



City of Margate

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

Meeting Minutes Regular City Commission Meeting

Mayor Anthony N. Caggiano

Vice Mayor Tommy Ruzzano

Commissioners:

Antonio V. Arserio, Arlene R. Schwartz, Joanne Simone

City Manager Cale Curtis

Interim City Attorney Weiss Serota Helfman Cole & Bierman

City Clerk Jennifer M. Johnson

Wednesday, September 6, 2023

6:30 PM

Commission Chambers and Zoom.us

Webinar ID: 858 4576 3311

<https://us02web.zoom.us/j/85845763311>

CALL TO ORDER

ROLL CALL

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

MOMENT OF SILENCE - INVOCATION

PLEDGE OF ALLEGIANCE

1) PRESENTATION(S)

PROCLAMATION(S)

The Proclamation was heard before the Presentation(s).

- D.** [ID 2023-288](#) NATIONAL DIAPER NEED AWARENESS WEEK - SEPTEMBER 18 - 24, 2023 (presented to Adora West, Community Outreach Director and Vice President of the Greater Fort Lauderdale Diaper Bank)

COMMUNITY OUTREACH DIRECTOR AND VICE PRESIDENT OF THE GREATER FORT LAUDERDALE DIAPER BANK, ADORA WEST, spoke on this Item and advised the community on how they could qualify for diapers.

- A.** [ID 2023-294](#) PRESENTATION - HCA NORTHWEST HOSPITAL

This Item was heard after 1) D. ID 2023-288.

CHIEF EXECUTIVE OFFICE (CEO) OF HOSPITAL CORPORATION OF AMERICA (HCA) FLORIDA NORTHWEST HOSPITAL, KENNETH JONES, said that he had served in this capacity since March 2021 and announced that City Manager Curtis was one of the board members. He provided an update via a PowerPoint presentation which included highlighting the HCA's mission statement which followed with a brief video on the same and said that he liked to share their testimonials with the community.

He expressed that he was proud of the staff and introduced members of his leadership team who were in attendance. He informed that the HCA would turn 40 next year and was the largest health care system in the state of Florida and highlighted their key initiatives.

A question and answer session ensued between the City Commission and CEO of HCA Florida Northwest Hospital, Jones.

- B.** [ID 2023-286](#) NATIONAL RECOVERY MONTH - SEPTEMBER, 2023 (presented to Sara Barkley, Chief Operating Officer - Recovery Community Organization)

This Item was heard after 1) A. ID 2023-294.

FELLOWSHIP RECOVERY COMMUNITY ORGANIZATION, CHIEF OPERATING OFFICER, SARA BARKLEY spoke on this Item.

RICK RICCARDI, 4829 SOUTH HEMINGWAY CIRCLE AND CEO OF FELLOWSHIP RECOVERY COMMUNITY ORGANIZATION, INC. spoke on this Item.

Discussion ensued.

- C.** [ID 2023-287](#) SUICIDE PREVENTION AWARENESS MONTH - SEPTEMBER, 2023 (presented to Peggy Thomas, League Member of the Gun Violence Prevention Committee - League of Women Voters of Broward County)

LEAGUE OF WOMEN VOTERS' OF BROWARD COUNTY MEMBERSHIP DIRECTOR, PEGGY THOMAS, spoke on this Item.

- E.** [ID 2023-289](#) HUNGER ACTION MONTH - SEPTEMBER, 2023 (presented to Michael Wilson, Agency Relations Manager - Feeding South Florida)

FEEDING SOUTH FLORIDA, AGENCY RELATIONS MANAGER, MICHAEL WILSON, spoke on this Item.

2) PUBLIC COMMENTS

MAYOR ANTHONY N. CAGGIANO explained the protocol for speaking under Public Comments and the Consent Agenda.

JONATHAN A. KRALJIC, 7357 FLORES WAY, encouraged the City Commission to follow their own policies along with the City's codes and Ordinances and referenced that there was no advertisement around the City pertaining to the Veterans' Day ceremony.

TRACY VAN WINKLE, 1020 SW 61ST AVENUE, discussed signage for Veterans' Day.

ELSA J. SANCHEZ, 6930 NW 15TH STREET, praised City staff and also the Chief of Police Galaska's department for assisting with a community matter. She congratulated Fire Chief Lorenzo for having the best department.

MAYOR CAGGIANO responded to Ms. Sanchez's comments.

DOUGLAS R. KEMP, 7320 NW 8TH STREET, advised that he was on the homeowners association at Paradise Gardens Section 4 and said that the City was doing a good job but highlighted what the residents in his community wanted to see in Margate:

- He questioned the program for home improvements in his area and referenced an experimental coding;

- Residents wanted to see Police presence; and
- Complaint on drag racing on Margate Boulevard.

