



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 21, 2022

7:00 PM

Commission Chambers and Zoom.us
Webinar ID: 865 1149 2343

<https://us02web.zoom.us/j/86511492343>

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 2022-342](#) PRESENTATION - SENATOR TINA SCOTT POLSKY- STATE FUNDING CHECK PRESENTATION

SENATOR TINA SCOTT POLSKY presented a check for \$500,000 which the State had appropriated to the City for Storm Water improvements.

LEGISLATIVE LOBBYIST, RANA G. BROWN, said that they attended with Senator Polsky to present the check and would work on more projects next year. She thanked Senator Polsky for her work on behalf of the City.

SENATOR POLSKY reminded the public that they should register to vote as the deadline for new registrations and change of address was approaching. She continued to discuss the forthcoming primary elections.

MAYOR ANTONIO V. ARSERIO discussed his time meeting Senator Polsky in Tallahassee during the last legislative session and thanked her for her hard work and for bringing in well needed dollars into the City.

EMPLOYEE RECOGNITION FOR YEARS OF SERVICE

**B. [ID 2022-304](#) JULY
ANDREW PINNEY, SENIOR PLANNER - DEVELOPMENT SERVICES - 15**

YEARS

SEPTEMBER

ROHAN ROY CALDER, POLICE OFFICER - POLICE DEPARTMENT - 20 YEARS

JAMIE ANN LOMBARDO, POLICE OFFICER - POLICE DEPARTMENT - 20 YEARS

VONLEY D. WILLIAMS, POLICE OFFICER - POLICE DEPARTMENT - 20 YEARS

SALENE E. EDWARDS, OFFICE SPECIALIST III - CITY CLERK'S OFFICE - 5 YEARS

PROCLAMATION(S)

- C. [ID 2022-337](#) NATIONAL DIAPER NEED AWARENESS WEEK - SEPTEMBER 24 - OCTOBER 2, 2022 (presented to Gabriela Rojas, Executive Director - Miami Diaper Bank)
- D. [ID 2022-376](#) FLORIDA CITY GOVERNMENT WEEK - OCTOBER 17-23, 2022
- E. [ID 2022-377](#) CYBER SECURITY AWARENESS MONTH - OCTOBER, 2022 (presented to Patrick Garmon, IT Director)
- F. [ID 2022-385](#) FIRE PREVENTION WEEK - OCTOBER 9-15, 2022 (presented to Fire Chief Roberto Lorenzo)
- G. [ID 2022-386](#) ITALIAN AMERICAN HERITAGE MONTH - OCTOBER, 2022
- H. [ID 2022-405](#) NATIONAL HISPANIC HERITAGE MONTH - SEPTEMBER 15 - OCTOBER 15, 2022 (presented to Mike Garcia, Chair of The Hispanic Vote of Broward County)

2) PUBLIC DISCUSSION

MAYOR ARSERIO explained the protocol for submitting comments to Public Discussion and Consent Agenda.

ELSA J. SANCHEZ, 6930 NW 15TH STREET, asked about the comment section for Public Discussion.

MAYOR ARSERIO responded to Ms. Sanchez's question.

TRACY VAN WINKLE, 1020 SW 61ST AVENUE, thanked Parks and Recreation, City Manager Curtis and Commissioner Ruzzano for getting the new nets for Margate Middle School soccer field. She read a statement pertaining to City Commission meetings and alleged that there was a lack of disrespect between a few of the City Commissioners and also discussed their behavior towards the residents from the dias. She read a text pertaining to an alleged lockdown last Thursday at Margate Middle School.

DONNA L. FELLOWS, 6108 NW 9TH COURT, said that Margate had the best Police Department and thanked and expressed her appreciation to the Police Officers.

RICH ALIANIELLO, 7631 NW 23RD STREET, thanked the City for his proclamation. He brought attention to the grass dying along the City's streets and referenced Rock Island Road and Atlantic Boulevard.

MAYOR ARSERIO advised Mr. Alianiello that the City was going to do improvements to those medians.

PETA ZUNE, 7700 NW 5TH COURT, ORIOLE GARDENS II, referenced a few issues at Oriole Gardens and thanked City Manager Curtis for his assistance. She also thanked the professionalism of Police Officers pertaining to a recent incident in Oriole Gardens. She discussed an erosion problem along one of the City's embankments.

NINA CULVER, MARGATE RESIDENT, thanked the Police and the Fire Department pertaining to an accident that had occurred by a school with a kid on a bicycle.

3) COMMISSION COMMENTS

COMMISSIONER JOANNE SIMONE, congratulated and thanked all of the listed employees for their Years of Service. She highlighted that September 24th was National Good Neighbor Day and hoped that next year, they could organize some volunteer projects in the City to celebrate this day. She continued to highlight forthcoming events in the City and reminded everyone of the Sales Tax Exemptions.

MAYOR ARSERIO wished Commissioner Schwartz a Happy Birthday.

