



# 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*

*Interim City Attorney Weiss Serota Helfman Cole & Bierman*

*City Clerk Joseph J. Kavanagh*

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Wednesday, November 17, 2021

7:00 PM

Commission Chambers and Zoom.us

Webinar ID: 865 5511 7375

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<https://us02web.zoom.us/j/86555117375>

### CALL TO ORDER

### ROLL CALL

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

**Absent:** 1 - Commissioner Joanne Simone

Mayor Schwartz attended in person.

Vice Mayor Arserio attended in person.

Commissioner Caggiano attended in person.

Commissioner Ruzzano attended in person.

Commissioner Simone was absent.

City Manager Curtis attended in person.

Interim City Attorney Tolces attended in person.

City Clerk Kavanagh attended in person.

### MOMENT OF SILENCE - INVOCATION

### PLEDGE OF ALLEGIANCE

#### 1) PRESENTATION(S)

MAYOR ARLENE R. SCHWARTZ read a statement paying tribute to Assistant to the City Manager Popick and selected her as the 2021 City of Margate Employee of the Year.

INTERIM CITY ATTORNEY, DAVID N. TOLCES, also paid tribute to Assistant to City

Manager Popick.

- A. [ID 2021-458](#) PRESENTATION TO OUTGOING MAYOR ARLENE R. SCHWARTZ AND OUTGOING VICE MAYOR ANTONIO V. ARSERIO.

CITY CLERK, JOSEPH J. KAVANAGH, presented plaques to both outgoing Mayor Schwartz and Vice Mayor Arserio for serving in their respective positions from November 2020 – November 2021.

MAYOR ARLENE R. SCHWARTZ explained how it was a privilege to sit as Mayor in the City of Margate.

VICE MAYOR ANTONIO V. ARSERIO thanked everyone and said it was an honor to serve as Vice Mayor in the City.

## RECESS - DESSERTS WILL BE SERVED

Meeting went into Recess.

Meeting Reconvened.

## 2) RESOLUTION(S)

- A. [ID 2021-459](#) ELECTION OF MAYOR.

RESOLUTION 21-089

**A motion was made by Commissioner Caggiano, seconded by Commissioner Ruzzano, to nominate Antonio V. Arserio, for Mayor.**

RICH ALIANIELLO, 7631 NW 23RD STREET, congratulated incoming Mayor Arserio on his new position.

RICHARD ZUCCHINI, 380 LAKEWOOD CIRCLE E, read a statement supporting incoming Mayor Arserio and provided some suggestions for signature initiatives to start under his administration including a reference to Palm Lakes Golf Course.

MAYOR SCHWARTZ confirmed that Palm Lakes Golf Course had been recently sold.

Discussion ensued on Palm Lakes Golf Course.

SYDNEY KING, 2111 NW 76TH AVENUE, congratulated the outgoing and incoming Mayor and Vice Mayor and applauded their efforts. He listed organizations that he was involved in and said that they were at the City's disposal and wished everyone to be healthy.

MAYOR SCHWARTZ complimented Mr. King.

DEBORAH WILLIAMS, 1528 NE 6TH COURT, FT. LAUDERDALE, wanted to speak on the issue of the Banana Derby.

INTERIM CITY ATTORNEY TOLCES intervened and advised that this Item was solely related to the appointment of the Commissioners' Mayor.

LAUREN BERACHA, 6950 NW 14TH PLACE, congratulated Mayor Schwartz and thanked her for all her work this year. She expressed her concerns with the nominee of the Mayor.

MAYOR SCHWARTZ advised Vice Mayor Arserio that she ran on the idea of communication, collaboration and cooperation.

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

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

**Absent:** 1 - Commissioner Simone

**B. [ID 2021-460](#) ELECTION OF VICE MAYOR.**

RESOLUTION 21-090

**A motion was made by Vice Mayor Arserio, seconded by Mayor Schwartz, to nominate Anthony N. Caggiano for Vice Mayor.**

COMMISSIONER TOMMY RUZZANO wished Commissioner Caggiano all the best as Vice Mayor.

