



City of Margate

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

Meeting Minutes Regular City Commission Meeting

Mayor Antonio V. Arserio

Vice Mayor Anthony N. Caggiano

Commissioners:

Tommy Ruzzano, Arlene R. Schwartz, Joanne Simone

City Manager Cale Curtis

Interim City Attorney Weiss Serota Helfman Cole & Bierman

City Clerk Joseph J. Kavanagh

Wednesday, March 2, 2022

6:30 PM

Commission Chambers and Zoom.us

Webinar ID: 876 3636 8429

<https://us02web.zoom.us/j/87636368429>

CALL TO ORDER

ROLL CALL

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

MOMENT OF SILENCE - INVOCATION

PLEDGE OF ALLEGIANCE

1) PRESENTATION(S)

PRESENTATION DEES Utilities heard after Students and Teachers of the Month

STUDENTS AND TEACHERS OF THE MONTH

B. [ID 2022-076](#) ABUNDANT LIFE CHRISTIAN ACADEMY: SARAI BANTON (Student);
CHANA E TROUCHEN (Teacher), (Mrs. Stacy Angier, Principal and/or Mrs. Renate
Ramirez, Assistant Principal)

ATLANTIC WEST ELEMENTARY: NIESHA POISSON (Student); JULIE
MILLER (Teacher), (Mrs. Shereen R. Reynolds, Principal and Dr. Latonya Cooper,
Assistant Principal)

LIBERTY ELEMENTARY: SHANE HENRY (Student); JENNIFER CORSO
(Teacher), (Mr. Matthew Whaley, Principal and/or Ms. Donna Styles, Assistant
Principal)

MARGATE ELEMENTARY: ERIANNA CESAR (Student); LAUREN JEDWAB
(Teacher), (Mr. Thomas Schroeder, Principal and/or Ms. Vicki Flournoy, Assistant
Principal)

MARGATE MIDDLE: KEISHA JULOT (Student); CLIFFORD WIGGINS (Teacher), (Mrs. Sabine Phillips, Principal and/or Assistant Principal)

PHYL'S ACADEMY PREPARATORY SCHOOL: JOSHUA BUSH (Student); HEIDI MULLINGS (Teacher), (Dr. Jan Codling, Principal)

RISE ACADEMY SCHOOL OF SCIENCE AND TECHNOLOGY: TYLAH-RAYNE DAVIDSON (Student); LASHONDRA JARRETT (Teacher), (Dr. Adriana Guerra, Principal)

A. [ID 2022-102](#) DEES UTILITIES PRESENTATION ON WASTEWATER PLANT IMPROVEMENTS

DEPARTMENT OF ENVIRONMENTAL AND ENGINEERING SERVICES (DEES) DIRECTOR CURT KEYSER provided a PowerPoint presentation of a change to the capital plan pertaining to Wastewater Treatment Plants. He advised that approximately three years ago, his predecessor discussed a plan to make improvements to the west Wastewater Plant and in preparation of that, they proposed a capital project on the east plant which would take that plant from a capacity of 2,200,000 gallons per day to 4,000,000. He explained that it was their intent to expedite the plan at the west plant which would save the City in excess of \$14,000,000 and reduce the amount of time to make that conversion. He said that they planned to advertise and put it out to bids in the next 40 - 45 days for a design build project on the west plant. He said that they would like to revisit the east plant project when the west plant was completed.

Discussion ensued between the City Commission and DEES Director Keyser.

PROCLAMATION(S)

C. [ID 2022-077](#) IRISH AMERICAN HERITAGE MONTH - MARCH, 2022 (presented to Greg Sean Canning, Florida State Secretary of the Ancient Order of Hibernians)

GREG S. CANNING, 4530 CALADIUM CT., KISSIMMEE, FLORIDA 34758, read a statement on this Item.

D. [ID 2022-078](#) WOMEN'S HISTORY MONTH - MARCH, 2022 (presented to Joyce Williams Bryan, Member of the League of Women Voters of Broward County)

JOYCE WILLIAMS BRYAN read a statement on this Item.

