



City of Margate

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

Meeting Minutes Regular City Commission Meeting

Mayor Arlene R. Schwartz
Vice Mayor Antonio V. Arserio
Commissioners:

Anthony N. Caggiano, Tommy Ruzzano, Joanne Simone

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

Wednesday, March 17, 2021

7:00 PM

Zoom Virtual Meeting
Webinar ID: 834 0772 4760

<https://us02web.zoom.us/j/83407724760>

CALL TO ORDER

MOMENT OF SILENCE - INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

- Present:** 4 - Commissioner Anthony N. Caggiano, Commissioner Joanne Simone, Vice Mayor Antonio V. Arserio and Mayor Arlene R. Schwartz
Absent: 1 - Commissioner Tommy Ruzzano

Commissioner Caggiano attended in person

Commissioner Simone attended via Zoom

Commissioner Ruzzano had an excused absence

Vice Mayor Arserio attended via Zoom

Mayor Schwartz attended in person

City Manager Curtis attended in person

City Attorney Smith attended in person

City Clerk Kavanagh attended in person

1) PRESENTATION(S)

MAYOR ARLENE R. SCHWARTZ asked for CONSENSUS to move Item 1C before Item 1A.

CONSENSUS was given by the City Commission.

ATHLETE OF THE MONTH

- C. [ID 2021-103](#) BASEBALL: AUSTIN TAYLOR, 7 YEARS OLD
(Margate Padres)

Item 1C. was heard before 1A.

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.

- A. [ID 2021-077](#) PRESENTATION BY THE NORTH LAUDERDALE PANTHERS FOOTBALL TEAM

NORTH LAUDERDALE PANTHERS STANLEY LOUIS, 7500 KIMBERLY BOULEVARD, NORTH LAUDERDALE, spoke on this Item and made reference to a future sponsorship response.

Discussion ensued.

CITY MANAGER CALE CURTIS said that he would speak to Parks and Recreation Director Jones and said that they would make sure that Mr. Louis was aware of the construction at a City park.

- B. [ID 2021-091](#) PRESENTATION FROM MARGATE MIDDLE SCHOOL FOR POSITIVE BEHAVIOR INTERVENTION SYSTEM (PBIS) (Presented by Ambar Fernandez, 8th Grade Guidance Counselor, Margate STEM Magnet Middle School)

MARGATE MIDDLE 8TH, GRADE ADMINISTRATOR, RODERICK DANIEL thanked the City for their continued support and provided a joint PowerPoint presentation with Ms. Fernandez.

MARGATE MIDDLE 8TH, GRADE COUNSELOR, AMBAR FERNANDEZ spoke on this Item.

Discussion ensued including a question and answer session between the City Commission and the members of staff from Margate Middle.

VICE MAYOR ANTONIO V. ARSERIO said that he would make a \$100 donation.

Discussion ensued.

EMPLOYEE RECOGNITION FOR YEARS OF SERVICE

- D. [ID 2021-078](#) LUIS O. VILLAR JR, DIVISION CHIEF - FIRE DEPARTMENT - 30 YEARS

KELLY A. SLADE, ANIMAL CONTROL - POLICE DEPARTMENT - 25 YEARS

KEVIN T. CONNELLI, POLICE OFFICER - POLICE DEPARTMENT - 15 YEARS

LINDA L. MCNAMARA, OFFICE MANAGER - BUILDING DEPARTMENT - 15 YEARS

EDUARDO MORALES, STORMWATER FOREMAN - PUBLIC WORKS - 15 YEARS

ROBERT L. KEITHLEY, DIVISION LEADER - PUBLIC WORKS - 10 YEARS

MICHELLE M. MAURO, LIFEGUARD - PARKS AND RECREATION - 10 YEARS

WILLIAM J. HUCKINS, UTILITY TECHNICIAN - DEPARTMENT OF ENVIRONMENTAL AND ENGINEERING SERVICES - 10 YEARS

MARC GUERRIER, SERVICE WORKER - PUBLIC WORKS - 5 YEARS

CRAIG L. WALTON, UTILITY TECHNICIAN III - DEPARTMENT OF ENVIRONMENTAL AND ENGINEERING SERVICES - 5 YEARS

MAYOR SCHWARTZ thanked the staff members listed for their Years of Service.

VICE MAYOR ARSERIO thanked the staff members that were recognized for their Years of Service and said that it showed dedication and commitment with a positive work environment.

COMMISSIONER CAGGIANO spoke positively about the Employee Anniversary list.

6) RESOLUTION(S)

Resolutions 6A and 6B were heard immediately after Presentations.

A motion was made by Commissioner Caggiano, seconded by Vice Mayor Arserio, whom requested that Resolutions 6A and 6B be moved up on the Agenda.