ELSA J. SANCHEZ, 6930 NW 15TH STREET, read a statement concerning Commissioner Simone not being nominated as Mayor or Vice Mayor.

MR. ZUCCHINI responded to Ms. Sanchez's comments.

MRS. BERACHA spoke about the position and behavior of a Vice Mayor.

GINA MARIE ARSERIO congratulated her brother, incoming Mayor Arserio.

**The motion carried as follows:**

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

**Absent:** 1 - Commissioner Simone

### **3) PRESENTATION(S)**

#### **EMPLOYEE RECOGNITION FOR YEARS OF SERVICE**

**B. [ID 2021-465](#) TODD E. SHERMAN, FIRE CAPTAIN - FIRE DEPARTMENT - 20 YEARS**

CARLINE DAMISCA, TELECOMMUNICATION SPECIALIST - POLICE

## DEPARTMENT - 15 YEARS

**4) PUBLIC DISCUSSION**

INTERN WITH FLORIDA STATE REPRESENTATIVE CHRISTINE HUNSCHOFSKY'S OFFICE, ANTHONY AVELLO, PARKLAND RESIDENT, read a statement in the absence of Ms. Hunschofsky, offering their help to the City and residents.

VICE MAYOR ANTONIO V. ARSERIO thanked and complimented Mr. Avello.

FOUNDER AND DIRECTOR OF THE DANIA BEACH VERVET PROJECT, DEBORAH WILLIAMS, discussed the Banana Derby.

DONNA L. FELLOWS, 6108 NW 9TH COURT, questioned the security fence for the Broward County Fair. She thanked Mayor Schwartz for her service and wished good luck to the respective incoming Mayor and Vice Mayor.

JONATHAN KRALJIC, 7357 FLORES WAY, referenced Broward County and discussed the removal of palm trees.

MAYOR SCHWARTZ responded to Mr. Kraljic's comments.

MR. ZUCCHINI responded to Ms. Williams' comments.

Discussion ensued.

MR. ALIANIELLO congratulated incoming Vice Mayor Caggiano and Mayor Schwartz. He also discussed Commissioner Simone.

Discussion ensued.

ANA CAMPOS, 3032 E. COMMERCIAL BLVD, FT. LAUDERDALE, urged the City Commission to possibly intervene and cancel the Banana Derby at the Broward County Fair.

**5) COMMISSION COMMENTS**

COMMISSIONER CAGGIANO thanked Mayor Schwartz for all the work she put in.

COMMISSIONER TOMMY RUZZANO congratulated Mayor Schwartz and said that he enjoyed working with the rest of the City Commission. He said that he spoke to the former Parkland Mayor Udine who was now the Broward County Mayor. He handed out old literature on the Broward County Fair pertaining to a talent contest and asked if the City Commission wanted to move forward with something similar. He attended the premises of the Broward County Fair today and discussed the Banana Derby and said that the owner of the race had a permit for it.

MAYOR SCHWARTZ advised that the Banana Derby owner had a United States Department of Agriculture (USDA) permit.

COMMISSIONER RUZZANO continued to talk about the Banana Derby and referenced the alleged abuse to animals. He asked whether they should distribute gift certificates similar to the Halloween Giveaway and also questioned what was the appropriate action needed. He also asked why no action was required when the City distributed approximately \$10,000 worth of Publix gift cards to their employees.

CITY MANAGER CALE CURTIS explained that \$2,400 would be within his spending authority but for a concept like this, it would be appropriate for the City Commission to consider it and provide feedback for him to participate or provide a price for a contest of this nature.

Discussion ensued.

COMMISSIONER RUZZANO read a handout pertaining to a previous event on the Broward County Fair event. He discussed whether the City was interested in moving forward with a Talent Show Contest at the Broward County Fair.

Discussion ensued.

CONSENSUS was given by the City Commission to move forward with the Talent Show Contest.

COMMISSIONER RUZZANO requested another tree giveaway in the near future. He referenced the green t-shirt attendees at the meeting and said that he had not heard anything.

