



# City of Margate

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## 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 Jennifer M. Johnson*

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Wednesday, March 16, 2022

7:00 PM

Commission Chambers and Zoom.us  
Webinar ID: 886 7961 7041

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<https://us02web.zoom.us/j/88679617041>

### 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)

**A. [ID 2022-081](#) PRESENTATION FOR SOS CHILDREN'S VILLAGES FLORIDA**

MAYOR ANTONIO V. ARSERIO explained that as the representatives for Children's Villages Florida were not present, if they did attend the meeting later, the City Commission would acknowledge them. He informed that the presentation was for a \$2,500 check from the City to their foundation.

### ATHLETES OF THE MONTH

**B. [ID 2022-119](#) SOCCER AND BASKETBALL: CHYANNE VAN WINKLE, 13 YEARS OLD (Margate Middle School)**

TRACY VAN WINKLE expressed how she was very proud of her granddaughter and said that she was dedicated in what she did.

### EMPLOYEE RECOGNITION FOR YEARS OF SERVICE

MAYOR ARSERIO said that the City had some of the best staff and thanked them for their hard work and dedication over the last couple of years through the Coronavirus pandemic (COVID-19).

INTERIM CHIEF OF POLICE, JOSEPH GALASKA, paid tribute Police Sergeant

Crabtree.

- C. [ID 2022-079](#) RICHARD WILLIAMS , ASPHALT SPECIALIST - ENVIRONMENTAL AND ENGINEERING SERVICES - 35 YEARS
- MARCOS GONZALEZ , FIREFIGHTER/PARAMEDIC - FIRE DEPARTMENT - 20 YEARS
- MARY RUTH CRABTREE, POLICE SERGEANT - POLICE DEPARTMENT - 15 YEARS
- MARIE CHARLES, DAY CARE AID - SENIOR CENTER - 15 YEARS
- AUBREY REID, SERVICE WORKER - PUBLIC WORKS - 5 YEARS
- TRENT JEREMY MCKELLAR, IRRIGATION MECHANIC - PARKS AND RECREATION - 5 YEARS
- BENJAMIN V. TRAPANI, PARKS AND GROUNDS SUPERINTENDANT - PARKS AND RECREATION - 5 YEARS

## 2) PUBLIC DISCUSSION

MAYOR ARSERIO advised on decorum at the City Commission meetings. He also explained the protocols for submitting a Public Discussion.

MICHAEL A. SIRJUE, 6811 NW 4TH STREET, referenced Resolutions 21-006 and 21-007 pertaining to Public Speaking and Codes of Conduct and commented on the same.

JULIE JONES thanked the City Commission for allowing her to serve on the Board of Adjustment for five years and she also thanked her fellow members. She wished Ms. Sanchez a Happy Birthday.

TERESA L. DECRISTOFARO, 7805 W. ATLANTIC BOULEVARD, APT 101, read a statement pertaining to her representation of the fully licensed and State certified non-profit company, Margate Residents for Change – Political Action Committee (PAC).

DONNA L. FELLOWS, 6108 NW 9TH COURT, discussed issues concerning Republic Services' bulk pick-up.

MAYOR ARSERIO discussed Republic Services and advised that the public could contact him with any issues as the waste disposal organization had surpassed their transition stage.

RICH ALIANIELLO, 7631 NW 23RD STREET, echoed comments made by Ms. Fellows concerning Republic Services.

LAUREN BERACHA, 6950 NW 14TH PLACE, agreed with the previous speakers. She also referenced selective speakers who spoke during the meeting and said it was unfair not to allow the public to speak via Zoom.

FRED BOURDIN, 6323 HARBOR BEND, said that he was delighted to see one of the Commissioners show up in his village and referenced Commissioner Ruzzano discussing voluntary board appointments.

MAYOR ARSERIO discussed the board process.

WEST BROWARD CHARTER SCHOOL, ALEXANDRA SAAVEDRA-BURKOWSKY, 5281 COCONUT CREEK PARKWAY, explained their proposed Earth Day event on April 22nd, 2022 and requested the use of Veterans' Memorial Park, the assistance of City staff members and also to plant trees.

MAYOR ARSERIO referenced the need for CONSENSUS and responded to Ms. Saavedra-Burkowsky's comments by saying it was a great idea and how it also taught children how to get back into the community and be active.

CITY MANAGER CALE CURTIS confirmed that the Field's donation was also going to be part of this.

MAYOR ARSERIO highlighted that approximately 18 months ago, a generous resident in a neighboring city donated over 700 plants and trees to Margate. He stated that if the City had any of the donated material leftover and if CONSENSUS was provided by the City Commission, they would bring these to the event.

Discussion ensued.

CONSENSUS was given by the City Commission allowing West Broward Academy Charter School the use of Veterans' Memorial Park for Earth Day on April 22nd, 2022. The use includes two staff workers to help for five hours, the use of the pavilion with electrical outlets, possible media coverage and set up for the school event.