A motion was made by Vice Mayor Arserio, seconded by Commissioner Caggiano, to pull both Resolutions 6A and 6B and have them placed on the April 7, 2021, Regular City Commission meeting. This carried by the following vote:

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

Absent: 1 - Commissioner Ruzzano

A. [ID 2021-096](#) APPROVING APPOINTMENT(S) OF:

TO THE FIVE MEMBER MARGATE PLANNING AND ZONING BOARD FOR A TERM COMMENCING MARCH 25, 2021 - MARCH 24, 2022.

B. [ID 2021-097](#) APPROVING APPOINTMENT(S) OF:

TO THE FIVE MEMBER MARGATE BOARD OF ADJUSTMENT FOR A TERM COMMENCING MARCH 25, 2021 - MARCH 24, 2022.

2) PUBLIC DISCUSSION

CITY CLERK KAVANAGH explained the protocol for submitting a Public Discussion. He read an email from Michael A. Sirjue, 6811 NW 4th Street, who provided his opinion and ideas to the City’s proposed designs of the welcome signs entering traffic into Margate.

RICHARD ZUCCHINI, 380 LAKEWOOD CIRCLE E thanked the Margate Police Department for attending a recent Lakewood on the Green Association Board Meeting. He also recognized a new Facebook page called Margate Firefighter Professionals and encouraged residents to read a factual chronology about that department.

MAYOR SCHWARTZ responded to Mr. Zucchini’s comments. She also spoke about Ms. Jones trying to access the City Commission meeting.

JULIE JONES, 7871 NW 1ST STREET thanked the City Clerk’s Office and commended Office Specialist III Isamar Viveros. She spoke about her experience when contacting the Police’s non-emergency telephone number

CITY MANAGER CALE CURTIS apologized for the poor experience that Ms. Jones described.

MS JONES discussed another issue pertaining to illegally parked cars, Code Compliance and Waste Management.

MAYOR SCHWARTZ responded to Ms. Jones’ comments.

ELSA J. SANCHEZ, 6930 NW 15TH STREET complimented Chief of Police Shaw, Officers Phanor and Druz bik for attending a meeting with her Homeowners Association (HOA).

MAYOR SCHWARTZ responded to Ms. Sanchez’s comments.

3) COMMISSION COMMENTS

COMMISSIONER ANTHONY N. CAGGIANO wished everyone a Happy St Patrick’s Day. He explained that 60 year olds were eligible for Coronavirus disease (COVID-19) vaccinations. He thanked and referenced comments made by Mr. Zucchini and Ms.

Sanchez pertaining to Chief of Police Shaw and said that it was correct that he did take time out to attend community events. He said that in the entire State of Florida, under the Institute of Certified Records Managers (ICRM), there were only six Certified Records Analysts (CRA) and congratulated City Clerk Kavanagh for being one of them.

CITY CLERK KAVANAGH thanked Commissioner Caggiano.

COMMISSIONER JOANNE SIMONE congratulated and paid tribute to City Clerk Kavanagh for passing the required exams to be a CRA with the ICRM. She congratulated IT Director Wilbur and former Chair of the Employee Benefit Trust Fund (EBTF) who would be retiring on April 5th. She wished everyone a Happy St Patrick's Day and congratulated those staff listed on the Employee Anniversary.

VICE MAYOR ARSERIO congratulated City Clerk Kavanagh on his accomplishment of receiving CRA designation. He said that the Chief of Police Shaw did an incredible job, especially with Community Outreach. He thanked and congratulated the Fire Department pertaining to yesterday's very successful drill and referenced helicopters.

Discussion ensued on helicopters.

VICE MAYOR ARSERIO referenced COVID-19, requested people to continue wearing their masks and discussed a vaccine site at Broward College in Coconut Creek. He also referenced former Margate resident, Dr. Alice Hsu and said that he had received requests for naming a street after him and whether they could consider honoring him by placing a plaque in a pavilion, park or sports field.

Discussion ensued.

MAYOR SCHWARTZ congratulated City Clerk Kavanagh on his award and IT Director Wilbur on his future retirement. She referenced Zoom meetings and discussed a request by residents that City Commissioners should either consider being visual on video meetings or attend in person. She emphasized the importance of residents being able to see their representatives doing City business. She asked City Clerk Kavanagh to display pictures pertaining to problems involving residents' bulk pick-up and said that it should be addressed. She asked for CONSENSUS from the City Commission to bring this up and have a conversation about it.