2) PUBLIC DISCUSSION

SANTO CURATOLO, 915 NW 69 AVE, explained that he created a movie with an independent film company. He said that he would like to present this movie to the City and introduced Mr. Thompson.

MR. THOMPSON explained that the comedy feature movie pertaining to saving the planet was filmed between Key West and St. Augustine and it was also available for streaming.

MAYOR ANTONIO V. ARSERIO requested that Mr. Curatolo and to Mr. Thompson provide further information by email to the City Clerk.

BRAM L. BOTTFELD, 7702 NW 19 CT, referenced improvements on Centennial Park and an online article and hoped that the City would never consider putting a boat ramp for

kayaks, canoes or other boats in their residential area.

Discussion ensued.

CITY MANAGER CALE CURTIS confirmed for the record that there were no plans for a boat ramp or kayak launch on the lake adjacent to Centennial Park.

Discussion ensued.

ELSA SANCHEZ, 6930 NW 15 ST, thanked and appreciated Fire Chief Lorenzo and Fire Captain Villar for their assistance with a resident in their community. She discussed the term "apologies" being made at last night's Planning and Zoning (P & Z) meeting and referenced a Facebook post. She thanked the City Commission for organizing last week's Workshop.

JULIE JONES discussed making a public records request and referenced that the behavior towards women in the City was inexcusable.

RICH ALIANIELLO, 7631 NW 23 ST, discussed City Clerk Kavanagh's forthcoming departure. He hoped that the City would get the construction completed on Rock Island Road.

COMMISSIONER ARLENE R. SCHWARTZ advised that it was Broward County who was responsible for the construction on Rock Island Road.

JULI VAN DER MEULEN, 2913 NW 68 LN, referenced the road construction between Rock Island Road and Royal Palm Boulevard and explained that she got ran off the road due to difficulty in seeing the lines. She suggested that something needed to be done as someone might get seriously hurt.

TRACY VAN WINKLE, 1020 SW 61 AVE, indicated that the trash pick up had improved. She highlighted that a school bus, carrying children, was driving over the speed limit on Atlantic Boulevard and requested that the Police should pull these vehicles over. She referenced the forthcoming City elections and requested that candidates follow the rules pertaining to campaign signs.

COMMISSIONER ARLENE R. SCHWARTZ discussed the school bus incident with Ms. Van Winkle.

DONNA L. FELLOWS, 6108 NW 9 CT, explained a situation with residents' garbage cans. She thanked City Manager Curtis, Commissioner Simone and Commissioner Ruzzano for addressing her emails.

3) COMMISSION COMMENTS

COMMISSIONER JOANNE SIMONE reminded the residents about the City's Sounds of Sundown event and outlined the end date for the online auction for City's surplus vehicles. She congratulated the Finance Department for receiving the Distinguished Budget Presentation Award from the Government Finance Officers Association for the City's 2022 budget for the fifth consecutive year. She also congratulated and paid tribute to the Northwest Focal Point Senior Center (NWFPSC) Project Director Terry Lieberman. She thanked and praised Public Works and Department of Environmental and Engineering Services (DEES) for continuing to go above and beyond the call of duty.

COMMISSIONER SCHWARTZ congratulated the Finance Department for their accolade

and for the newly appointed (NWFPSC) Project Director Lieberman. She informed Ms. Fellows that she would be reading her email tonight. She recognized that today was Ash Wednesday, the first day of Lent. She referenced Facebook and questioned whether City Manager Curtis, brought to her the idea of buying Palm Lakes Golf Course (PLGC) when she served as the Mayor. She referenced the covered Sports Complex and queried if the Sounds at Sundown would continue beyond the current season.

CITY MANAGER CURTIS explained that he could not say for certain whether they have had discussions on buying a property or not but confirmed that he did not have an individual conversation with Commissioner Schwartz pertaining to PLGC. He said that Community Redevelopment Agency (CRA) would need to consider if the Sounds at Sundown would continue.