### 3) COMMISSION COMMENTS

COMMISSIONER JOANNE SIMONE paid tribute to the City staff. She also thanked the Department Heads and team members of Public Works, the Building Department, Parks and Recreation, Department of Environmental and Engineering Services (DEES) and City Manager Curtis. She highlighted the City's forthcoming events:

- Food drive event at Temple Beth Am
- Spring Clean Up and Garage Sale
- Sounds at Sundown
- The Springtime Egg Hunt

COMMISSIONER SIMONE wished Ms. Sanchez a Happy Birthday. She sought an update on the volunteer garden club.

CITY MANAGER CURTIS indicated that the volunteer garden club was not picking up as fast as they had anticipated but they would see what they could do to attract more interest.

Discussion ensued on pursuing better branding and messaging to attract more volunteers and to seek a master gardener.

COMMISSIONER ARLENE R. SCHWARTZ appreciated that she was allowed to attend the meeting via Zoom. She informed that Broward County Farm Bureau President Segal offered a \$250 grant for gardening. She also advised that on Saturday, Michelle

Goldsmith would be unveiled as the new Rabbi at Temple Beth Am. She thanked Holiday Springs for hosting Coffee with a Commissioner and wished everyone who celebrated, a Happy St Patrick's Day.

COMMISSIONER TOMMY RUZZANO hoped that Vice Mayor Caggiano and Commissioner Schwartz were feeling better. He referenced that they rarely missed meetings and that he had only missed one in 600 meetings.

COMMISSIONER SCHWARTZ congratulated Commissioner Ruzzano for becoming the Baseball Coach at Ramblewood Middle School.

Discussion ensued.

COMMISSIONER RUZZANO informed that Coral Springs implemented a partnership program with their middle school where they were starting to go to sports programs. He hoped that next year, the City could work on a similar initiative with the Broward County School Board. He referenced the green people and said that he had not heard anything. He thanked DEES Director Keyser, City Manager Curtis and Building Director Nixon. He highlighted the meeting's strong attendance and hoped that it remained peaceful.

VICE MAYOR ANTHONY N. CAGGIANO hoped that everyone was happy and healthy.

MAYOR ARSERIO acknowledged the Keep Margate Green members who were in the audience. He referenced non-approval at a Development Review Committee (DRC) for the Executive Course project and sought clarification on the next steps.

CITY MANAGER CURTIS deferred to the Development Services Director Taschereau and confirmed that it had to go back to DRC before it could be advanced.

MAYOR ARSERIO referenced a future conversation with Broward County Sheriff Office's (BSO) and the City's Fire Department. He advised that they were trying to organize the Sheriff to attend a City Workshop to obtain clarification on some concerns.

CITY MANAGER CURTIS confirmed that although they put a request into BSO to have the Sheriff attend and meet the City Commission at a Workshop, to date, he had not received a response. He said that he would follow up with the BSO's Fire Chief if he had made any progress.

Discussion ensued on the proposed BSO's Workshop.

MAYOR ARSERIO referenced contract negotiations with Police and Fire respectively and advised that the Executive sessions were closed meetings and not in the Sunshine. He said that as long as the request was not outrageous, those departments would have his support. He provided the operational hours for the reopening of Calypso Cove through Spring Break. He said that there were many organizations that were active in the community that were getting back in action and he referenced getting the Broward Young Democrats to have their meeting at Jasmine Thai in Margate. He informed that a Zoom town hall meeting would be held at a mosque in Margate between Holiday Springs and Sample Road. He was approached by Margate residents regarding access to cricket and highlighted sports facilities and abandoned cages in the City and referenced a private donor. He said that he was also approached by doing different international festivals. He said that approximately six months ago, he thought he received CONSENSUS to do a multicultural Committee in the City and at that time, he recalled that he asked if anyone would have any objection to the same. He questioned that as he did not receive any

objection, whether the City could get something working on this sooner or later.

Discussion ensued on volunteers.

#### 4) CITY MANAGER'S REPORT

CITY MANAGER CURTIS said it was great to hear the City Commission recognizing staff and that he echoed their sentiments.

INTERIM CITY ATTORNEY DAVID N. TOLCES said that it was great to be in the City and see everybody in the audience tonight. He advised that they were working on various Code Enforcement issues and dealing with various Union negotiations.

Meeting went into Recess.

Meeting Reconvened.

#### 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 2022-129](#) MOTION - APPROVAL OF CITY COMMISSION MINUTES: JANUARY 26, 2022 REGULAR CITY COMMISSION MEETING; FEBRUARY 2, 2022 REGULAR CITY COMMISSION MEETING.