CITY MANAGER CURTIS agreed with Mayor Schwartz and said that the pictures displayed was not the intention of bulk pick-up and allow residents to place waste three days before collection. He said that unfortunately, there were a few residents seemingly taking advantage of the situation. He advised that he had tasked Department of Environmental and Engineering Services (DEES) Solid Waste and Recycling Coordinator to investigate if it was in compliance with the City's Code and what they needed to find a solution to change it.

MAYOR SCHWARTZ wished everyone a Happy St Patrick's Day and sent good wishes to those who celebrated Passover and Easter. She said that she would like to pull Item F. from the Consent Agenda.

CITY CLERK KAVANAGH thanked the City Commission for their appreciation for his educational effort for the City of Margate.

CITY ATTORNEY JANETTE M. SMITH echoed Mayor Schwartz's comments on the upcoming holidays and wished everyone a Happy St Patrick's Day. She referenced

Mayor Schwartz's comments pertaining to ideas and suggestions and gave them the option of either doing this at the next meeting but advised that it could be part of the conversation this evening but recommended keeping the Ordinance.

Discussion ensued.

4) CITY MANAGER'S REPORT

CITY MANAGER CURTIS recognized City Clerk Kavanagh for attaining the CRA designation. He recognized IT Director Wilbur for 23 years of dedication to the City of Margate and said that he had been a tremendous resource and would be retiring on April 5th.

COMMISSIONER CAGGIANO apologized for not wishing IT Director Wilbur a phenomenal retirement and said that he would be missed.

CITY ATTORNEY SMITH congratulated City Clerk Kavanagh and wished IT Director Wilbur a Happy Retirement.

CITY MANAGER CURTIS announced that they planned to reopen Calypso Cove on April 11th to Margate residents, allowing a maximum of 100 guests at any time.

Discussion ensued on the reopening of Calypso Cove.

CITY MANAGER CURTIS announced that the Margate Community Redevelopment Agency (CRA) was working on an entry way sign in the Winfield Boulevard neighborhood and also referenced lush landscaping to be installed. He informed that in late March, they would be hosting a groundbreaking ceremonial event to launch the commencement of the construction project for Fire Station 58. He advised that the City formed a collaboration between Coconut Creek's Broward College and the North West Focal Point Senior Center (NWFPS) for seniors requiring transportation to the vaccine site.

Discussion ensued on transportation for the seniors.

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.

Item 5F was pulled from the Consent Agenda.

- A. [ID 2021-074](#) MOTION - APPROVAL OF CITY COMMISSION MINUTES: JANUARY 20, 2021 - REGULAR CITY COMMISSION MEETING; JANUARY 27, 2021 - REGULAR CITY COMMISSION MEETING; FEBRUARY 3, 2021 - REGULAR CITY COMMISSION MEETING; FEBRUARY 4, 2021 - CITY COMMISSION WORKSHOP.

APPROVED

- B. [ID 2021-101](#) MOTION - WAIVING OF RENTAL FEES AT ORIOLE PARK FOR THE SPECIAL OLYMPICS OF BROWARD COUNTY, IN AN AMOUNT NOT TO EXCEED \$710.

APPROVED

- C. [ID 2021-079](#) RESOLUTION - AUTHORIZING THE ADDITION OF A MULTIMEDIA SPECIALIST POSITION, WITHIN THE CITY MANAGER'S OFFICE; PROVIDING FOR FUNDING; PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION 2021-017

APPROVED

- D. [ID 2021-089](#) RESOLUTION - APPROVING MULTIPLE AWARD OF BID NO. 2021-001-SUPPLY AND DELIVER AFTERMARKET VEHICLE PARTS AND ACCESSORIES, VEHICLE, LIGHT - HEAVY DUTY TRUCKS, AND OFF ROAD VEHICLES TO PARTS AUTHORITY, LLC. D/B/A IMC, AND IEH AUTO PARTS, LLC D/B/A AUTO PLUS AUTO PARTS, FOR THE DEPARTMENT OF PUBLIC WORKS; PROVIDING FOR WAIVING OF BIDDING AND AWARD OF LOCAL SOLE SOURCE SUPPLIERS OF O.E.M. FORD AND DODGE PARTS AS PER THE ATTACHED PRICING LETTERS.

RESOLUTION 2021-018

APPROVED

- E. [ID 2021-102](#) RESOLUTION - OPPOSING SENATE BILL 522 AND HOUSE BILL 219, PREEMPTING THE REGULATION OF VACATION RENTALS TO THE STATE; PROVIDING FOR AN EFFECTIVE DATE

RESOLUTION 2021-019

APPROVED**Approval of the Consent Agenda**

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

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

Absent: 1 - Commissioner Ruzzano

- F. [ID 2021-108](#) RESOLUTION - OPPOSING SENATE BILL 266 AND HOUSE BILL 403, PREEMPTING THE REGULATION OF HOME-BASED BUSINESSES TO THE STATE; PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION 2021-021

RESOLUTION 5F was heard by the City Commission.