MAYOR ANTONIO V. ARSERIO said that both he and City Manager Curtis shared a call with the owner of that golf course who wanted to donate it to the City. He questioned if any of the City Commissioners asked about this.

CITY MANAGER CURTIS spoke further on PLGC.

COMMISSIONER TOMMY RUZZANO commented that the City Commission meeting was scheduled on Ash Wednesday. He spoke on the Russian/Ukraine conflict. He congratulated his Irish American friends. He informed that October was Italian and American heritage month and referenced organizing a proclamation for the same. He said that he spoke to resident, John Hall, concerning Renaissance Charter School at Coral Springs and said that to date, nobody from the City had contacted him. He discussed his conversation with an Oakland Park Commissioner pertaining to adding to their Agenda, the hiring and firing of the Fire Chief. He informed that a pre-school business owner sought help after purchasing the property opposite Applebee's and discussed the difficulties they experienced trying to commence operations in Margate. He discussed the City's permit process and referenced a new driveway, sidewalk and easements. He discussed his experience of watching a P & Z meeting and referenced a plat amendment.

Discussion ensued on the P & Z meeting and lack of advice from their City Attorney.

VICE MAYOR ANTHONY N. CAGGIANO discussed his attendance at Broward Math and Science in Margate and referenced a Dr. Suess. Book. He highlighted a Willy Wonka Junior production by Rise Academy students at Coral Springs Charter School. He informed that he would be attending the next City Commission meeting via Zoom.

MAYOR ARSERIO reiterated Commissioner Simone's sentiments about staff going above and beyond and referenced DEES and Public Works. He informed that he was in receipt of Ms. Fellows' email just before the meeting commenced and advised that he would send her a link pertaining to Municode. He spoke of the productive Workshop and believed that driveways and sidewalks would be the topic for a future meeting. He also spoke of the possibility of organizing a Workshop on the future of the Fire Department and referenced inviting the Broward County Sheriff Office (BSO) Gregory Tony.

CITY MANAGER CURTIS informed that he had conversed with Fire Chief Holness to invite BSO Tony and his team to attend the next Workshop.

MAYOR ARSERIO discussed the Russia/Ukraine conflict and referenced unity.

4) CITY MANAGER'S REPORT

CITY MANAGER CURTIS congratulated the Finance Department for achieving the Distinguished Budget Presentation Award which he said was a very proud accomplishment for the City. He echoed the Commission comments for staff going above and beyond and receiving recognition from the residents. He said that tomorrow, he would call Margate resident, John Hall, to discuss Renaissance Charter School at Coral Springs.

INTERIM CITY ATTORNEY DAVID N. TOLCES expressed that it was always great to be here in the City of Margate.

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 2022-105](#) MOTION - ACCEPTING THE ANNUAL COMPREHENSIVE FINANCIAL REPORT FOR FISCAL YEAR ENDED SEPTEMBER 30, 2021.

APPROVED

- B. [ID 2022-052](#) RESOLUTION - APPROVING AND ACCEPTING AN AGREEMENT AND FUNDING FROM THE OFFICE OF THE ATTORNEY GENERAL, BUREAU OF ADVOCACY AND GRANTS MANAGEMENT, VICTIMS OF CRIME ACT (VOCA) GRANT IN THE AMOUNT OF \$65,924.00 FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021, THROUGH SEPTEMBER 30, 2022, TO FUND THE CITY OF MARGATE POLICE DEPARTMENT'S FULL-TIME VICTIM ADVOCATE POSITION; AND PROVIDING FOR AN EFFECTIVE DATE. IT SHOULD BE NOTED THAT THIS IS A LATE ENTRY DUE TO THE FACT THAT THE VICTIM ADVOCATE POSITION HAS BEEN VACANT. THE ATTORNEY GENERAL'S OFFICE IS AWARE AND RECOMMENDED WE MOVE FORWARD WITH THE FUNDING AND BEGIN CLAIMING ONCE THE POSITION HAS BEEN FILLED.

