



City of Margate

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

Meeting Minutes Regular City Commission Meeting

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

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

Wednesday, July 3, 2024

6:30 PM

Commission Chambers and Zoom.us
Webinar ID: 817 4650 3664

<https://us02web.zoom.us/j/81746503664>

CALL TO ORDER

ROLL CALL

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

MOMENT OF SILENCE - INVOCATION

PLEDGE OF ALLEGIANCE

MAYOR TOMMY RUZZANO presented 50 year resident, Rebecca Kohl, with a City plaque.

A. [ID 2024-219](#) TAYLOR HORTON

1) PRESENTATION(S)

A. [ID 2024-167](#) UPDATE BY MARTY KIAR, BROWARD COUNTY PROPERTY APPRAISER

BROWARD COUNTY PROPERTY APPRAISER (BCPA), MARTY KIAR, explained why Margate was a special City and advised that more people lived in Broward County than in 13 US states. He explained the functionalities of his department which included helping the residents of Margate save money on their property taxes and what they could do for them. He discussed property values and highlighted that Margate was increasing. He also advised that South Florida was the title fraud capital of the world and how they were trying to crack down on the same and discussed the Owner Alert program. He informed that in August, Margate residents would be receiving the Truth and Millage Notice (TRIM) and encouraged people to attend Budget hearings if they had concerns about the taxes they were paying or wanted to provide feedback. He also discussed how to qualify for tax saving exemptions with Homestead being the most important. He also highlighted the low income Senior exemption which not all cities had adopted.

A question and answer session ensued between the City Commission and BCPA Kiar.

COMMISSIONER ANTONIO V. ARSERIO highlighted Margate outperforming neighboring cities in terms of the percentage of market value increase. He valued the services of BCPA Kiar and discussed the importance of the Owner Alert program which was highlighted in his monthly newsletter. He asked BCPA Kiar to explain to the residents why the taxes did not increase. He requested if the City Commission could be listed in the BCPA's website.

BCPA MARTY KIAR explained the tax issue in Broward County (BC) and also encouraged the public to use their tax and portability estimators respectively. He agreed that all City Commission details should be added to their website but said that it could be difficult to provide information for some of the smaller districts.

Discussion ensued.

VICE MAYOR ARLENE R. SCHWARTZ had been in her property for 42 years and appreciated the Homestead exemption. She referenced the Low-Vision Exemption and questioned if two people lived in a property and if it was in both their names, could the one person receive it or would it have to be both?

BCPA MARTY KIAR explained that it would depend on how the deed was structured.

Discussion ensued.

MAYOR RUZZANO questioned what the total amount for BC that BCPA regulated.

BCPA MARTY KIAR explained that it would depend as BC had three massive budgets consisting of the BC Commission's budget, the School Board's budget and that they had the cities together. He said it would be difficult for BC to answer as they receive their money through property taxes, from the airport, the port and other organizations.

Discussion ensued.

2) PUBLIC DISCUSSION

MAYOR RUZZANO explained the protocol for submitting comments to Public Discussion.

ELSA J. SANCHEZ, 6930 NW 15TH STREET, discussed a wellness situation in her neighborhood and thanked the Police Department for their assistance and highlighted the importance of the first responders.

MARGATE RESIDENT OF PALM LAKES CONDO was upset as they saw something on their computers pertaining to condos on their green space, referenced parking and asked if there was any truth to this.

Discussion ensued.

CITY ATTORNEY DAVID N. TOLCES cautioned the City Commission on making any pre-judgments about anything that was not formally applied for, considered or processed which may come before them for their consideration.

MARGATE RESIDENT discussed soil testing big barrels which were on the Palms Lake property.

MAYOR RUZZANO advised that it was private property and that they could do soil samples.

Discussion ensued

MARGATE RESIDENT OF PALM LAKES CONDO, referenced that there was some sort of a proposal that Mayor Ruzzano would not vote for and questioned what the project was.

MAYOR RUZZANO said it was a proposed condo.

PAULA K. ROBERTS, 551 NW 80 TER #204, read a statement on fluoride being added to the water.

JONATHAN A. KRALJIC, referred to the last City Commission meeting where he emailed the City Commission regarding the negative effects fertilizers have on the waterways and read a statement on the same.

TINKLER BUTLER, FROM THE LOCAL WALMART, informed that annually, they partner with Children's Miracle Network Hospitals (CMN) and sought support from the City to raise money for them.

COMMISSIONER ARSERIO questioned if the collection of donations was for the Section 501(c)(3). He requested that Ms. Butler send him an email if it was a non-profit and he could share it on his social media.