COMMISSIONER ARLENE R. SCHWARTZ thanked everyone for their good birthday wishes and congratulated the listed employees for their respective Years of Service.

COMMISSIONER TOMMY RUZZANO wished Commissioner Schwartz a Happy Birthday and congratulated his two sons who were playing their first high school game this evening for Coral Glades High School.

VICE MAYOR ANTHONY N. CAGGIANO wished Commissioner Schwartz a Happy Birthday. He thanked Development Services for helping out a potential new business owner. He referenced new permits not being applied for by contractors and thanked Director of Building Nixon. He said that everybody should stay healthy.

MAYOR ARSERIO discussed the Building Department online permitting process. He reminded everyone that it was the peak of the hurricane season and advised on preparedness in buying supplies.

4) CITY MANAGER'S REPORT

CITY MANAGER CALE CURTIS wished Commissioner Schwartz and his daughter a Happy Birthday.

INTERIM CITY ATTORNEY, DAVID N. TOLCES, wished Commissioner Schwartz a Happy Birthday.

CITY CLERK, JENNIFER M. JOHNSON, introduced and welcomed their new team member, Assistant City Clerk Robinson and wished Commissioner Schwartz, a very Happy Birthday.

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.

- A. [ID 2022-388](#) MOTION - APPROVAL OF CITY COMMISSION MINUTES: AUGUST 31, 2022
REGULAR CITY COMMISSION MEETING @ 6:30 PM, AUGUST 31, 2022
REGULAR CITY COMMISSION MEETING @ 7:00 PM AND SEPTEMBER 7,
2022 REGULAR CITY COMMISSION MEETING

APPROVED

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 by the following vote:

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

6) RESOLUTION(S)

- A. [ID 2022-364](#) A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, APPROVING APPOINTMENT OF _____ TO THE FIVE MEMBER MARGATE BOARD OF ADJUSTMENT FOR A TERM COMMENCING SEPTEMBER 22, 2022 - MARCH 15, 2023.

MAYOR ARSERIO thanked Victoria Dawkins for serving on the Board of Adjustment.

A motion was made by Mayor Arserio, seconded by Vice Mayor Caggiano, to appoint, Frantz LaMothe, to the Board of Adjustment 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

- B. [ID 2022-391](#) RESOLUTION - APPROVING A TWO PERCENT (2.0%) BASE WAGE ADJUSTMENT FOR THE PERIOD FROM OCTOBER 1, 2022 THROUGH SEPTEMBER 30, 2023 AND ONE-TIME \$5,000.00 ECONOMIC IMPACT PAYMENT FOR FISCAL YEAR 2023, FOR ALL NON-BARGAINED PERSONNEL; PROVIDING FOR EFFECTIVE DATE.

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

COMMISSIONER SIMONE advised that she had a couple of issues with this Item. She indicated that to piece meal this money was not the best plan for the City and that she would prefer to see a comprehensive plan of how the money was going to be disbursed and decide at one time how the whole slate would be distributed. She indicated that although she had no issue with non-bargain personnel receiving the Economic Impact Payment (EIP), she had a problem with the City Commissioners accepting the same.

A motion to amend, was made by Commissioner Simone, that they remove the City Commissioners from receiving the \$5,000 Economic Impact Payment. This failed for a lack of second.

COMMISSIONER SIMONE explained that there were many requirements in Margate that needed to be addressed and referenced infrastructure.

MS. FELLOWS explained that she did not approve of \$5,000 EIP for the City Commission. She indicated that the Fire and Police Departments, as well as healthcare workers, were more worthy of receiving this money.

MS. SANCHEZ agreed with Commissioner Simone and explained that she did not believe that the City Commission should be receiving the \$5,000 EIP and referenced money received for their car allowance during the height of the pandemic. She read a statement on behalf of Margate resident, Ms. Booker, who echoed Ms. Sanchez's comments.

MS. CULVER, concurred with Commissioner Simone's comments.

LAUREN BERACHA, 6950 NW 14TH PLACE, agreed with all of the prior speakers and continued to provide comments on this Item.

MS. VAN WINKLE agreed with Commissioner Simone and said that the \$5,000 EIP was too much for the City Commission.

MR. ALIANIELLO said he was neutral but had several questions on this Item.

COMMISSIONER SIMONE advised that the City Commission were voted in as public servants. She indicated that when this Item was initially discussed, it was to be given to the non-bargaining personnel and that she did not recall the inclusion of the City Commission until it appeared on the Agenda.

MAYOR ARSERIO questioned Interim City Attorney Tolces whether he had to accept the \$5,000 EIP or could he donate the same to the City's functions.

INTERIM CITY ATTORNEY TOLCES advised Mayor Arserio that he could inform the City if he did not want to accept the money.

MAYOR ARSERIO advised that he would not accept the EIP but indicated that he would want a say in how it was apportioned.