VICE MAYOR ANTONIO V. ARSERIO referenced a tax bill being received in the mail and said that Margate did not raise their taxes and that their overall rate went down. He explained why the tax bill may have increased in the State and also referenced the Fire Assessment fee.

MAYOR SCHWARTZ referenced the last City Commission meeting pertaining to fences being discussed and read a statement on the 1990 construction of fences, walls and/or hedges. She congratulated the incoming Mayor and Vice Mayor.

Discussion ensued on the uniform style of fences.

## **6) CITY MANAGER'S REPORT**

CITY MANAGER CURTIS thanked Mayor Schwartz and Vice Mayor Arserio for their service and congratulated the incoming Mayor Arserio and Vice Mayor Caggiano. He advised that the Broward County Fair committed to provide 75 passes for Students and Athletes of the Month and said that they had approximately 40 passes remaining. He asked for CONSENSUS to distribute the 40 remaining Broward County Fair passes to Margate schools, with each school receiving 10 passes.

CONSENSUS was given by the City Commission.

CITY MANAGER CURTIS asked for CONSENSUS to allow the Broward County Fair vendor to utilize the Margate Show Mobile stage by waiving the hourly rate but still charge the labor rate.

Discussion ensued.

CONSENSUS was given by the City Commission to waive the hourly rate and charge the labor rate for the use of the Margate Show Mobile stage.

CITY MANAGER CURTIS also reiterated Commissioner Ruzzano's request for the Talent Show Contest.



Discussion ensued on the use of the Margate Show Mobile stage.

INTERIM CITY ATTORNEY TOLCES congratulated the Mayor and Vice Mayor elect and said that he looked forward to working with them. He thanked the current Mayor and Vice Mayor for being able to work with them and wished everyone a Happy Thanksgiving. He addressed the Sunshine law on what items could be discussed at City Commission meetings.

COMMISSIONER RUZZANO questioned the cost of lawyer fees for restraining orders on behalf of the City Commission.

INTERIM CITY ATTORNEY TOLCES provided some brief guidance and explained that he would like to research this further but thought that any expenditure would have to be authorized by the City Commission.

Discussion ensued.

CITY CLERK JOSEPH J. KAVANAGH said that it had been a pleasure working with both the outgoing Mayor and Vice Mayor in the past year. He looked forward to working with both incoming Mayor Arserio and Vice Mayor Caggiano.

## 7) 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.

*No items on Consent Agenda.*

## 8) RESOLUTION(S)

- A. [ID 2021-442](#) A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, APPROVING A REGIONAL INTERLOCAL AGREEMENT FOR COOPERATIVE FIRE, RESCUE, EMERGENCY MEDICAL SERVICES, AND SPECIAL OPERATIONS RESPONSE THROUGH AUTOMATIC AID AND CLOSEST UNIT RESPONSE; PROVIDING FOR EQUIPMENT AND STAFFING; PROVIDING FOR REQUEST AND RESPONSE FOR AID; PROVIDING FOR CONTROL OF FIRE, RESCUE, EMS, AND SPECIAL OPERATIONS; PROVIDING FOR REIMBURSEMENT; PROVIDING FOR EFFECTIVE DATE.

RESOLUTION 21-091

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

VICE MAYOR ARSERIO sought clarification from City Manager Curtis on whether this Item was a form of regionalization.

CITY MANAGER CURTIS confirmed that this Item's intent was not to subsidize or be subsidized to other departments, but to improve the response times for life threatening

type of emergency responses. He advised that a number of cities have signed onto this agreement.

**The motion carried as follows:**

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

**Absent:** 1 - Commissioner Simone

- B.** [ID 2021-466](#) A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, APPROVING REGULAR CITY COMMISSION MEETING DATES FOR CALENDAR YEAR 2022.