COMMISSIONER ANTONIO V. ARSERIO addressed Mr. Kemp's comments, discussed code issues and the aesthetics of a road off of Rock Island.

CITY MANAGER CALE CURTIS informed that he would speak with Public Works on that issue.

DONNA L. FELLOWS, 6108 NW 9TH COURT, thanked Chief of Police Galaska and referenced completing paperwork if you are away from your premises and that the Police Department would check on your property during your absence. She highlighted that the Keep Our Money In Margate Group (KOMIM) event for November 11th, was scheduled for after the City's event. She also thanked the Community Redevelopment Agency (CRA) for their assistance with KOMIM.

RICHARD ZUCCHINI, 380 LAKEWOOD CIRCLE E, #B, referenced proclamations and also discussed both the Mental Health Awareness Month and the National Suicide Prevention Week. He read a statement pertaining to veterans and his recommendation for the City to support a mental Posttraumatic Stress Disorder (PTSD) facility.

LAUREN BERACHA, 6950 NW 14TH PLACE, raised questions pertaining to the Property Improvement Grant Program (PIP).

Discussion ensued.

3) COMMISSION COMMENTS

VICE MAYOR TOMMY RUZZANO referenced the Diaper Awareness Month and said that the average child wore 2,200 diapers per year. He discussed the PIP with the possibility of rolling it out towards 2023/early 2024 and provided advice on the application process. He suggested that the City could have a snakehead challenge.

Discussion ensued on snakes.

VICE MAYOR RUZZANO welcomed the positive feedback on the Chief of Police Galaska and Fire Chief Lorenzo respectively. He also discussed a previous ballot item on whether the City Commission should have the ability to remove the respective Chiefs and stated that it was supported by a number of the residents.

COMMISSIONER ARSERIO responded to Vice Mayor Ruzzano's comments that a Florida State Representative copied the City with a similar State Statute pertaining to the removal of a Fire or Police Chief.

VICE MAYOR RUZZANO highlighted the rise in property values in Margate and thanked everyone for providing a great service in the City.

MAYOR CAGGIANO said that he had a wonderful tour of the Water plant and praised Department of Environmental and Engineering Services (DEES) Director Keyser for his efforts. He also thanked various department heads. He highlighted the success of the last Sounds at Sundown and discussed hurricane preparedness.

COMMISSIONER ARLENE R. SCHWARTZ invited everyone to the City's Patriot Day Ceremony on September 11th and wished everyone a Happy Rosh Hashanah.

COMMISSIONER JOANNE SIMONE questioned when the grant program operated via Broward County (BC) would reopen. She mentioned that the light poles on Margate

Boulevard were looking horrendous and requested if they could be spruced up. She highlighted that it was the National Hispanic Heritage Month.

CITY MANAGER CURTIS addressed Commissioner Simone's questions and advised that he would find out the exact date when the BC grant program would reopen. He explained that the City received a certain allotment of funds for that program each year which went very quickly. He noted the comments made about the light poles.

VICE MAYOR RUZZANO had a change of mind on the Community Development Block Grant (CDBG) money being utilized towards first time buyers and asked if this could be revisited.

CITY MANAGER CURTIS would need to research this but believed that all the funds ever received through CDBG were allocated to first time home buyers. He advised that the other funding source was the State Housing Initiatives Partnership program (SHIP) which was used for the home-hardening grant program and barrier-free programs where the City would receive even less money annually.

COMMISSIONER ARSERIO responded to City Manager Curtis' comments and said that he would be in favor of shifting more funds as it would be more beneficial to the City.

Discussion ensued on the federal programs.

4) CITY MANAGER'S REPORT

There was no City Manager's Report.

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 2023-255](#) APPROVAL OF HIGHWAY MAINTENANCE MEMORANDUM OF AGREEMENT (HMOA) BETWEEN THE CITY OF MARGATE AND FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) TO UNDERTAKE IMPROVEMENT WORK ON SW 11TH STREET

Approval of the Consent Agenda

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

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

6) RESOLUTION(S)

- A. [ID 2023-263](#) A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, AWARDED CONTINUING SERVICES AGREEMENTS WITH (1) CAROLLO ENGINEERS, INC., (2) HAZEN & SAWYER, P.C., (3) CHA CONSULTING, INC., (4) CRAIG A. SMITH & ASSOCIATES, INC., (5) WGI, INC., (6) CHEN MOORE & ASSOCIATES, INC., (7) CALVIN, GIORDANO & ASSOCIATES, INC., (8) KIMLEY-HORN AND ASSOCIATES, INC., (9) MCKIM & CREED, INC., AND

