



# City of Margate

5790 Margate Boulevard  
Margate, FL 33063  
954-972-6454  
[www.margatefl.com](http://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**

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Wednesday, September 16, 2020

7:00 PM

Virtual Meeting

<https://us02web.zoom.us/j/88900855993>

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### 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 via Zoom

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

### 1) PRESENTATION(S)

#### EMPLOYEE RECOGNITION FOR YEARS OF SERVICE

A. ID 2020-309 JOSEPH JAMES GALASKA, POLICE CAPTAIN - POLICE DEPARTMENT - 25 YEARS

ANDREA ALICIA JAMES, POLICE OFFICER - POLICE DEPARTMENT - 25 YEARS

STEPHEN MAURICETTE, EQUIPMENT OPERATOR - PUBLIC WORKS DEPARTMENT - 25 YEARS

MICHAEL J. BERRYMAN, POLICE OFFICER - POLICE DEPARTMENT - 15 YEARS

EDWARD R. ZOMBEK, POLICE OFFICER - POLICE DEPARTMENT - 15 YEARS

LLOYD JASON KURTZMAN, FIRE LIEUTENANT - FIRE DEPARTMENT - 15 YEARS

JOSE LUIS RIVERA, POLICE OFFICER - POLICE DEPARTMENT - 5 YEARS

DENNIS P. CALLAWAY, SERVICE WORKER - PUBLIC WORKS DEPARTMENT - 5 YEARS

CITY CLERK JOSEPH J. KAVANAGH read a statement pertaining to the City's virtual public meeting pursuant to the Sunshine Law and Governor DeSantis' Executive Order.

### **PROCLAMATION(S)**

- B. [ID 2020-318](#) BIG BROTHERS BIG SISTERS MONTH - SEPTEMBER, 2020 (presented to Chad Van Horn, BBBS Board Chair)

BIG BROTHERS BIG SISTERS (BBBS) OF BROWARD COUNTY DIRECTOR, BOARD CHAIR PERSON, CHAD VAN HORN explained the background of BBBS and thanked the City of Margate.

## **2) PUBLIC DISCUSSION**

CITY CLERK JOSEPH J. KAVANAGH explained the protocol for submitting a Public Discussion.

There was no Public Discussion.

## **3) COMMISSION COMMENTS**

COMMISSIONER ANTHONY N. CAGGIANO congratulated staff on the Employee Anniversary listing and thanked them for their service.

COMMISSIONER JOANNE SIMONE requested 5D be pulled from the Consent Agenda for discussion. She congratulated members of staff on the Employee Anniversary listing and said that they did a tremendous job for the City. She referenced the Hispanic Community Heritage Month and congratulated and said that she valued their community. She discussed and read a statement on personal attacks and untruths made against her on Facebook pertaining to the Board of Adjustment appointments.

MAYOR RUZZANO responded to Commissioner Simone's comments.

COMMISSIONER ARSERIO discussed the phenomenal job by the first responders and the Parks and Recreation Department pertaining to the 9/11 ceremony. He spoke about Facebook chatter pertaining to his attendance at that event. He highlighted tomorrow's Miracle Leaf Medical Marijuana Doctor grand opening and the November 3rd election and referenced voting methods. He thanked Margate Initiative for Community Action and Hope (MICA) for organizing the Firefighter Appreciation evening and discussed the same. He also thanked Keep Our Money in Margate (KOMIM) Group, Mr. Rob Reiner, who was offering free coffee and donuts for first responders at Dandee Donuts. He referenced the guests on the Zoom meetings and said a big hello and thank you to Marilyn A. Kneeland for everything she did pertaining to Keep Margate Green.

VICE MAYOR ARLENE R. SCHWARTZ discussed facial coverings for voting in person. She thanked those who attended Patriot's Day on 9/11 and spoke about the MICA event. She highlighted a Sun-Sentinel article regarding Broward County Mayors' Coronavirus disease (COVID-19) discussions.

MAYOR RUZZANO referenced the Broward County Mayors' calls and indicated that he always relayed the discussion back to the City Commission meetings and posted updates on Facebook.

VICE MAYOR SCHWARTZ discussed the Board members' nominations from a recent City Commission meeting.

MAYOR RUZZANO discussed the upcoming Tree Giveaway events at the end of September and October 2020. He highlighted that a Brazilian steakhouse would be opening in the Peppertree Plaza in November 2020.

CITY ATTORNEY JANETTE M. SMITH spoke on the previous Board of Adjustment appointment item.

#### 4) CITY MANAGER'S REPORT

CITY MANAGER CURTIS was very pleased to announce that an invitation to bid for the demolition and construction of Fire Station 58 was advertised on September 7th and there would be a virtual pre-bid meeting scheduled for September 22nd, details of which could be found on the City's website. He understood that they had a strong list of bidders that were interested in that project.

COMMISSIONER ARSERIO said that he would love to see a demolition ceremony.

Discussion ensued.