**APPROVED**

- B. [ID 2022-107](#) RESOLUTION - APPROVING INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY AND CITY OF MARGATE FOR PREPARATION, IMPLEMENTATION, AND ADMINISTRATION BY BROWARD COUNTY OF THE CITY OF MARGATE'S STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) PROGRAM FOR THE STATE OF FLORIDA'S FISCAL YEARS 2022-23, 2023-2024, AND 2024-2025; PROVIDING FOR AN EFFECTIVE DATE.

**APPROVED**

**RESOLUTION 22-022**

- C. [ID 2022-109](#) RESOLUTION - APPROVING THE SHIP LOCAL HOUSING ASSISTANCE PLAN (LHAP) FOR ALLOCATION OF FUNDS RECEIVED FROM THE STATE OF FLORIDA UNDER THE STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) PROGRAM, FOR FISCAL YEARS 2022-2023, 2023-2024 AND 2024-2025; 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.

**APPROVED**

**RESOLUTION 22-023**

## Approval of the Consent Agenda

**A motion was made by Commissioner Simone, seconded by Vice Mayor Caggiano, to approve the Consent Agenda. The motion carried as follows:**

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

## 6) RESOLUTION(S)

**A. [ID 2022-037](#) APPROVING APPOINTMENT(S) OF:**

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TO THE FIVE MEMBER MARGATE PLANNING AND ZONING BOARD FOR A TERM COMMENCING MARCH 16, 2022 - MARCH 15, 2023.

**A motion was made by Commissioner Simone, seconded by Commissioner Ruzzano, to appoint Todd Angier and that this Resolution, should be discussed.**

COMMISSIONER RUZZANO advised that he spoke with Mr. Angier and that he was unable to attend this meeting. He paid tribute to Mr. Angier.

INTERIM CITY ATTORNEY TOLCES provided guidance on how they should proceed with the motions and voting process for the new board members.

Discussion ensued on Mr. Angier.

MS. DECRISTOFARO discussed her experience working with Mr. Angier on the P & Z board for several years and hoped that the City Commission voted in him.

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

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

### RESOLUTION 22-024

COMMISSIONER SCHWARTZ thanked everyone who had taken the time to either serve on the board or submit an application. She eliminated applicants who forgot to respond to all of the questions, especially the ones pertaining to Code violations or missed the deadline for submittal.

**A motion was made by Commissioner Schwartz, seconded by Mayor Arserio, to appoint Grant O'Donnell and that this Resolution, should be approved. The motion carried as follows:**

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

RESOLUTION 22-025

MAYOR ARSERIO questioned that if an applicant applied after the date, whether there was discretion or was it an Ordinance.

INTERIM CITY ATTORNEY TOLCES thought that their process for appointment was approved by Resolution so it was within the City Commissioner's discretion as far as whether or not they want to waive that requirement or not.

**A motion was made by Commissioner Ruzzano, seconded by Mayor Arserio, to appoint Richard Zucchini and that this Resolution, should be approved.**

RICHARD ZUCCHINI, 380 LAKEWOOD CIRCLE E, #B questioned the process if someone detracted him from speaking.

COMMISSIONER RUZZANO entered into a question and answer session with applicant, Mr. Zucchini, about his credentials.

Discussion ensued.

FRED BOURDIN, said that he did not get a chance to say what his qualifications were for his submittal and then discussed the same together with his work experience.

ELSA J. SANCHEZ, 6930 NW 15TH STREET, said that although the applicant was very qualified, she was concerned about his behavior.

EDWARD A. DECRISTOFARO, 7805 WEST ATLANTIC BOULEVARD, APT 101, echoed Ms. Sanchez's sentiments pertaining to Mr. Zucchini's qualifications but said that the issue was his attitude towards staff, City Commissioners and residents and referenced a Facebook posting by the applicant.

JULIE JONES said that the applicant was qualified but referenced his behavior towards females.

LAUREN BERACHA agreed with everyone who had spoken before her pertaining to the applicant.

JULI VAN DER MEULEN, 2913 NW 68 LANE, said that the applicant was qualified and discussed his behavior.

TRACY VAN WINKLE, 1020 SW 61ST AVENUE, believed that the applicant was

qualified and also discussed alleged comments made against women.

ROSEY MALONE, 1339 NW 64TH WAY said that the applicant's qualifications was not an issue but had concerns about the way he treated residents and social media comments.

MR. ALIANIELLO indicated that the applicant was knowledgeable but in other areas, he had a lot of work to do to smooth this out.

MR. ZUCCHINI apologized to those who were offended by him and he discussed his performance on the dais as the P & Z Chair.

MAYOR ARSERIO discussed social media comments made by board members.

Discussion ensued.

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

**Yes:** 2 - Commissioner Ruzzano and Mayor Arserio

**No:** 3 - Commissioner Simone, Commissioner Schwartz and Vice Mayor Caggiano

INTERIM CITY ATTORNEY TOLCES corrected his earlier comment and advised that the application timing of submittal was adopted by Ordinance and indicated that it required that the application should be submitted no later than 14 days prior to the meeting.

