



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 Jennifer M. Johnson

Wednesday, September 7, 2022

6:30 PM

Commission Chambers and Zoom.us

Webinar ID: 856 8040 9891

<https://us02web.zoom.us/j/85680409891>

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 2022-328](#) SUICIDE PREVENTION MONTH - SEPTEMBER, 2022 (presented to Barbara Markley, Co-Chair Gun Safety Committee - League of Women Voters of Broward)
- B. [ID 2022-334](#) RECOGNITION OF BATTALION CHIEF VITO LABRIOLA COMPLETING THE MANAGING OFFICER PROGRAM FROM THE U.S. FIRE ADMINISTRATION'S NATIONAL FIRE ACADEMY.

2) PUBLIC DISCUSSION

MAYOR ANTONIO V. ARSERIO explained the protocol for submitting a Public Discussion.

TRACY VAN WINKLE, 1020 SW 61ST AVENUE, said that guns did not belong in schools and referenced an incident at Margate Middle School. She spoke on firearm safety.

ELSA J. SANCHEZ, 6930 NW 15TH STREET, discussed a Police investigation against her pertaining to alleged stolen election signs.

JONATHAN A. KRALJIC, 7357 FLORES WAY, read a statement which included commenting on Consent Agenda Items, the Carnival and roofing materials.

JULIE JONES discussed public safety and also referenced the Margate Police negotiations.

LAUREN BERACHA, 6950 NW 14TH PLACE, repeated her request to allow residents to speak via Zoom. She spoke on election signs.

LAURIE GENARDO, MARGATE RESIDENT, believed that Police were diminishing and said that they should appreciate and support them as they provided protection.

NINA CULVER, MARGATE RESIDENT, concurred with public speaker, Ms. Jones', comments. She commended Joey Ruiz of Way Back When's antique store pertaining to commemorating the anniversary of 9/11.

3) COMMISSION COMMENTS

COMMISSIONER JOANNE SIMONE thanked the parties involved for approving and acting on the Pet Tag initiative and explained that this program had already paid off. She said that the new Movies in the Park sign was phenomenal and highlighted the next featured movie. She read a number of other City events.

COMMISSIONER ARLENE R. SCHWARTZ agreed with Mrs. Beracha's repetitive request to reintroduce Zoom for public participation. She referenced The Forum not highlighting the National Night Out on their front page. She thanked staff for the Sounds at Sundown event. She referenced AstroTurf and suggested erecting signs for "no smoking" and the consideration of no dogs.

COMMISSIONER TOMMY RUZZANO sought an update on the Rock Island Road and Royal Palm Boulevard roadworks.

Discussion ensued.

COMMISSIONER RUZZANO informed that there was a gun brought to Margate Middle School and discussed the same. He requested an investigation from when Margate Middle School administration found out about this incident. He asked the City Commission if the Mayor could inform Broward County (BC) School Board by letter, that Margate would be conducting a full investigation and that they did not want this incident to reoccur.

Discussion ensued on the gun and BC's school protocol.

CITY MANAGER CALE CURTIS heard the City Commissioner's sentiments on any sort of threat to the safety of Margate's schools. He informed that he had liaised with Chief of Police Galaska and reiterated that the Police Department's response to this threat was effective, appropriate and rapid. He indicated that there were questions and concerns about how this was being communicated to the parents by the school body and the City. He said that the City was interested in the after action which included the student and school administration issue. He advised that the investigation was still ongoing.

Discussion ensued including Margate Police's response and the alleged under reporting crime at Margate Middle School.

VICE MAYOR ANTHONY N. CAGGIANO referenced how the City Commission meeting commenced with the Suicide Prevention Month and indicated that this could possibly derive from the effects of mental health and bullying.

MAYOR ARSERIO discussed parenting pertaining to the Margate Middle School incident. He said that the Police had his full support pertaining to the negotiations. He agreed with some of the points from public speaker, Mr. Kraljic's comments and referenced banning smoking in parks. He asked for CONSENSUS for City Manager Curtis to bring back at a future date, a change to the City's Ordinance to ban smoking in parks or have a designated area away from playgrounds.

Discussion ensued on banning smoking in parks and give consideration to also ban vaping.

CONSENSUS was given by the City Commission to bring back at a future City Commission meeting, the discussion of smoking in parks .

MAYOR ARSERIO referenced public comments for the Consent Agenda which he indicated should have been addressed earlier. He had discussed this matter with the Interim City Attorney and that he would allow public comment concerning the Consent Agenda during Public Comments. He discussed the use of the American Rescue Plan Act (ARPA) funds.

CITY MANAGER CURTIS referenced the ARPA funds and advised that the main item for consideration for the next City Commission was a curb appeal and property improvement grant where residents and commercial businesses were eligible.

Discussion ensued including a one-time payment to City employees.

4) CITY MANAGER'S REPORT

CITY MANAGER CURTIS confirmed that shredding would be available at the City's Household Hazardous Waste, Electronics Disposal & Document Shredding event.

