Executive Order 20-69 regarding local government public meetings until 12:01 a.m. on August 1, 2020.
- Consistent with the authority contained in the Governor's Executive Orders, and in order to ensure the health, safety, and welfare of the City of Margate's residents and employees, the City of Margate finds that it is in the best interest of the City of Margate to hold this virtual public meeting.
- Therefore, the City of Margate will be holding this virtual meeting through the use of electronic communication. Members of the public are invited to join the City of Margate meeting by accessing the meeting through Zoom using Webinar ID: 843-3984-6143 or can call in via telephone by calling one of the following phone numbers: US: +1 312 626 6799 or +1 929 205 6099.
- A copy of the Agenda for this Virtual Meeting is posted on www.MargateFL.com and on the main bulletin board outside City Hall located at 5790 Margate Blvd, Margate, FL 33063.
- Any comments related to any item on the agenda can be submitted to the City of Margate via the following e-mail address: JKKAVANAGH@MARGATEFL.COM.

**INSTRUCTIONS FOR PARTICIPATING IN THE CITY OF MARGATE'S VIRTUAL COMMISSION MEETING
WEDNESDAY, JULY 1, 2020 AT 6:30 P.M.**

THROUGH THE CITY'S WEBSITE:

Go to www.margatefl.com

Go to "Agendas & Minutes" > Find the respective meeting date and click "Agenda Summary" to view the agenda items and see the Zoom meeting website address

THROUGH COMCAST CHANNEL 78:

If you are a Comcast/Xfinity customer, please go to Channel 78 to view the meeting.

PRIOR to the start of the meeting, email Public Comments to jjkavanagh@margatefl.com (all public comments that are three (3) minutes or less will be read into the record.)

ALTERNATE OPTION FOR VIEWING AND PARTICIPATING IN THE MEETING:

THROUGH ZOOM TECHNOLOGY:

Instructions for Attendees\Participants:

Topic: "Virtual Meeting - Regular City Commission Meeting"

Enter the following link to join the webinar: <https://zoom.us/j/84339846143>

Telephone:

Dial (for higher quality, dial a number based on your current location):

US: 1-669-900-6833 or 1-929-205-6099 or 253-215-8782 or 301-715-8592 or 312-626-6799 or 346-248-7799

Webinar ID: 843-3984-6143

To virtually raise hand and be acknowledged to speak:

1. Users who call in can dial *9 to raise their hand
2. If going through mobile (phone\tablet) app, to raise hand select "Participants", then see option to raise hand.
3. On the computer users should click "Participants" then see option to raise hand
4. Once you have been selected to speak, you will be prompted to unmute your device or stay muted.