MS. BUTLER said that they were not registered as a non-profit but she believed the organization was.

VICE MAYOR SCHWARTZ questioned if it was something to do at State Road 7 and Atlantic Boulevard.

Discussion ensued.

RICHARD ZUCCHINI, 380 LAKEWOOD CIRCLE E, #B, made comments and suggestions pertaining to the BCPA's Kiar presentation. He discussed public speakers comments on waterways and compared it to toxic materials used on golf courses. He discussed the property on Palm Lakes.

DONNA L. FELLOWS, 6108 NW 9TH COURT, thanked Commissioner Arserio and City Manager Curtis pertaining to the Community Redevelopment Agency (CRA) grant. She thanked the Police Department for a call at her property.

COMMISSIONER ARSERIO responded to Ms. Fellows' question on the CRA grant and explained that they could not apply for it retroactively.

TRACY VAN WINKLE, 1020 SW 61ST AVENUE, discussed a 911 call in her neighborhood where no incidents had taken place. She complimented the green grass around Margate including the City's property. She quashed unproven rumors relating to Palm Lakes.

3) COMMISSION COMMENTS

COMMISSIONER ANTHONY N. CAGGIANO highlighted the 4th July Extravaganza. He

forewarned about hurricane preparedness and referenced a "Go-Bag."

COMMISSIONER JOANNE SIMONE congratulated Fire Chief Lorenzo on being named Chief Fire Officer by the Center for Public Safety Excellence and to his son on graduating from the marine boot camp and wished him luck on his next endeavor. She thanked Assistant to the City Manager, Popick, Interim Chief of Police Palma and City Manager Curtis for the speedlight camera information. She looked forward to seeing everyone at the July 4th Parade tomorrow and discouraged people from lighting fireworks at their property and advised them to let the professionals do it.

COMMISSIONER ARSERIO thanked staff for organizing a pro-active Sandbag Distribution event and said that he would like to do another one in August. He discussed the hurricane preparedness and referenced checking the generator. He would like to revisit the City's Property Improvement Grant Program (PIP). He referenced Palm Lakes and discussed the same. He indicated that in general, he tried to meet with people even if he did not like the project. He highlighted the 4th July Extravaganza and said that there would be a banner plane wishing everyone a Happy Independence day for two hours.

VICE MAYOR SCHWARTZ congratulated Fire Chief Lorenzo and referenced his son and the marines. She had an inquiry about the use of drones for 4th July and spoke of its benefits. She welcomed everyone to the City's Parade and highlighted the fireworks display.

MAYOR RUZZANO displayed a picture of Chief Lorenzo's son and congratulated him. He highlighted a couple of policies that had been brought into law by Florida State Governor Ronald DeSantis and referenced Airbnbs, homelessness, construction laws passed and the warranty on air conditioners.

Discussion ensued.

MAYOR RUZZANO hoped that the Interim CoP Palma's contract would be on the Agenda in the future.

COMMISSIONER ARSERIO discussed his meeting with Interim CoP Palma during his Agenda review and said it was a breath of fresh air and that he went through some of his proposals.

VICE MAYOR SCHWARTZ explained that she had met with Interim CoP Palma too as she wanted to know what changes he had implemented.

Discussion ensued.

MAYOR RUZZANO highlighted the City's 4th July Extravaganza and said that Margate had probably the longest running parade and firework show in BC. He highlighted next week's CRA meeting and referenced a solicitation for developers and said that there were approximately nine people who were interested in doing something in their City. He discussed the forthcoming summer break for the City Commission meetings and referenced organizing a casual Town Hall meeting. He thanked those who were concerned about his wife's recent surgery and said that one of his son's got his drivers license today.

CITY ATTORNEY TOLCES advised that his office would be working with the Interim CoP Palma and City Manager Curtis at reviewing the Ordinances to address the changes in State law related to camping in public from the homelessness. He said that they would

also be discussing this with the City Commission on meeting the new statutory requirements. He wished everybody a Happy 4th of July.

4) CITY MANAGER'S REPORT

CITY MANAGER CURTIS wished everyone a Happy 4th of July and thanked the staff for the preparation that they were doing ahead of the event. He wished their Police and Fire personnel who were working tomorrow night a safe evening.

