



# City of Margate

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

## Meeting Minutes Regular City Commission Meeting

*Mayor Arlene R. Schwartz*  
*Vice Mayor Antonio V. Arserio*  
*Commissioners:*  
*Anthony N. Caggiano, Tommy Ruzzano, Joanne Simone*

*City Manager Cale Curtis*  
*City Attorney Weiss Serota Helfman Cole & Bierman*  
*City Clerk Jennifer M. Johnson*

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Wednesday, July 9, 2025

7:00 PM

Commission Chambers and Zoom.us

Webinar ID: 894 7209 7638

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<https://us02web.zoom.us/j/89472097638>

### CALL TO ORDER

### ROLL CALL

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

### MOMENT OF SILENCE

### PLEDGE OF ALLEGIANCE

### 1) PRESENTATION(S)

- A. [ID 2025-174](#) PRESENTATION OF THE 4TH OF JULY PARADE WINNERS: PRIVATE BUSINESS: FAMILY KNOWLEDGE ACTION (FKA), NON-PROFIT: FELLOWSHIP RCO, MARGATE FAMILY: THE JONES FAMILY

PARKS AND RECREATION DIRECTOR, MICHAEL A. JONES, thanked everybody who assisted in the Margate 4th of July event. He encouraged the public to be part of the community and participate in next year's event.

A representative from the Family Knowledge Action (FKA) spoke on this Item.

A representative of the Fellowship Recovery Community Organization (RCO) spoke on this Item.

### EMPLOYEE RECOGNITION FOR YEARS OF SERVICE

- B. [ID 2025-149](#) ANTONIO CARECCIA, POLICE OFFICER - POLICE DEPARTMENT - 35 YEARS

ALBERTO ARANGO, FIRE LIEUTENANT - FIRE DEPARTMENT - 35 YEARS

JEFFERY STEVENS, FIRE LIEUTENANT - FIRE DEPARTMENT - 30 YEARS

DANNY CUJAR, FIRE LIEUTENANT - FIRE DEPARTMENT - 25 YEARS

PAUL A. CARTER, FIREFIGHTER/PARAMEDIC - FIRE DEPARTMENT - 25 YEARS

MARK A. HALE, DRIVER/ENGINEER - FIRE DEPARTMENT - 25 YEARS

PATRICK R. LAPRADE, FIRE CAPTAIN - FIRE DEPARTMENT - 25 YEARS

DARRYL D. MAURO, UTILITY MECHANIC I - ENVIRONMENTAL AND ENGINEERING SERVICES - 25 YEARS

RAUL PEREZ, FIRE CAPTAIN - FIRE DEPARTMENT - 25 YEARS

SCOTT O. SCHWARTZ, FIREFIGHTER/PARAMEDIC - FIRE DEPARTMENT - 25 YEARS

POLICE OFFICER, ANTONIO CARECCIA, spoke on this Item.

COMMISSIONER, TOMMY RUZZANO, paid tribute to Police Officer Careccia.

MAYOR, ARLENE R. SCHWARTZ, spoke on this Item.

## **2) PUBLIC DISCUSSION**

MAYOR SCHWARTZ, provided instructions on how to submit a Public Discussion.

RICHARD A. EDDINS, 3043 NW 72ND AVE, sought an update about a proposal to build a five story community on the golf course and indicated the problems with selling property in his area.

Discussion ensued.

DONNA L. FELLOWS, congratulated Police Officer Careccia on his years of service. She said that Margate had a good Fire Department.

TRACY VAN WINKLE, questioned whether the Carnival ever paid their bill and when they would receive payment. She hoped that the City Commission would decline another Carnival. She sought feedback on the new Publix.

CITY MANAGER, CALE CURTIS, was informed that payment would be made by the end of this month.

Discussion ensued.

MR. KRALJIC read a statement pertaining to the Carnival not paying on time and referenced the Police and Fire details. He also requested that the City allow the public to speak on Agenda Item 7B.

MAYOR SCHWARTZ thought that the City passed a regulation that the Carnival owner had to post a bond.