Discussion ensued.

FRED BOURDIN reiterated his experience of participating in previous P & Z meetings and running the Coral Bay community as a Supervisor.

**A motion was made by Commissioner Ruzzano, seconded by Mayor Arserio, to appoint Fred Bourdin and that this Resolution, should be approved.**

A question and answer session ensued between the Commissioner Schwartz and the applicant.

COMMISSIONER SIMONE outlined her reservations pertaining to the completion of Mr. Bourdin's application form.

MR. SIRJUE made comment on the applicant.

**The motion carried as follows:**



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

**No:** 1 - Commissioner Simone

#### **RESOLUTION 22-026**

**A motion was made by Vice Mayor Caggiano, seconded by Commissioner Schwartz, to appoint Sloan Robbins and that this Resolution, should be approved.**

COMMISSIONER SCHWARTZ clarified that the applicant was a teacher and believed that he would be a great addition to the board.

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

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

#### **RESOLUTION 22-027**

**A motion was made by Mayor Arserio, seconded by Commissioner Ruzzano, to appoint Joao D. Brandao and that this Resolution, should be discussed.**

COMMISSIONER RUZZANO indicated that he would have chosen this applicant for the Board of Adjustment (BOA).

JOAO D. BRANDAO, 2217 E. HOGAN HOLLOW ROAD, explained that he would prefer to be selected for BOA.

**Mayor Arserio withdrew his motion for applicant, Mr. Brandao.**

**A motion was made by Mayor Arserio, seconded by Commissioner Ruzzano, to appoint Catherine Yardley and that this Resolution, should be approved.**

COMMISSIONER RUZZANO discussed the applicant's experience.

Discussion ensued.

MS. DECRISTOFARO detailed the applicant's experience when she previously worked with her on the P & Z board for several years.

COMMISSIONER SIMONE spoke in favor of the applicant.

**The motion carried as follows:**

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

**RESOLUTION 22-028**

INTERIM CITY ATTORNEY TOLCES read the list of the new P & Z board members.

**B. [ID 2022-038](#) APPROVING APPOINTMENT(S) OF:**

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TO THE FIVE MEMBER MARGATE BOARD OF ADJUSTMENT FOR A TERM COMMENCING MARCH 16, 2022 - MARCH 15, 2023.

**A motion was made by Commissioner Simone, to nominate Elsa Sanchez. This failed for a lack of second.**

**A motion was made by Commissioner Simone, seconded by Mayor Arserio, to appoint Charles Presser and that this Resolution, should be discussed.**

MAYOR ARSERIO discussed the applicant's credentials and experience.

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

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

**RESOLUTION 22-029**

**A motion was made by Commissioner Schwartz, seconded by Vice Mayor Caggiano, to appoint Erin Enwright and that this Resolution, should be approved. This carried as follows:**

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

#### **RESOLUTION 22-030**

**A motion was made by Commissioner Ruzzano, seconded by Commissioner Schwartz, to appoint Joao Brandao and that this Resolution, should be approved.**

MAYOR ARSERIO explained that the applicant had previously served on the BOA where he did a good job.

Discussion ensued.

MS. JONES spoke of her time when she worked with him previously on the BOA and said that she would absolutely recommend him.

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

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

#### **RESOLUTION 22-031**

**A motion was made by Vice Mayor Caggiano, seconded by Commissioner Schwartz, to appoint Jose "Joey" Ruiz and that this Resolution, should be approved.**

MAYOR ARSERIO explained that the applicant had previously served on the BOA, that he owned a very successful business in Margate and that he was known and liked by a lot of members of the community.

MS. JONES discussed her time when she worked with the applicant previously on the BOA and said he was a great pick.

MR. SIRJUE questioned if anyone had spoken to the applicant as he alleged that he did not want to serve as a BOA member.

MAYOR ARSERIO confirmed that the City Commission would continue with the nomination process and the applicant could notify the City Clerk if he did not wish to serve and then they could make a future appointment.

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

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

**RESOLUTION 22-032**

**A motion was made by Mayor Arserio, seconded by Commissioner Ruzzano, to appoint Victoria Dawkins and that this Resolution, should be approved. This carried as follows:**

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

**RESOLUTION 22-033**

INTERIM CITY ATTORNEY TOLCES read the list of the new BOA members.

COMMISSIONER SCHWARTZ appreciated those who previously served the City's boards and welcomed the new appointees who volunteered for these boards.

MAYOR ARSERIO thanked unselected applicants and informed them that their application was valid for two years for future board vacancies.

- C.** [ID 2022-139](#) A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, APPROVING THE LICENSING AGREEMENT FOR DEBRIS STAGING BETWEEN THE CITY OF MARGATE AND THE MARGATE COMMUNITY REDEVELOPMENT AGENCY FOR THE TEMPORARY USE OF COMMUNITY REDEVELOPMENT AGENCY PROPERTY.