RESOLUTION 22-016

APPROVED

- C. [ID 2022-083](#) RESOLUTION - APPROVING AN AGREEMENT WITH BROWARD COUNTY SUPERVISOR OF ELECTIONS FOR MUNICIPAL ELECTION NOVEMBER 8, 2022; PROVIDING FOR EXTENSION FOR UP TO FOUR (4) ADDITIONAL ONE-YEAR EXTENSION TERMS UPON THE WRITTEN APPROVAL OF BOTH THE SUPERVISOR OF ELECTION AND THE AUTHORIZED REPRESENTATIVE OF THE MUNICIPALITY; PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION 22-017

APPROVED

- D. [ID 2022-104](#) RESOLUTION - APPROVING WAIVING OF BIDDING FOR PURCHASE OF 1000 WATER METER BOXES AND LIDS FROM FORTILINE, INC., IN THE

LUMP SUM AMOUNT OF \$114,960.00; PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION 22-018

APPROVED

- E. [ID 2022-110](#) RESOLUTION - OPPOSING SENATE BILL 510 REQUIRING CITY ELECTED OFFICIALS TO FILE AN ANNUAL FULL DISCLOSURE OF FINANCIAL INTERESTS FORM RATHER THAN THE CURRENTLY REQUIRED LIMITED DISCLOSURE OF FINANCIAL INTERESTS FORM; PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION 22-019

APPROVED

Approval of the Consent Agenda

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

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

6) RESOLUTION(S)

- A. [ID 2022-095](#) A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, APPROVING WITH CONDITIONS A TEMPORARY USE PERMIT FOR THE MARGATE WATERFRONT DAYS FAIR TO BE HELD AT 1000 NORTH STATE ROAD 7, FROM MARCH 14 THROUGH APRIL 6, 2022; PROVIDING FOR AN EFFECTIVE DATE.

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

COMMISSIONER SCHWARTZ requested an update on this Item.

CITY MANAGER CURTIS explained that initially, the temporary use agreement went before the CRA last month for use of the property which they approved with some conditions which included that they should obtain a temporary use permit and a release from the developers agreement to use the property. He advised that over the last month, staff and the applicant have been going through the temporary use permit process but they still have some outstanding items that needed to be rectified in order for staff, at this level, to recommend approval at that time. He informed that one of the big conditions in there was getting a release from the developer and advised that tonight, the applicant had shared with him that he received a verbal commitment from the developer that they would provide it but to date, the City had not received anything in writing.

Discussion ensued on the release, cancelling an agreement and next week's CRA meeting.

INTERIM CITY ATTORNEY TOLCES spoke about approving with conditions- written release and indemnification of the City/CRA in the event litigation is filed.

CITY MANAGER CURTIS spoke about the condition of the temporary use permit being reasonably satisfied and security for the event.

An amendment was made by Commissioner Caggiano, with conditions being all the items mentioned by the City Attorney and City Manager.

Discussion ensued.

Vice Mayor Caggiano withdrew his original motion and amendment.

Commissioner Ruzzano withdrew his second on the original motion.

Discussion ensued on having this come back on a later date.

A motion was made by Commissioner Schwartz, seconded by Vice Mayor Caggiano, to table this Resolution. The motion carried as follows:

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

- B. [ID 2022-103](#)** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF MARGATE, FLORIDA, APPROVING WAIVING OF BIDDING FOR THE SOLE SOURCE PURCHASE OF AXCELL+ BIOSTIMULANT FROM THE LAKEPOINTE ENVIRONMENTAL GROUP FOR THE DEPARTMENT OF ENVIRONMENTAL AND ENGINEERING SERVICES (DEES) FOR THE ESTIMATED AMOUNT OF \$100,000 PER YEAR; PROVIDING FOR ONGOING PURCHASE SO LONG AS THE VENDOR REMAINS THE SOLE SOURCE FOR THE ITEM SPECIFIED; PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION 22-020

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

MAYOR ARSERIO indicated that he received regular calls from Mr. Pellecchia regarding

the smell coming from this facility and it was his understanding that while it was a pilot program, it would reduce the odor.