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

COMMISSIONER CAGGIANO spoke on his opposition against this Item.

MAYOR SCHWARTZ spoke on this Item and referenced watching the Florida League of Cities' meetings for the past two days and read a statement pertaining to the Bill.

Discussion ensued.

MS. SANCHEZ opposed this Item.

Discussion ensued.

The motion carried as follows:

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

Absent: 1 - Commissioner Ruzzano

7) ORDINANCE(S) - FIRST READING

- A. [ID 2021-106](#) EMERGENCY ORDINANCE - AUTHORIZING THE CITY MANAGER TO MAKE PROVISIONS FOR PUBLIC MEETINGS BY USE OF COMMUNICATION MEDIA TECHNOLOGY AND FOR ATTENDANCE BY USE OF SUCH TECHNOLOGY BY ELECTED, APPOINTED OFFICIALS, OR STAFF DURING PERIODS WHEN THE CITY MANAGER DETERMINES AND DECLARES A LOCAL PUBLIC HEALTH EMERGENCY OR OTHER CIRCUMSTANCES IN WHICH THE CITY COMMISSION DETERMINES IT IS NECESSARY TO PROTECT THE HEALTH AND SAFETY OF CITY OFFICIALS, CITY STAFF, AND THE PUBLIC, FOR A 60 DAY PERIOD; PROVIDING FOR TWO-THIRDS AFFIRMATIVE VOTE REQUIRED FOR ADOPTION PURSUANT TO SECTION 3.19- EMERGENCY ORDINANCES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2021-2

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

VICE MAYOR ARSERIO recommended that they amend the motion that City Commissioners appear on camera when Commissioners discuss or vote on an Item.

MAYOR SCHWARTZ said that page 3, number 13, was already in there.

COMMISSIONER CAGGIANO said that if the City Commission was making rules for the City, they should be visual for at least 50 percent of the meeting.

CITY ATTORNEY SMITH said that there was no statutory or charter definition, but the specific wording could be by CONSENSUS of the City Commission.

Discussion ensued.

MAYOR SCHWARTZ suggested that they should vote on this Item first and then take a CONSENSUS by the City Commission thereafter on the legislative decision.

COMMISSIONER SIMONE spoke on this Item and said that she participated in every meeting.

Discussion ensued.

LAUREN BERACHA, PARADISE GARDENS III, spoke on this Item.

MR. ZUCCHINI spoke on this Item.

Discussion ensued.

MS. SANCHEZ spoke on this Item.

CITY ATTORNEY SMITH clarified that the Ordinance should be separate from the legislative decision.

Discussion ensued.

JULI VANDERMEULEN, 2913 NW 68 LN. spoke on this Item.

KEVIN M. ANDERSON, 2173 NW 73 AVE spoke on this Item.

CITY ATTORNEY SMITH explained the language in the Ordinance and the State Governor DeSantis' Order.

MS. JONES spoke on this Item.

The motion approved as follows:

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

Absent: 1 - Commissioner Ruzzano

MAYOR SCHWARTZ asked whether they wanted to discuss what the City Commission considered to be "present" at a meeting or at a later meeting.

VICE MAYOR ARSERIO referenced Commissioner Ruzzano's absence and recommended that they should discuss this when all City Commissioners were available at a future City Commission meeting.

Discussion ensued.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:23pm.

Respectfully submitted,

Transcribed by Salene E. Edwards



Joseph J. Kavanagh, City Clerk

Date: 4/23/2021

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.

Per the unanimous approval of Emergency Ordinance 2021-1 on February 3, 2021, the City Commission authorized the City Manager to provide for the City Commission, members of the various Boards, Committees, Magistrate, staff, and the public to be able to attend meetings electronically during a declared public health emergency, pursuant to the City's Charter, Chapter 252, Florida Statutes, Section 4 D of Governor DeSantis' Executive Order 20-52, and the City's home rule authority, including that set forth in Article VIII, Section 2(b), Florida Constitution, and Section 166.021, Florida Statutes.

Consistent with the authority contained in the Emergency Ordinance, 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 their best interests 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: 834 0772 4760 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: JJKAVANAGH@margatefl.com.

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

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://us02web.zoom.us/j/83407724760>

Telephone:

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

US: +1 312 626 6799 or +1 929 205 6099

Webinar ID: 834 0772 4760

To virtually raise hand and be acknowledged to speak:

1. Users who call in can dial *9 to raise their hand and dial *6 to toggle mute/unmute
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.