MAYOR ARSERIO explained that this was an agreement that they conducted on an annual basis pertaining to natural disasters.

**RESOLUTION 22-034**

**A motion was made by Vice Mayor Caggiano, seconded by Commissioner Simone, that this Resolution, should be approved. The motion carried as follows:**

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

- D.** [ID 2022-132](#) A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, APPROVING CHANGE ORDER TO THE VINSON PARK BOND PROJECT IN THE AMOUNT OF \$37,930.75.

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

**Caggiano, that this Resolution, should be approved.**

RESOLUTION 22-035

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

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

- E. [ID 2022-135](#)** A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, APPROVING AN EMPLOYMENT AGREEMENT BETWEEN JENNIFER M. JOHNSON AS CITY CLERK AND THE CITY OF MARGATE, PROVIDING AN EFFECTIVE DATE.

**A motion was made by Vice Mayor Caggiano, seconded by Commissioner Schwartz, to table this Item to the next meeting.**

**This carried by the following vote:**

**Yes:** 3 - Commissioner Simone, Commissioner Schwartz and Vice Mayor Caggiano

**No:** 2 - Commissioner Ruzzano and Mayor Arserio

- F. [ID 2022-140](#)** A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, APPROVING APPOINTMENT AND EMPLOYMENT AGREEMENT BETWEEN JOSEPH GALASKA AND THE CITY OF MARGATE FOR EMPLOYMENT AS CHIEF OF POLICE; PROVIDING FOR EFFECTIVE DATE.

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

COMMISSIONER RUZZANO thanked those who stayed for either Assistant City Clerk Johnson or Interim Chief of Police Galaska Items. He paid tribute to Joseph Galaska as the Interim Chief of Police for the last eight months and hoped that the contract talks would be progressive.

VICE MAYOR ARSERIO explained that he had looked over the contract and that he had spoken to Interim Chief of Police Galaska and that the department needed effective leadership and direction. He said that he spoke to both Assistant City Clerk Johnson and Interim Chief of Police Galaska who preferred their respective Items to be discussed at the City Commission meeting as opposed to a Workshop.

INTERIM CITY ATTORNEY TOLCES confirmed for the record that the Mayor passed the gavel to Commissioner Ruzzano when he made his motion.

MR. DECRISTOFARO discussed his support for Interim Chief of Police Galaska's appointment.

MRS. DECRISTOFARO discussed her support for the nominee.

VICE MAYOR ARSERIO responded to Mrs. Decristofaro's comments.

MS. JONES explained her approval for the nominee.

MS. FELLOWS explained her support for the nominee.

MS. SANCHEZ totally approved of the nominee.

MRS. VAN DER MUELLEN discussed her support for the nominee.

VICTORIA C. ALBERTI, 120 E. PALM DRIVE, said that she totally agreed with the appointment of the nominee.

MR. ALIANIELLO spoke in support of this nominee.

GARFIELD REID, 540 SW 62 AVE, explained that the City was undermanned by Police Officers and that they needed more patrols on the road.

COMMISSIONER RUZZANO responded to Mr. Reid's comments.

VICE MAYOR CAGGIANO discussed his concerns about the Chief of Police's contract.

Discussion ensued.

COMMISSIONER SCHWARTZ discussed her concerns about the Chief of Police's contract.

Discussion ensued on the Chief of Police's contract.

**A motion was made by Vice Mayor Caggiano, seconded by Commissioner Schwartz, to table this item.**

**Commissioner Schwartz pulled her second to table this item.**

COMMISSIONER SCHWARTZ said that she was in receipt of an email from the Interim Chief of Police Galaska requesting a one-on-one so that this matter would not be discussed in public.

Discussion ensued.

COMMISSIONER RUZZANO questioned Interim Chief of Police Galaska if he wanted to continue tonight's contract negotiations.

INTERIM CHIEF OF POLICE GALASKA confirmed that he preferred to negotiate the contract now and move forward rather than hold the discussions until the next City

Commission meeting.

COMMISSIONER SIMONE said that she did not have that much experience with Interim Chief of Police Galaska and explained that she was very pleased to have had the opportunity to see him work in that position where she could get to know his style and leadership skills. She informed that she did meet with Interim Chief of Police Galaska and believed that his answers to her questions were very forthright and that she had the fullest confidence in his ability to run the Police Department. She also explained why she tabled the Resolution Item pertaining to Assistant City Clerk Johnson.

Discussion ensued on the terms of the contract including legal input from the Interim City Attorney Tolces.

**A motion to amend was made by Commissioner Schwartz, seconded by Vice Mayor Caggiano, to change 100% sick leave payout to 60% of sick leave payout.**

**The amendment carried as follows:**

**Yes:** 3 - Commissioner Simone, Commissioner Schwartz and Vice Mayor Caggiano

**No:** 2 - Commissioner Ruzzano and Mayor Arserio

COMMISSIONER SIMONE spoke of her concerns about voting on something where they have received minimal back-up with limited time for discussion or research.