Discussion ensued.

DEES DIRECTOR KEYSER advised that Margate had spoken to at least three other cities who have used this system and referenced receiving positive feedback from both the City of Davie and the City of Boynton Beach respectively. He said that the City would try this on a trial basis and believed that they would have the same type of success.

MS. FELLOWS questioned DEES Director Keyser if this initiative was going to reduce the odor from the water plant and referenced smelling sewage.

DEES DIRECTOR KEYSER informed Ms. Fellows that the intent was to reduce the odor from the wastewater plant.

The motion carried by the following vote:

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

7) ORDINANCE(S) - SECOND READING

- A. [ID 2022-090](#) AN ORDINANCE OF THE CITY OF MARGATE, FLORIDA, AMENDING APPENDIX-A ZONING; ARTICLE III GENERAL PROVISIONS, ADDING NEW SECTION 3.31; PROVIDING FOR ROOF MATERIALS FOR RESIDENTIAL ZONING DISTRICTS; PROVIDING FOR EXCEPTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2022-1500.655

A motion was made by Vice Mayor Caggiano, seconded by Commissioner Ruzzano, that this Ordinance, Second Reading, should be approved.

MAYOR ARSERIO questioned whether a cedar shake roof was allowable.

CITY MANAGER CURTIS advised that they added wood shingles back in as allowable material.

COMMISSIONER SIMONE outlined her concerns on this Ordinance - overstepping authoritarian boundaries, financial restraints of residents and Code stepping up to achieve a better look in the City.

Discussion ensued.

MR. ALIANIELLO understood Commissioner Simone's sentiments and continued to discuss this Ordinance.

Discussion ensued.

MS. FELLOWS explained why she did not believe this Ordinance was very good.

Discussion ensued.

The motion carried as follows:

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

No: 1 - Commissioner Simone

- B.** [ID 2022-096](#) AN ORDINANCE OF THE CITY OF MARGATE, FLORIDA, AMENDING CHAPTER 31 - PLATTING, SUBDIVISION AND OTHER LAND USE REGULATIONS, ARTICLE II - PLATTING REGULATIONS, SECTION 31-18 TO REMOVE REGULATIONS REGARDING THE SKETCH PLAT AND PROVIDE FOR UPDATED PROCESSING PROCEDURES; PROVIDING FOR ADDITIONAL TIME FOR PLAT APPROVALS TO REMAIN IN FULL FORCE AND EFFECT PRIOR TO BEING SUSPENDED; PROVIDING FOR SUBMITTAL OF APPLICATIONS FOR FINAL PLAT APPROVAL WITH PROOF OF SUBMITTAL APPLICATION FOR PERMITS FROM ALL APPLICABLE REVIEWING AGENCIES; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2022-3

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

COMMISSIONER SCHWARTZ referenced something she heard at last night's P & Z meeting and questioned how long did the City allowed a plat application to remain enforced for prior to it being suspended.

INTERIM CITY ATTORNEY TOLCES referenced page 14, line five, of the Ordinance and informed that the City was changing it from six months, to one year, from the date of approval.

Discussion ensued.

The motion approved as follows:

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

ADJOURNMENT

There being no further business, the meeting adjourned at 8:22pm.

Respectfully submitted,

Transcribed by Salene E. Edwards


Jennifer M. Johnson, City ClerkDate: 4/21/2022

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.

Members of the public are invited to view this meeting through Zoom using Webinar ID: 876 3636 8429 or can listen 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 and on the main bulletin board outside City Hall located at 5790 Margate Blvd, Margate, FL 33063.

THROUGH THE CITY'S WEBSITE:

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