RICHARD ZUCCHINI, LAKEWOOD ON THE GREEN, attended the Budget Workshop and said it was interesting but he was unimpressed with the compensation survey. He believed that the safety personnel was the core identity of their City and referenced that their salaries should be compared with the Broward Sheriff's Office and not neighboring cities.

### 3) COMMISSION COMMENTS

COMMISSIONER RUZZANO, said that Parks and Recreation Director Jones did an incredible job with Margate's 4th of July Extravaganza. He informed the public that the City Commission voted against raising the Fire Assessment fee. He explained that this afternoon's City's Budget Workshop went well and that the millage rate had slightly decreased due to debt services. He highlighted the forthcoming National Night Out event. He congratulated Liberty Elementary and Margate Elementary for being ranked as "A" Schools. He spoke on behalf of the City Commission and said that they backed the Chief 100% and advised that he started conducting exit meetings which he encouraged all departments to do. He discussed the Carolina Club Golf Course where he had always said that there should not be any development. He asked Mayor Schwartz to come up with a resolution and work with City Manager Curtis and City Attorney Tolces which mandates that Margate keep that golf course and leave it recreational.

CITY ATTORNEY, DAVID N. TOLCES, advised that his office could research the issue to see what, if any, action or steps the City could take and said he was aware of a development application pending which brought in certain risks and potential liabilities.

COMMISSIONER, ANTHONY N. CAGGIANO, thanked every department who made Margate's 4th of July Extravaganza a phenomenal event. He advised that the National Night Out was the first Tuesday in August. He also advised on the Coffee With a Hero event at Starbucks and discussed hurricane preparedness. He wished everyone a good and safe summer.

COMMISSIONER, JOANNE SIMONE, congratulated and praised Police Officer Careccia and said that it had been a privilege and an honor for her to get to know him. She thanked the residents for supporting Margate's 4th of July Extravaganza and for the staff for putting on great activities. She would prefer residents to attend the City's firework display rather than personal or illegal use of the same and highlighted the problems that it caused with debris and the endangerment of neighbors' pets.

VICE MAYOR, ANTONIO V. ARSERIO, discussed the 4th of July Parade. He referenced a fire that was at two Margate houses and said that there had been many incidents where the City's resources were exhausted and discussed the concept of backfilling from BSO.

MAYOR SCHWARTZ thanked Parks and Recreation and everyone who attended Margate's 4th of July Extravaganza. She highlighted that Liberty Elementary had just become an "A" school and Atlantic West Elementary and Margate Middle had both become "B" Schools respectively and congratulated everyone who helped that happen. She thanked the Fire Department and Assistant City Manager Vignola who saw and reported the fire.

### 4) CITY MANAGER'S REPORT

CITY MANAGER CURTIS, thanked Parks and Recreation Director Jones and his team for another successful 4th of July Extravaganza along with all the other support staff for making it a great and safe 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.

- A. [ID 2025-175](#) MOTION - APPROVAL OF CITY COMMISSION MINUTES: JUNE 18, 2025  
REGULAR CITY COMMISSION MEETING

### Approval of the Consent Agenda

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

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

## 6) RESOLUTION(S)

- A. [ID 2025-186](#) RESOLUTION - APPROVING AMENDMENT TO CONSTRUCTION CONTRACT, BID NO. 2020-014 - MARGATE FIRE STATION 58 - DEMOLITION AND CONSTRUCTION, WITH SISCA CONSTRUCTION SERVICES, LLC.; PROVIDING FOR FULL AND FINAL COMPENSATION; PROVIDING FOR AN EFFECTIVE DATE.

CITY ATTORNEY TOLCES explained that this Item returned due to a Motion for consideration that was passed at the last City Commission meeting. He said that it was the same settlement that they considered at their meeting last June. He informed that he had his law partner, Eric Hockman, who was prepared to answer any questions relating to the settlement agreement as he had been involved in the negotiations with Sisca. He believed that the City had a good settlement and from a business decision, that it was the right way to go.

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

COMMISSIONER RUZZANO opposed the settlement of this Item as he believed that a contract was a contract and that the date had expired. He said that originally, the contractor asked for \$370,000 but he was unaware that it was negotiated behind the scenes which dropped to \$107,000. He explained that although he was aware that the settlement could cost more, he would have no problem going to Court as he believed that this was setting a horrible precedent for future contractors. He questioned the term "equitable adjustment" and said that it should be removed from future contracts. He informed that the contractor was three months late on the agreement, that he owed the City money and that there was no way he could vote for it.