COMMISSIONER RUZZANO spoke further on contract negotiations and the current motion on sick leave payout.

CITY MANAGER CURTIS expressed that negotiating contracts at meetings when employees were present was difficult.

Discussion ensued on contract negotiations including sick leave payout, start and end date and severance package.

INTERIM CHIEF OF POLICE GALASKA indicated that the sick leave reduction of payment and the 10 week severance as opposed to the 20 week severance were not deal breakers for the contract.

INTERIM CITY ATTORNEY TOLCES queried the severance structure and termination pertaining to the contract.

Discussion ensued including severance, yearly renewal of contract, annual performance evaluations, merit increase and exempt employee for COMP Time.

COMMISSIONER RUZZANO indicated that the City Commission would seek the public's input on the new contract pertaining to the Chief of Police.

MR. ZUCCHINI's discussed reasons why the contract incentivized sick leave payout at

60% versus 100%.

MR. BOURDIN discussed the Chief of Police's contract negotiations.

COMMISSIONER RUZZANO responded to Mr. Bourdin's comments.

MR. ALIANIELLO did not believe the Chief of Police should be put on probation as he had served the Police Department for 28 years.

MS. VAN WINKLE believed that 100% sick time pay would be an excellent goal for the Chief of Police to receive when he retired.

NINA CULVER advised that the merit pay rise was common practice among Police Departments everywhere and she agreed with Ms. Van Winkle's comments pertaining to sick time paid.

MS. FELLOWS agreed with the contract and stipulated that they should give the Chief of Police the 100% sick payout.

MS. VAN DER MEULEN explained her disapproval of amending the original Chief of Police contract.

MAYOR ARSERIO responded to Ms. Van Der Meulen's comments.

Discussion ensued on the voting process of the three provisions.

**A motion to amend was made by Commissioner Simone, seconded by Mayor Arserio, to reconsider the sick leave. This carried as follows:**

**Yes:** 3 - Commissioner Simone, Commissioner Ruzzano and Mayor Arserio

**No:** 2 - Commissioner Schwartz and Vice Mayor Caggiano

**INTERIM CITY ATTORNEY TOLCES clarified it was now the original motion to change it from 100% sick leave payout to 60% sick leave payout. This failed as follows:**

**Yes:** 2 - Commissioner Schwartz and Vice Mayor Caggiano

**No:** 3 - Commissioner Simone, Commissioner Ruzzano and Mayor Arserio

INTERIM CITY ATTORNEY TOLCES explained that the motion to change to 60% failed and that the contract was currently drafted provided for the 100% payout of sick leave upon end of employment.

Discussion ensued on the severance.



A motion was made by Mayor Arserio, seconded by Commissioner Schwartz, to approve the Agreement with amendments for one year with the right to renew subject to City Commission approval. After the first year, if renewed, the contract will continue from year to year unless otherwise terminated pursuant to the terms of the agreement. If the Chief of Police is terminated during year one of his contract or if the contract is not renewed, he would be entitled to five weeks severance. If he is terminated during year two or thereafter, he would be entitled to 10 weeks severance.

COMMISSIONER SCHWARTZ questioned if they were talking about this conversation coming up, prior to the new budget or if everyone was doing this a year from today.

INTERIM CITY ATTORNEY TOLCES confirmed that it would be a year from the date that the Chief of Police's contract became effective, if passed, which would be March 15th, 2023.

Discussion ensued.

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

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

RESOLUTION 22-037

VICE MAYOR CAGGIANO indicated that he wanted to bring back Resolution 6E.

**A motion was made by Vice Mayor Caggiano, seconded by Commissioner Schwartz, to take 6E Item back off the table. This carried as follows:**

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

**E. [ID 2022-135](#)** A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, APPROVING AN EMPLOYMENT AGREEMENT BETWEEN JENNIFER M. JOHNSON AS CITY CLERK AND THE CITY OF MARGATE, PROVIDING AN EFFECTIVE DATE.

MAYOR ARSERIO indicated that some of the concerns that was in the Chief of Police's contract was similar to this Item. He said that he believed in the one year renewal with the structured severance of 10 weeks if it was approved by the Assistant City Clerk Johnson.

CITY MANAGER CURTIS said that the City Clerk's position was technically a Chartered Officer position.

Discussion ensued.

VICE MAYOR CAGGIANO had total confidence in Assistant City Clerk Johnson but believed that the contracts brought from 20 weeks to 10 weeks severance was the right thing to do.

COMMISSIONER SCHWARTZ referenced bad experiences with previous Chartered Officers in the same position and queried Mayor Arserio's suggestion of structuring.

Discussion ensued.