(10) KEITH AND ASSOCIATES, INC. FOR REQUEST FOR QUALIFICATIONS (RFQ) 2023-010 - GENERAL CIVIL ENGINEERING, BUILDING ARCHITECTURAL, AND LANDSCAPE ARCHITECTURAL CONSULTING SERVICES; PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Commissioner Schwartz, seconded by Commissioner Simone, that this Resolution, should be approved. This carried as follows:

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

- B.** [ID 2023-274](#) A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, APPROVING FEES PURSUANT TO CHAPTER 39 WATER AND SEWERS - DEPARTMENT OF ENVIRONMENTAL AND ENGINEERING SERVICES, ARTICLE VIII - CROSS-CONNECTION CONTROL/BACKFLOW PREVENTION, SECTION 39-111; PROVIDING FOR EFFECTIVE DATE

A motion was made by Commissioner Schwartz, seconded by Commissioner Simone, that this Resolution, should be approved. This carried as follows:

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

- C.** [ID 2023-292](#) APPROVE AND ACCEPT STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION GRANT AGREEMENT No. 23PLN80, IN THE AMOUNT OF \$235,852 FOR THE CITY OF MARGATE COMPREHENSIVE VULNERABILITY ASSESSMENT.

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

COMMISSIONER ARSERIO sought clarification on this Item.

CITY MANAGER CURTIS advised that this Item would identify certain areas which were vulnerable to sea level rise or flood risk in the area and that they would be able to use that report to go after additional grant funding to help mitigate those risks.

Discussion ensued.

The motion carried by the following vote:

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

7) ORDINANCE(S) - SECOND READING

- A.** [ID 2023-291](#) ORDINANCE - AMENDING CHAPTER 1- GENERAL PROVISIONS AND ARTICLE IV. TRAFFIC CONTROL; PROVIDING FOR CITATIONS; PROVIDING FOR PENALTIES AND FEES, APPEAL TO THE SPECIAL MAGISTRATE; NOTICE AND FORMAT, AND COLLECTIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

A motion as made by Commissioner Schwartz, seconded by Commissioner Arserio, that this Ordinance, Second Reading, be discussed.

COMMISSIONER ARSERIO questioned if this Item was for the semi-trucks which was his biggest concern and wanted to make further increases to the first fine for the semi-truck.

CITY MANAGER CURTIS advised that this Item was not specifically for semi-trucks but a variety of civil citations and advised that they had made amendments to some of the fines.

Discussion ensued.

INTERIM CITY ATTORNEY DAVID N. TOLCES indicated that it would be more difficult to define if you made significant fines for specific vehicles. He advised that they could look at further delineating types of vehicles but it could create issues with respect to describing specific characteristics.

Discussion ensued.

VICE MAYOR RUZZANO advised that all tractor trailers have an exposed gas tank and therefore, a regulation could be applied to its size.

Discussion ensued.

A motion to amend was made by Commissioner Arserio, seconded by Commissioner Schwartz, to change the first offense from \$100 to \$250 for semi-trucks/tractor trailers.

Discussion ensued on the process of the amendment.

The motion to amend carried by the following vote:

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

MR. ZUCCHINI questioned whether this Ordinance affected the collection of liens.

COMMISSIONER ARSERIO responded to Mr. Zucchini's question.

CITY MANAGER CURTIS advised that it was written in this code that the City could send the unpaid fines to collections.

COMMISSIONER SCHWARTZ thought that some of this information would be sent

possibly to the Broward County Property Appraiser (BCPA) and would be placed on someone's property.

INTERIM CITY ATTORNEY TOLCES informed that those type of fines for violations were typically for the nuisance abatement violation.

Discussion ensued.

MS. SANCHEZ sighted 18 wheeler trucks on Rock Island Road and one in her clubhouse parking lot and questioned who would she report this to.

INTERIM CITY ATTORNEY TOLCES informed that if the offending vehicle was parked on private property and there were appropriate signs posts, one option would be for the association to arrange for the towing of the same. He also advised that if the vehicle was on public right of way, this Ordinance would provide the ability for the City to issue a citation. He advised that the association should post the appropriate "no parking" and tow signs.

Discussion ensued.

MR. KRALJIC recommended that the City should not just single out tractor trailers in this Ordinance and that the wording should be changed.

COMMISSIONER ARSERIO responded to Mr. Kraljic's comments.

MS. FELLOWS questioned if the ticket fine could go onto their Commercial Driver License (CDL) and referenced a similar system in place for child support.

INTERIM CITY ATTORNEY TOLCES responded to Ms. Fellows' question. He also explained that in order to allow for the origin of the City's citations to implement this program, they would be giving 60 days for this Ordinance to come into effect. He advised that this would ensure that the City would provide for the ability for the Officer or person issuing the citation to direct the individual to the Special Magistrate and the effective date of this Ordinance would be December 1st, 2023.