COMMISSIONER SIMONE was a person of principle and agreed that a contract was a contract but she did not want to be held hostage. She was not an expert or as

knowledgeable in that field but said that when litigation attorneys advise that it was in the City's best interest to settle, she believed that she had to listen to them. She referenced \$500 per hour for an Attorney was an expensive way to gamble on the City's money and said that even if they won, it would cost Margate more than the \$111,000 that they were going to pay to the contractor. She repeated that she did not want to pay anymore than what she had to and that also, she did not want to gamble with the residents' money so she would be voting to settle.

COMMISSIONER RUZZANO said moving forward, questioned if the City still had verbiage in the contract pertaining to 'equitable.'

CITY ATTORNEY TOLCES was unaware of the City's current contract that would include that verbiage but he said that they could work with procurement to see what was there and report back to the City Commission.

Discussion ensued.

WEISS SOROTA HELFMAN COLE & BIRMAN PARTNER, ERIC P. HOCKMAN, introduced himself as one of the Senior Litigation Partners and advised on the areas of law that he practiced and that he had worked on this case for the last two years. He advised that in general, the equitable adjustment clause was in a lot of contracts. He said that this particular contract appeared in 8.2.4 and read an extract from the same. He continued to discuss this Item and explained that these were not cases typically which anybody won or lost. He advised that force majeure, meant major force and referenced hurricanes, a pandemic and acts of God as its definition. He advised that it would be difficult to determine what the liquidated damages would be in this case and that also, the liquidated damages in a contract could not be a 'penalty' as the courts would not allow it without some basis and facts which were all risks which the attorneys would take into consideration when they were trying to negotiate those deals. He was unable to discuss what took place in mediation but explained that the main objective was to get the fire station completed for the firefighters. He advised that this case would be very difficult and complicated to manage with a minimum of 19/24 months from start to finish and indicated that the other side was ready to file a lawsuit if it was not settled. He complimented the Department of Environmental and Engineering Services (DEES) and also of its Director, Keyser.

Discussion ensued including fixing the language in the contracts.

MAYOR SCHWARTZ mentioned that initially, if this was her house, she would have fought this tooth and nail and explained that the Requestor declined her offer of a compromise. She forewarned that even if they won the battle, they would lose the war as the law stated that they could not recoup lawyers' fees and therefore, she could not justify spending peoples' money. She appreciated Mr. Hockman's honesty. She learnt that before they entered into any further contracts, they would require someone of Mr. Hockman's expertise to review.

Discussion ensued including details pertaining to the previous Community Redevelopment Agency's (CRA) lawsuit, principle versus a business decision, the number of days on liquidated damages and negotiations.

MS. FELLOWS believes that the contractor may have charged for storage if they bought all the supplies in advance and believed that this Item should be settled.

MS. VAN WINKLE apologized as she had changed her mind since her comments at a

previous City Commission meeting. She believed that this Item should now be settled to avoid the City being in any more litigation than they had to.

MR. ZUCCHINI believed that the City's attorney did a very capable job in negotiating down the settlement. He agreed that it should be settled and to review future contracts better.

COMMISSIONER RUZZANO advised that there were many contracts going on during the COVID-19 pandemic and that none of them worked out like the firehouse.

**The motion carried as follows:**

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

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

## 7) ORDINANCE(S) - FIRST READING

- A. [ID 2025-172](#) APPROVE AND ACCEPT AN ORDINANCE OF THE CITY OF MARGATE, FLORIDA, AMENDING CHAPTER 1, "GENERAL PROVISIONS" OF THE CITY OF MARGATE CODE OF ORDINANCES; CLARIFYING THE AUTHORITY AND PROCEDURES TO ENFORCE THE CITY CODE; AMENDING CODE ENFORCEMENT PENALTIES; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

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

VICE MAYOR ARSERIO explained that this Item was shortening the Special Magistrate's process as some were abusing the system and referenced golf course owners.