MAYOR ARSERIO thought that they had CONSENSUS for 20 weeks. He suggested that the contract should state a one year renewal and if they were terminated within one year or if they do not renew the contract, then for example, 10 weeks should be applied and then after two years, it would go to 20 weeks.

CONSENSUS was given for one year renewal, 10 weeks severance and after the renewal, it would go to 20 weeks.

ASSISTANT CITY CLERK JENNIFER M. JOHNSON said that she was agreeable to that.

MAYOR ARSERIO had concerns on the proposed salary and suggested adjusting it to \$125,000 per year.

CITY CLERK JOSEPH J. KAVANAGH, advised that his previous salary before the last budget year was \$148,000 and the City Commission voted to give him a 10% pay rise thereafter. He said that when he was appointed, his salary was approximately \$89,000.

Discussion ensued on City Clerk Kavanagh's salary.

CONSENSUS was given to pay Jennifer Johnson \$140,000.

COMMISSIONER SIMONE discussed salary ranges.

COMMISSIONER SCHWARTZ referenced hours of work and objected to Section 7 of the contract and believed that it should be removed.

Discussion ensued including hours of work.

ASSISTANT CITY CLERK JOHNSON confirmed that if she knew she was taking leave in advance, she would notify the City Commission.

Discussion ensued on previous employees' contracts.

**A motion to amend was made by Vice Mayor Caggiano, seconded by Commissioner Schwartz, to the following amendments:**

**Agreement will be for the one year with the right to renew, subject to City Commission approval after the first year. If renewed, the contract will continue from year to year unless otherwise terminated pursuant to the terms of the Agreements. If the termination occurs during year one where the contract was not renewed, Jennifer Johnson would be entitled to 10 weeks of severance. If the contract is terminated during year two or thereafter, she would be entitled to**

**20 weeks severance. Pertaining to Section 7 of the contract, the employee shall endeavor to provide notice of any intended absence from the office.**

MR. ALIANIELLO thanked the City Commission for bringing back this Item and wished Assistant City Clerk Johnson well in her new position.

MAYOR ARSERIO responded to Mr. Alianiello's comments.

MRS. DECRISTOFARO thanked City Commission Simone for being the voice of reason and glad that Assistant City Clerk Johnson was going to be at the City. She wished City Clerk Kavanagh luck in his new job.

MR. BOURDIN said that tonight had been a fascinating discussion and referenced this being a good example of democracy and congratulated the staff.

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

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

RESOLUTION 22-036

Meeting went into Recess.

Meeting Reconvened.

## **7) ORDINANCE(S) - FIRST READING**

- A. [ID 2022-114](#) AN ORDINANCE OF THE CITY OF MARGATE, FLORIDA, AMENDING CHAPTER 30 PERSONNEL, PROVIDING FOR CONSISTENCY WITH CITY CHARTER, CITY CODE, COUNTY, STATE, AND FEDERAL LAW, COLLECTIVE BARGAINING AGREEMENTS, CURRENT OPERATIONS, POLICIES, AND PROCEDURES; PROVIDING FOR PROPER GRAMMAR, OBSOLETE, OR CONFLICTING LANGUAGE; PROVIDING FOR DEFINITIONS; PROVIDING FOR ANNUAL AND SICK LEAVE ACCRUALS AND CAPS; PROVIDING FOR LEAVE WITHOUT PAY, BEREAVEMENT LEAVE, AND LEAVE FOR SUBPOENA TO TESTIFY; PROVIDING FOR APPROVAL OF SALARIES WITHIN SALARY RANGES SET BY THE CITY COMMISSION; PROVIDING FOR REPEAL; PROVIDING FOR NEW SECTION 30-5 - POLICE EMPLOYEES ABOVE THE RANK OF CAPTAIN; PROVIDING FOR ROLES, RESPONSIBILITIES, AND PROCEDURES FOR THE CIVIL SERVICE BOARD; PROVIDING FOR REQUIREMENTS FOR SEEKING REVIEW, REMEDY, RELIEF, OR APPEAL OF A COMPLAINT OR PERSONNEL ACTION; PROVIDING FOR HIRING, APPOINTMENTS, PROMOTIONS, DEMOTIONS, REDUCTION IN FORCE, AND EVALUATIONS; PROVIDING FOR DRUG AND ALCOHOL TESTING; PROVIDING FOR

SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

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

COMMISSIONER SCHWARTZ found this Item difficult to read and requested explanation under the Summary of Changes.

Discussion ensued.

BRYANT MILLER OLIVE P.A., DAVID C. MILLER, referred to the Human Resources (HR) Director Laurie Meyer to provide the answer to the changes.

HR DIRECTOR LAURIE MEYER explained that it was part of the City's pre-existing Code which contained a typographical error indicating three years.

A question and answer session ensued between Commissioner Schwartz and HR Director Meyer including a discussion on cap of sick leave and illegal definition of discrimination and harassment.

MR. MILLER defined illegal discrimination in law.

Discussion ensued.