Discussion ensued on moving the effective date, advertising of the Ordinance and signage.

A motion to amend was made by Commissioner Arserio, seconded by Commissioner Schwartz, to change the effective date to 30 days from today's date to October 6th, 2023, should be discussed.

COMMISSIONER SCHWARTZ sought the views from the Chief of Police.

CHIEF OF POLICE JOSEPH GALASKA, nodded in agreement for the change to 30 days.

Discussion ensued.

The motion to amend carried by the following vote:

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

The original motion as amended carried by the following vote:

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

8) DISCUSSION AND POSSIBLE ACTION

A. [ID 2023-293](#) CONSIDERATION FOR ZOOM PARTICIPATION DURING COMMISSION MEETINGS

COMMISSIONER ARSERIO listened to a few of the residents' concerns on Zoom and said that he liked to be progressive and that Margate was one of the first cities in Florida to conduct meetings via Zoom during the pandemic. He indicated that some believed that the use of Zoom became abusive but he asked staff to conduct a research on which cities allowed it and said that approximately half responded which resulted in more not practicing this. He suggested reintroducing Zoom on a three-month trial basis and that it was strictly for Public Comments only.

MAYOR CAGGIANO concurred with Commissioner Arserio's comments.

COMMISSIONER SCHWARTZ informed that she liaised with City Manager Curtis about conducting a trial basis which she believed would be perfectly fine but she would like to see the person talking to her.

Discussion ensued on whether to keep it for Public Comments.

VICE MAYOR RUZZANO did not have a problem with the suggestions previous made but wanted to ensure that it was an actual person or that the public would have to call in by a certain time to the City Clerk informing the Mayor of the same. He said if someone could not attend a meeting due to a sickness, he would take that into consideration. He echoed Commissioner Arserio's comments that the City went above and beyond to conduct Zoom in the City. He said that he did not mind conducting Zoom for a three month trial period and he would leave it at the discretion of the Mayor.

MAYOR CAGGIANO had no problem with a three month test period and advised that Zoom would only be utilized during Public Comments. He said that the speaker would have to show themselves and he disregarded any pre-register/sign-in requirement.

COMMISSIONER SIMONE did not care whether the public showed themselves or not on camera as she explained that not everyone had a computer and that they just wanted to call in using their phone. She thought that the public did not necessarily have to give their name if they attended in person.

INTERIM CITY ATTORNEY TOLCES preferred if the public gave their name but he understood the City Commissioners were indicating that somebody could state what their name was but it may not necessarily be them.

Discussion ensued on the public providing their name and whether they should show themselves on camera.

A motion was made by Commissioner Arserio, seconded by Vice Mayor Ruzzano, to allow Zoom and the rules would be monitored and enforced by the Chair of that meeting for a three month trial period specifically and limited to Public Comments. You also do not have to pre-register/sign-up.

Discussion ensued.

MR. ZUCCHINI made comment about Interim City Attorney Tolces.

MR. KRALJIC read a statement on this Item and complimented the person who created the spreadsheet of Public Comment practices from across Broward County.

MS. SANCHEZ was glad that some Zoom comments were accepted but her only concern was if there was something on the Agenda which she could not comment in person outside of Public Comments, she would be unable to voice her opinion on the same. She thanked the City Commission for considering Zoom but requested this use be extended to Consent Agenda and Discussion and Possible Action Items.

COMMISSIONER ARSERIO valued Ms. Sanchez's comment and suggested that those who used Zoom could discuss any Item on the Agenda during Public Comment.

Discussion ensued.

A motion to amend was made by Commissioner Arserio, seconded by Vice Mayor Ruzzano, to allow Public Comment during Zoom to be on any Item on the Agenda.

VICE MAYOR RUZZANO responded to Ms. Sanchez comments and commended the City Commissioners for changing their viewpoint.

Discussion ensued.

COMMISSIONER SCHWARTZ said that some cities allow the public to send an email to the City Clerk which could be distributed amongst the City Commission. She believed allowing the public to discuss something in advance of the conversation did not tell them anything anymore about what the City Commission were going to say or what may come that they get to comment on.

Discussion ensued on pre-Agenda comments prior to them being heard.

MRS. BERACHA thanked Commissioner Arserio for his research on this Item and highlighted that Margate had a high rate of seniors. She agreed with Ms. Sanchez's comments pertaining to speaking on Zoom on all of the Items.

COMMISSIONER ARSERIO thanked City Clerk Johnson for collating the data.

MS. FELLOWS thanked the City Commission for bringing this Item back and agreed with Ms. Sanchez comments that the public should be able to discuss other Items on the Agenda in real time.

The original motion with amendments carried by the following vote:

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

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: _____

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: 858 4576 3311 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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