MR. ZUCCHINI read through the code and indicated that punishing someone by putting them in jail for 60 days was pretty decorum. He made recommendations on how the system could be changed and previously suggested that the violations should be added to the water bill.

CITY ATTORNEY TOLCES referenced the 60 days in jail and said that only a Judge could impose that and that it was for certain violations in their code. He advised that the Florida Statutes prohibited the City to put the fines on a water bill. He explained that the City was trying to simplify the process and that Margate recently collected over \$62,000 as a result of a Code lien for a foreclosed property.

MS. VAN WINKLE referenced groups that she saw on social media who required assistance with code issues.

**The motion carried as follows:**

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

- B.** [ID 2025-178](#) AN ORDINANCE OF THE CITY OF MARGATE, FLORIDA, RELATED TO PARKING REGULATIONS, AMENDING CHAPTER 40- "THE MARGATE UNIFIED LAND DEVELOPMENT CODE," ARTICLE 7- ZONING AND DEVELOPMENT REGULATIONS, DIVISION 1, "GENERAL SUPPLEMENTAL REGULATIONS," SECTION 40.705, "OFF-STREET PARKING, LOADING, AND DRIVEWAYS" OF THE CODE OF THE CITY OF MARGATE; TO PROVIDE FOR THE PROHIBITION OF PARKING VEHICLES IN THE FRONT YARD OF RESIDENTIAL STRUCTURES; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE

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

VICE MAYOR ARSERIO was not a fan of parking on the grass as he said that it was a bad look. He was opposed to this Item due to the sudden change in the process which he believed was by far the biggest property rule change during his time as a City Commissioner and also referenced property rights. He said that this Ordinance was more government and as Margate was an older City, that the homes and driveways were much smaller and originally, residents only had one car to begin with. He explained that Margate was a working City and that there was a lot of vehicles including commercial and multi-generational families. He said that recently, he tried to bring something before the City Commission which he thought was a slow approach to the parking problem to include creating avenues such as the grants and community parking lots. He believed that there should be alternatives for residents to park first before the City made the changes and he suggested starting with those who abused the system such as introducing a permit to prevent people renting out their spaces. He explained that to advise a resident after 30/40 years that they could not park on the grass or those who rent properties would create a lot of waves. He discussed the issue of sidewalks running through extended driveways which also minimized the space or people of those who could not afford a bigger driveway where it would force them to park on the grass or on the street and questioned where they were supposed to go. He repeated that he was against this Ordinance in terms of the process and did not believe that the City was in a position to enforce it. He suggested that Margate should be going after other eyesores first such as people abusing camping and recreational vehicles (RV) and the parking of their friends' boats and commercial vehicles on their property.

Discussion ensued if this Item passed.

DEVELOPMENT SERVICES' (DS) SENIOR PLANNER, ANDREW PINNEY, provided a PowerPoint presentation on the parking ordinance. He advised that after the directive of the City Commission, the proposed Ordinance included changes to the parking of vehicles on grass, landscape areas in drive aisles and/or loading zones that were prohibited. He outlined, with the aid of Google Street View, some of the common problems pertaining to parking on the grass.

Discussion ensued pertaining to a vehicle parked on a swale, garage conversions and

vehicles parked the wrong way of traffic.

DS SENIOR PLANNER, PINNEY, continued with this PowerPoint presentation. He explained that the City had their Planning and Zoning (P&Z) hearing on this Item last week where the P&Z Board agreed approval with the recommendation that the City Commission consider alternative driveway materials such as gravel or landscape pavers but staff had some concerns about the maintenance and durability. He was available for questions.

A question and answer session ensued between the City Commission and the DS Senior Planner Pinney.

COMMISSIONER SIMONE said it was too early to vote on this Item and suggested that it should be Workshopped and fully discussed.

**A motion to table was made by Commissioner Caggiano, seconded by Vice Mayor Arserio.**

**Vice Mayor Arserio removed his second.**

Discussion ensued including the size requirements.