COMMISSIONER SIMONE echoed Commissioner's Schwartz's comments by indicating that this Item was very comprehensive and it was difficult to establish what changes were made.

Discussion ensued.

CITY MANAGER CURTIS recognized HR Director Meyer, the staff committee and Mr. Miller, who reviewed the entire chapter.

Discussion ensued.

MR. ALIANIELLO discussed the difficulties with this Item.

**This carried by the following vote:**

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

**B. [ID 2022-130](#)**

AN ORDINANCE OF THE CITY OF MARGATE, FLORIDA, AMENDING CHAPTER 6 - ANIMALS AND FOWL TO CREATE SECTION 6-24, ANIMAL DISPLAYS OR EXHIBITS, REGULATING THE DISPLAY OR EXHIBIT OF LIVE ANIMALS, REQUIRING APPROVAL OF A TEMPORARY USE AGREEMENT FOR SUCH DISPLAYS OR EXHIBITS ON PUBLIC PROPERTY, REQUIRING ISSUANCE OF A TEMPORARY USE PERMIT FOR SUCH DISPLAYS OR EXHIBITS ON NON-RESIDENTIAL PRIVATE PROPERTY;

AMENDING SECTION 6-25, INJURY TO ANIMALS, TO REMOVE THE INTENT ELEMENT FROM THE VIOLATION TEXT; AMENDING APPENDIX A, ZONING, SECTION 3-24, TEMPORARY USE PERMITS, TO PROVIDE FOR REVIEW AND APPROVAL OF A PERMIT APPLICATION FOR AN ANIMAL DISPLAY OR EXHIBIT ON PRIVATE NON-RESIDENTIAL PROPERTY; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

**A motion was made by Commissioner Simone, seconded by Commissioner Schwartz, that this Ordinance, First Reading, should be approved.**

MAYOR ARSERIO presumed that this Item derived from some of the incidents that arose at the Broward County Fair and explained that there was an incident with some neglected horses. He received a letter from Attorney and Director For People for The Ethical Treatment Of Animals (PETA) who made some recommendations and said that he had consulted on these with the Interim City Attorney.

INTERIM CITY ATTORNEY TOLCES said that if there was any reference to temporary use agreement, he would need to change it to temporary use permit where this would be reflected in the Second Reading if approved. He also referenced having six permits within a one year period and temporary use permits have been limited to four per year, per property. He also clarified the change made by PETA pertaining to the type of animal.

Discussion ensued including whether this was effective on residential zoned property, animals that could come to Margate, defining a domesticated animal and cleaning up the language.

HUMANE EDUCATOR AT ANIMAL RIGHTS FOUNDATION OF FLORIDA, JAMES WILDMAN, thanked and appreciated the City for listening to their concerns. He explained that this Ordinance was not a ban on animal acts but provided an oversight of animals being used in the City.

MAYOR ARSERIO responded to Mr. Wildman's comments.

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

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

## **8) DISCUSSION AND POSSIBLE ACTION**

- A.** [ID 2022-134](#) DISCUSSION AND POSSIBLE ACTION - PURCHASE OF A CITY TABLE AND FULL PAGE AD FOR THE UNITED WAY OF BROWARD COUNTY ANNUAL MAYORS' GALA, SCHEDULED FOR APRIL 30, 2022, IN THE AMOUNT OF \$2,000.00.

MAYOR ARSERIO explained that this was an Item that previously came before the City Commission where he believed it was for \$5,000 and understood from another City Commissioner, they could basically get the same thing for \$2,000, possibly without an advertisement. He confirmed that he would support this measure as it would save the

City \$3,000 and in essence, had the same effect.

Discussion ensued.

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

COMMISSIONER RUZZANO discussed the importance of networking at these type of events.

COMMISSIONER SIMONE highlighted her concerns about this Item. She suggested that the City Commission could open up a business account using their leftover campaign donations to fund these type of events and then there would be no issue spending taxpayer money as opposed to their own money where they have the support of residents who donated to their account.

COMMISSIONER SCHWARTZ responded to Commissioner Simone's comments.

MR. BOURDIN was in support of networking.

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

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

**No:** 1 - Commissioner Simone

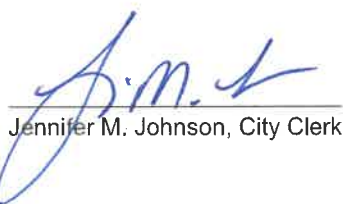
MAYOR ARSERIO thanked past and present board members for their service in the community which the City appreciated.

## ADJOURNMENT

There being no further business, the meeting adjourned at 10:55pm.

Respectfully submitted,

Transcribed by Salene E. Edwards



Jennifer M. Johnson, City Clerk

Date: 5/5/2022

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: 886 7961 7041 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](http://www.MargateFL.com) and on the main bulletin board outside City Hall located at 5790 Margate Blvd, Margate, FL 33063.

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