#### 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 2020-310 ~~RESOLUTION APPROVING THE REMETERING AGREEMENT WITH HTG ARBOR VIEW, LLC, FOR ARBOR VIEW LOCATED AT 3100 NORTH STATE ROAD 7, MARGATE, FLORIDA.~~

B. [ID 2020-334](#) RESOLUTION - AUTHORIZING A FIRST AMENDMENT TO THE

INTERLOCAL AGREEMENT BETWEEN THE CITY OF MARGATE AND THE MARGATE COMMUNITY REDEVELOPMENT AGENCY FOR FUNDING CONTRIBUTION, SERVICES, AND COMPENSATION.

RESOLUTION 20-271

**APPROVED**

- C. [ID 2020-328](#) RESOLUTION - APPROVING THE STATE LAW ENFORCEMENT TRUST FUND (LETF) TO BE USED FOR OVERTIME EXPENSES INCURRED FROM CRIME PREVENTION EFFORTS OF THE MARGATE POLICE DEPARTMENT'S PARTICIPATION IN ANY MULTI-AGENCY TASK FORCE GROUP.

RESOLUTION 20-272

**APPROVED**

### Approval of the Consent Agenda

**A motion was made by Vice Mayor Schwartz, seconded by Commissioner Caggiano, 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

- D. [ID 2020-335](#) RESOLUTION - APPROVING A TWO PERCENT (2.0%) COST OF LIVING (COLA) FOR THE PERIOD FROM OCTOBER 1, 2020 THROUGH SEPTEMBER 30, 2021, FOR ALL NON-BARGAINED FOR PERSONNEL.

RESOLUTION 20-273

Item 5D was pulled from the Consent Agenda for discussion.

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

COMMISSIONER JOANNE SIMONE read a statement opposing the two percent COLA increase for the City Commissioners.

CITY CLERK KAVANAGH advised that there were three emails which were submitted to him pertaining to this Item. He read an email from Valerie Perry of 6812 Dogwood Lane who objected to a COLA increase to the City Commission. He said that the second email was submitted by Avery L. Robinson of 913 East River Drive who was strongly opposed to the COLA increase specifically to the City Commission. He said that the third email that was submitted was from a Nina Culver of 6480 NW 11 Street, who believed that the City Commission should be excluded from the COLA increase.

LAUREN BERACHA, 6950 NW 14TH PLACE asked the City Commission to reconsider accepting the two percent COLA raise.

Discussion ensued on whether the City Commission should receive a COLA increase.

**An amendment was made by Commissioner Simone, to remove City Commissioners from the two percent Cost of Living Allowance (COLA) and leave it for all non-bargained which includes part-time personnel and Senior Management. This failed for a lack of second.**

VICE MAYOR SCHWARTZ discussed the Florida Retirement System (FRS) contributions.

Discussion ensued.

COMMISSIONER SIMONE said that she would like to go on record that she was not in favor of Commissioners receiving the two percent COLA increase but she would vote for it as it was tied into the non-bargained personnel and she believed that they deserved that increase.

COMMISSIONER ARSERIO responded to Commissioner Simone's comments, said that he would vote yes for this Item and made reference about reinvesting in the City.

Discussion ensued including City Commissioners salaries and benefits.

**The original motion carried by the following vote:**

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

## **6) RESOLUTION(S)**

- A. [ID 2020-238](#)** A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, APPROVING A MASTER EQUITY LEASE AGREEMENT WITH ENTERPRISE FM TRUST AND APPROVING A SERVICE AGREEMENT WITH ENTERPRISE FLEET MANAGEMENT; PROVIDING FOR SCHEDULES AND ADDENDA; PROVIDING FOR EFFECTIVE DATE.

RESOLUTION 20-274

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

MAYOR RUZZANO thanked City Manager Curtis, Public Works Director Collins, Finance Director Beazley and everybody else who was involved. He thought this was awesome and a great improvement to the City and said that in the future, he would like them to look at their phone service.

**This carried by the following vote:**

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

**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: 11/19/2020

**PLEASE NOTE:**

The City of Margate is holding a virtual public hearing on September 16, 2020, at 7:00 p.m. This statement explains the City of Margate's findings related to the need to hold the virtual public meeting, and the ability of the public to access the virtual public meeting.

The City of Margate's findings and 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 August 7, 2020, Governor DeSantis issued Executive Order 20-193, extending Executive Order 20-69 regarding local government public meetings until 12:01 a.m. on October 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 clients 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 communications. Members of the public are invited to join this virtual meeting by going to [www.zoom.com](http://www.zoom.com) and entering Webinar ID: 889 0085 5993 or by calling in via telephone by dialing one of the following phone numbers: 312-626-6799 or 929-205-6099 - Webinar ID: 889 0085 5993
- A copy of the Agenda for this Virtual Meeting is posted on [www.MargateFL.com](http://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: [JJKAVANAGH@MARGATEFL.COM](mailto:JJKAVANAGH@MARGATEFL.COM)

## INSTRUCTIONS FOR PARTICIPATING IN THE REGULAR CITY COMMISSION VIRTUAL MEETING

WEDNESDAY, SEPTEMBER 16, 2020, AT 7:00 P.M.

## THROUGH THE CITY'S WEBSITE:

Go to [www.margatefl.com](http://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](mailto: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 - Margate Regular City Commission Meeting"

Enter the following link to join the webinar: <https://us02web.zoom.us/j/88900855993>

Telephone:

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

312-626-6799 or 929-205-6099

Webinar ID: 889 0085 5993

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.

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.