RESOLUTION 21-092

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

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

**Absent:** 1 - Commissioner Simone

## 9) ORDINANCE(S) - SECOND READING

- A.** [ID 2021-453](#) AMENDING FISCAL YEAR 2021 BUDGET (ORDINANCE NUMBERS 2020-4 AND 2020-7) AND FISCAL YEAR 2022 BUDGET (ORDINANCE NUMBER 2021-12); PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2021-13

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

**Yes:** 3 - Commissioner Caggiano, Commissioner Ruzzano and Mayor Schwartz

**No:** 1 - Vice Mayor Arserio

**Absent:** 1 - Commissioner Simone

## 10) DISCUSSION AND POSSIBLE ACTION

Mayor Schwartz asked for Item 10B to be read before 10A.

- B.** [ID 2021-477](#) DISCUSSION AND POSSIBLE ACTION: MERIT INCREASE FOR CITY CLERK.

Item 10B was heard before item 10A.

MAYOR SCHWARTZ explained that she put this Item on as it became apparent that certain staff were not part of the City's Step plan. She indicated that the City Clerk's office worked stellar during the pandemic. She suggested that they increase the City

Clerk's salary by 10 percent.

Discussion ensued which included whether City Manager Curtis should also receive an increase.

**A motion was made by Commissioner Ruzzano to provide a 10% merit increase for City Clerk Kavanagh and City Manager Curtis.**

**The motion failed for lack of a second.**

**A motion was made by Commissioner Caggiano, seconded by Mayor Schwartz, to provide a 10% merit increase for City Clerk Kavanagh.**

MR. ALIANIELLO spoke on this Item.

MS. SANCHEZ agreed 100% with Mayor Schwartz on all her points.

JULI VAN DER MEULEN, 2913 NW 68 LN. suggested that the Step program should go and raises should be merit based. She provided her opinion on both the City Clerk and City Manager's respective salaries.

JULIE JONES, 7871 NW 1ST STREET explained that as a resident and board member, she was lucky to work with City Clerk Kavanagh and said that he deserved the raise.

MRS. BERACHA thanked Mayor Schwartz for initiating this and said that she agreed with all of the speakers that have discussed this Item. She indicated that City Clerk Kavanagh deserved the raise.

COMMISSIONER RUZZANO provided clarification on his earlier discussion on this Item.

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

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

**Absent:** 1 - Commissioner Simone

CITY CLERK KAVANAGH thanked the City Commission for their support.

Discussion ensued.

**A. ID 2021-475 DISCUSSION AND POSSIBLE ACTION: FLORIDA RETIREMENT SYSTEM - ELECTED STATE AND COUNTY OFFICERS.**



Item 10A was heard after item 10B.

CITY MANAGER CURTIS provided a 17 page memorandum describing an issue that related to retired members of the City Commission. He explained that under the Florida Retirement System (FRS), they were not achieving the same benefit as other City Commissioners that were not retired under the FRS and tried to find a possible solution for rectifying that situation.

VICE MAYOR ARSERIO questioned whether it only affected two City Commissioners.

CITY MANAGER CURTIS explained that both Commissioner Simone and Mayor Schwartz did not earn any sort of retirement benefit but the City had to make contributions of approximately 40% on their behalf to fund the entire system. He advised that the elected officials that were earning a retirement benefit with the FRS were not necessarily receiving 50% but that was the contribution rate that went into the system. He advised that there was recommendation to provide the difference in contribution rates which was approximately 10% in some form of a different retirement account, such as a 457.

MAYOR SCHWARTZ detailed historical events as to why she never received any contributions in the seven years she was entitled as a City Commissioner.

Discussion ensued

CONSENSUS was given by the City Commission to have City Manager Curtis and Interim City Attorney Tolces research the issue and bring the item back at a future meeting.

## ADJOURNMENT

There being no further business, the meeting adjourned at 9:26pm.

Respectfully submitted,

Transcribed by Salene E. Edwards



Joseph J. Kavanagh, City Clerk

Date: 12/9/2021

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.

The City of Margate will be holding this 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: 865 5511 7375 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 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).

#### 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

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: "Margate Regular City Commission Meeting "

Enter the following link to join the webinar: <https://us02web.zoom.us/j/86555117375>

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: 865 5511 7375

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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.