Discussion ensued on the unused EIP and if City Commission declined the same.

The motion carried by the following vote:

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

- C. [ID 2022-403](#)** RESOLUTION - APPROVING THE CITY OF MARGATE PROPERTY IMPROVEMENT PROGRAM; PROVIDING FOR MAXIMUM REIMBURSEMENT GRANT AMOUNT; PROVIDING FOR ELIGIBLE AND INELIGIBLE PROPERTIES, IMPROVEMENTS AND FUNDING; PROVIDING FOR PROGRAM ADMINISTRATION AND FUNDING IN AN AMOUNT NOT TO EXCEED \$1.5 MILLION; PROVIDING FOR EFFECTIVE DATE.

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

CITY MANAGER CURTIS explained that this Item was a property improvement grant program and that the City had intentions of rolling this out with the City Commission's support. He advised that there would be an application process and that the requirements would be available online or at City Hall. He informed that there would be a 50% reimbursement program. He also advised that as the Resolution was currently written, up to \$50,000 would be allocated for commercial properties and up to \$25,000 for single family home properties and he provided a detailed list of eligible improvements.

Discussion ensued including the stipulations of the grants, how many households the City could help, reducing the allocation of monies to provide funding for more residents and Broward County funding.

CITY MANAGER CURTIS appreciated the feedback and said that he should be able to incorporate the changes and bring it back to their next meeting in October.

A motion was made by Commissioner Simone, seconded by Vice Mayor Caggiano, to table this Item to the next City Commission meeting. This carried as follows.

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

7) ORDINANCE(S) - FIRST READING

- A. [ID 2022-379](#)** AN ORDINANCE OF THE CITY OF MARGATE, FLORIDA, AMENDING APPENDIX A - ZONING, ARTICLE XXXIX - SIGN CODE, SECTION 39.8. - SUPPLEMENTAL REGULATIONS; PROVIDING FOR SPECIAL SIGNS ERECTED OR AUTHORIZED TO BE ERECTED BY THE CITY OF MARGATE OR THE MARGATE COMMUNITY REDEVELOPMENT AGENCY; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING

FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

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

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

8) DISCUSSION AND POSSIBLE ACTION

A. [ID 2022-395](#) DISCUSSION OF REGULATING SMOKING IN CITY PARKS

VICE MAYOR CAGGIANO believed that the City's parks should have designated smoking areas as it would be difficult to enforce a ban.

MAYOR ARSERIO informed that the Broward Legislative Delegation sent a letter in support of this Item and that they also changed the law to put this decision back into the city's hands. He suggested that they make a rule that they could not smoke within 100 feet of a playground area or a sporting game.

COMMISSIONER RUZZANO discussed a Resolution he received from the City of Dania Beach. He indicated that he had a flexible approach on this Item but wanted the smoking to be away from the kids on the field.

Discussion ensued.

COMMISSIONER SCHWARTZ referenced the City of Pembroke Pines and spoke in favor of a total smoking ban.

COMMISSIONER SIMONE was in favor of having a designated smoking area.

CITY MANAGER CURTIS suggested that it would be practical to do an outright ban.

Discussion ensued on whether it should be a distance or a designated smoking area.

INTERIM CITY ATTORNEY TOLCES advised that this Item was just on for Discussion and Possible Action and based upon the City Commission's direction. He explained that thereafter, they would then work with City staff to draft an Ordinance which would come back to the City Commission for First and Second Reading.

Discussion ensued as to whether this Item would include vaping, breaking the law and smoking in the parking lot.

CITY MANAGER CURTIS also suggested that before they bring this Item back as an Ordinance at a City Commission meeting, they could implement it as a policy and see how it worked and then they could make any necessary adjustments. He indicated that if it was working fine after six months it, they could implement it.

Discussion ensued on the implementation of the policy without the City Commission.

CONSENSUS to operate a pilot program on banning smoking and bring it back as an Ordinance at a future City Commission meeting.

MS. FELLOWS agreed on an outright ban on smoking at parks.

MS. VAN WINKLE asked about the policy on smoking cigars.

INTERIM CITY ATTORNEY TOLCES responded to Ms. Van Winkle's question.

MR. KRALJIC liked the City's action on this Item and said that although he would prefer an Ordinance, he had reservations on an outright smoking ban.

MS. SANCHEZ agreed with a total smoking ban.

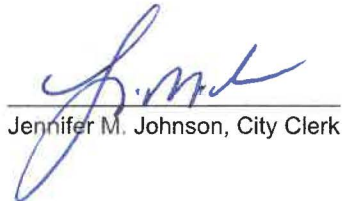
MAYOR ARSERIO advised that the smoking of medical marijuana could not take place in public places.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:05pm.

Respectfully submitted,

Transcribed by Salene E. Edwards


Jennifer M. Johnson, City Clerk

Date: 10/20/2022

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: 865 1149 2343 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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