COMMISSIONER RUZZANO said that he received almost 500 comments on social media pertaining to this Item. He expressed that there were many residents who could not expand their driveway. He indicated that Margate used to be a single family home community and that he agreed with Vice Mayor Arserio that the City needed to attack this in another way. He also indicated that as the City's first priority, they should address boats on the driveway and cars parked on the grass as well as other RVs parked in Margate from neighboring cities unless it was legal. He said that non-registered cars should be ticketed and suggested removing the grass from a sidewalk in Mayor Schwartz's neighborhood as you could not fix the problem unless you could give the residents an alternative. He indicated that he would consider doing different codes for locations.

Discussion ensued.

CITY ATTORNEY TOLCES said that if they Workshopped this Item and addressed some major policy issues such as what they wanted to have on parking surfaces versus what was okay to be parked on grass, then they could start to craft something that they may be able to comprehend.

Discussion ensued including what should be discussed at the Workshop and what type of commercial vehicles could be parked.

MAYOR SCHWARTZ reminded Vice Mayor Arserio that the City Commission previously discussed and agreed upon the types of commercial vehicles with illustrations at a 2017/18 meeting and repeated that one "should not pass a law you never intend to enforce." She said what they needed to do was to inform people that the law had been in



place since 2017 and then give them an opportunity to move their vehicles and referenced two air conditioning vans on 77th Avenue. She also continued to outline the parking problems in her neighborhood and repeated that some of it was already law or needed to be enforced.

Discussion ensued include arranging a Workshop.

COMMISSIONER SIMONE outlined that there were two problems with people who did not have a place to park as there were too many living in one household that they had to park on the grass whereas others chose to park on the grass even though their driveway was empty.

MAYOR SCHWARTZ commented on the social media comments.

MR. ZUCCHINI, provided some parking solutions as per this Ordinance.

RICHARD A. EDDINS, 3043 NW 72ND AVE., said that he brought this issue to the City 15+ years ago pertaining to problems with property owners renting out rooms in his Homeowners Association (HOA) neighborhood which was against Code.

MARGATE RESIDENT, said that many of the homeowners were part of the American dream. He also despised HoAs due to their rules and regulations and liked the Vice Mayor's proposals.

MS. WINKLE had questions about parking on a curbed swale.

Discussion ensued.

JOHN ABRIOLA ON BEHALF OF MARGATE RESIDENT, MARY A. ORFINO, said that there were additional signatures gathered from around the neighborhood which he gave to City Clerk Johnson and indicated that this Ordinance needed a lot of work.

JULI VAN DER MEULEN voiced her experiences and problems of living in a zero lot line and liked Vice Mayor Arserio's views pertaining to the RVs.

M. J. DUFF, PARADISE GARDENS IV, believed that there should be no parking on the grass which he said was a bad look and forewarned what Margate could become in 10 years time if they allowed that to happen.

MAYOR SCHWARTZ made comment about garages being used as storage.

MR. KRALJIC read a statement which included a list of a dozen cities in Broward County that prohibited parking in the front yards with a few allowing swale parking.

MARGATE RESIDENT, NATALIA ESCOBAR, indicated that this Item should not matter as long as the vehicles were not impeding the Fire Department or first responders were not in the neighbors' property line.

MS. FELLOWS had questions about parking near or by a curb and referenced a double yellow line.

MAYOR SCHWARTZ said that each neighborhood would have to be viewed differently.

MARGATE RESIDENT, LAUREN BERACHA, questioned whether there was a law

pertaining to two people per bedroom and indicated that it should be adhered to.

COMMISSIONER RUZZANO addressed Mr. Eddins' comments pertaining to carports as well as commenting on the City being proactive on parking spaces for new builds. He also suggested that if someone sold their Margate property containing three bedrooms, the City should put a code to the effect that it would require to have three parking spots. He thought that they would never be able to completely solve the car parking issue.

Discussion ensued including pursuing alternative options and whether there was a two people per bedroom policy.

**A motion to table was made by Commissioner Caggiano, seconded by Vice Mayor Arserio, pending a Workshop.**

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

## **ADJOURNMENT**

There being no further business, the meeting adjourned at 9:58pm.

Respectfully submitted,

Transcribed by Salene E. Edwards

\_\_\_\_\_  
Jennifer M. Johnson, City Clerk

Date: \_\_\_\_\_

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.

[Unified Land Development Code – Section 40.300(C)] 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 Boards may be in attendance and may participate at the meeting.

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