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.

No items on Consent Agenda.

MAYOR ARSERIO repeated that the City would allow public comment for future Consent Agenda Items during Public Discussion.

CONSENSUS was given by the City Commission to move Item 7) A. up before Item 6) A.

7) DISCUSSION AND POSSIBLE ACTION

A. [ID 2022-363](#) DISCUSSION AND POSSIBLE ACTION - FUNDING REQUEST BY MATTHEW FLORY

J.P. TARAVELLA HIGH SCHOOL STUDENT, MATTHEW FLORY, explained that the funding request was for a band that he recently auditioned for. He indicated that top musicians from all over the country would be participating which was quite costly to him

and his family in the amount of \$2,000.

Discussion ensued including what instrument Mr. Flory played and what the donation would be used for.

ROBERT FLORY, APPLICANT'S BROTHER, informed that his brother would be participating in the National Association for Music Education (NAfME) which was about music and arts and explained that this organization took top musicians from around the US who auditioned to make a country-wide band. He also said that the band would also put together a performance which showcased what was going on in different parts of the area and that Matthew would be representing Margate and South Florida.

Discussion ensued including splitting the allocation of the City Commissioners' budget so that they could give to a charity of their own respective choice which they would be accountable for.

A motion was made by Commissioner Ruzzano, seconded by Mayor Arserio, to allow for a maximum of a \$500 contribution. This carried by the following vote:

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

6) ORDINANCE(S) - SECOND READING

A. [ID 2022-357](#) CONSIDERATION OF AN ORDINANCE TO REGULATE DRIVEWAYS AND PARKING

INTERIM CITY ATTORNEY TOLCES explained that in addition, the City provided an alternate Ordinance pursuant to the City Commission's direction which was included in the Agenda back-up and that alternate Ordinance removed all the regulations that were being considered relating to parking. He referred to the alternate Ordinance which only had the driveway regulations affiliated to it but informed that as this Item was advertised, he had to read the full title of the original Ordinance.

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

MAYOR ARSERIO asked what is the definition of a driveway.

DEVELOPMENT SERVICES PLANNER, CHRIS GRATZ, explained that the intention of the original Ordinance as written only covered the connection and did not cover a driveway. He advised that this was one of the matters they wanted to address in the Ordinance and that it needed to regulate the whole interior driveway.

Discussion ensued including a question and answer session between the City Commission and City staff.

A motion to amend was made by Commissioner Ruzzano, seconded by Mayor Arserio, to amend the driveways to 60 percent.

Discussion ensued on driveways.

COMMISSIONER SCHWARTZ questioned if they were permitted to amend the title of the Ordinance and remove the word "parking."

INTERIM CITY ATTORNEY TOLCES said that with respect to Commissioner Schwartz's question, if prior to the vote being taken, he would re-read the title with correct language as presented in the alternate version. He also indicated that they did have a motion to amend the original motion which they would need to be voted upon with respect to revising page 6, line 16, to change the 50 percent to 60 percent.

Discussion ensued.

CITY MANAGER CURTIS believed that there were far too many variables for Department of Environmental and Engineering Services (DEES) Director Keyser and Public Works Director Batista to give an opinion.

DEES DIRECTOR, CURT KEYSER, indicated that he did not have an opportunity to prepare any comments to form an opinion. He informed that about a week ago, he discussed this matter and concurred with most of City Manager Curtis' comments.

Discussion ensued.

MR. KRALJIC spoke in favor of increasing parking by one space but to retain the 50 percent parking

MS. SANCHEZ discussed her 55 and over Homeowners Association (HoA) policy on the extension of driveways and also informed that residents were now bringing in children of 18 or over. She was in favor of retaining the 50 percent parking.

Discussion ensued.

The motion as amended carried by the following vote:

Yes: 3 - Commissioner Ruzzano, Vice Mayor Caggiano and Mayor Arserio

No: 2 - Commissioner Simone and Commissioner Schwartz

INTERIM CITY ATTORNEY TOLCES advised that the original motion was to approve the alternate version of the Ordinance and the amendment changed the percentage, on line 16, on page 6, from 50 percent to 60 percent. He read the title of the revised Ordinance.

MR. ALIANIELLO spoke on the Ordinance.

MS. CULVER had a question on the process for installing driveways.

Discussion ensued.

The original motion as amended carried by the following vote:

Yes: 3 - Commissioner Ruzzano, Vice Mayor Caggiano and Mayor Arserio

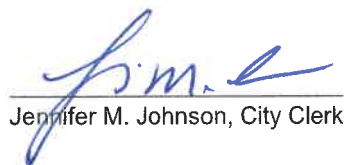
No: 2 - Commissioner Simone and Commissioner Schwartz

ADJOURNMENT

There being no further business, the meeting adjourned at 8:38pm.

Respectfully submitted,

Transcribed by Salene E. Edwards


Jennifer M. Johnson, City Clerk

Date: 9/22/2022

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: 856 8040 9891 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.

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