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 2024-183](#) MOTION - APPROVAL OF CITY COMMISSION MINUTES: MAY 15, 2024 REGULAR CITY COMMISSION MEETING, JUNE 5, 2024 REGULAR CITY COMMISSION MEETING AND JUNE 19, 2024 REGULAR CITY COMMISSION MEETING

APPROVED

Approval of the Consent Agenda

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

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

6) RESOLUTION(S)

- A. [ID 2024-200](#) A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, DESIGNATING A VOTING DELEGATE AND AN ALTERNATE FOR THE FLORIDA LEAGUE OF CITIES' 98TH ANNUAL CONFERENCE BEING HELD IN HOLLYWOOD, FLORIDA FROM AUGUST 15-17, 2024, PROVIDING FOR AN EFFECTIVE DATE

A motion was made by Commissioner Arserio, seconded by Commissioner Caggiano, to insert the name Anthony N. Caggiano as Delegate and Arlene R. Schwartz as Alternate.

Discussion ensued.

The motion carried as follows:

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

- B. [ID 2024-216](#) A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, AUTHORIZING THE EXECUTION OF A SOFTWARE AS A SERVICE (SAAS) AGREEMENT WITH ACLARIAN LLC FOR ENTERPRISE RESOURCE PLANNING (ERP) SOFTWARE SYSTEM LICENSING; PROVIDING FOR AN INITIAL THREE-YEAR AGREEMENT TERM WITH THE OPTION FOR SUBSEQUENT ONE-YEAR RENEWALS AND MODIFICATIONS BY THE ADMINISTRATION WITHOUT FURTHER COMMISSION ACTION; PROVIDING FOR POST-IMPLEMENTATION SERVICES AND RATES; PROVIDING FOR A TOTAL INITIAL COST OF \$387,475, WHICH INCLUDES \$324,975 FOR IMPLEMENTATION AND AN ANNUAL RECURRING COST OF \$62,500 FOR UP TO 100 USERS; PROVIDING FOR TERMINATION; PROVIDING FOR AN EFFECTIVE DATE

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

Discussion ensued.

PRESIDENT OF ACLARIAN LLC, ANDREW P. LAFLIN CPA , OF 4240 W MORRISON AVE, TAMPA, said that his company was excited to work for the City and bring them into the 21st century and provide a modern web based with enterprise resource planning (ERP) technology.

VICE MAYOR SCHWARTZ explained that it was long overdue and indicated that she appreciated the team that they assembled and also discussed the cost.

COMMISSIONER ARSERIO said that they have all been asking to move up to the 21st century and he recognized the work from the Information Technology (IT) Department to help integrate the system.

This carried by the following vote:

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

7) ORDINANCE(S) - SECOND READING

- A. [ID 2024-217](#) AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF MARGATE, FLORIDA, AMENDING THE CITY'S CODE OF ORDINANCES BY AMENDING CHAPTER 33, "POLICE AND LAW ENFORCEMENT; OFFENSES AND MISCELLANEOUS PROVISIONS," ARTICLE VI, "TRAFFIC CONTROL," BY ENACTING A NEW SECTION 33-73, ENTITLED "SPEED DETECTION SYSTEMS IN SCHOOL ZONES," TO PROVIDE FOR PURPOSE AND INTENT, DEFINITIONS; PROVIDING FOR THE AUTHORIZATION TO USE SCHOOL SPEED LIMIT DETECTION SYSTEMS, A DETERMINATION OF SAFETY NEED, AND THE IMPLEMENTATION OF SPEED LIMIT DETECTION SYSTEMS IN SCHOOL ZONES; PROVIDING FOR A LOCAL HEARING OFFICER TO HEAR APPEALS; PROVIDING FOR CONFLICTS; PROVIDING

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

COMMISSIONER ARSERIO emphasized that this proposed Ordinance was not to approve a specific company or the fact that they were going to implement cameras but it was just to put the mechanisms in place if they choose to do it in the future. He wanted to do his due diligence by ensuring that the facts and information that he had were accurate and asked City Clerk Johnson to share some news articles and studies from Georgia which had been in effect for a couple of years prior to Florida and he also wanted to look at costs for their Police Department with reference to placing Officers at every school during the flashing lights. He still believed that they should have physical Police Officers if cameras were put in place. He explained the protocol of what it would be to place a Police Officer at every school on a daily basis and referenced it was the Traffic Unit that currently conducted that but they were part of the road control who would need to respond to other matters. He said it would cost the City \$200,000 for a low paid officer and it would be around \$300,000 to place a senior officer which would be 30 minutes before and 30 minutes thereafter at every public school in Margate during the enforcement and flashing lights. He advised that if it had to go to Court, they would have to pay overtime if it was their non-working day and \$42 would be the highest amount per ticket and that 213 tickets were issued for 2023 which netted approximately \$10,000 but it would cost \$300,000 to place an Officer in every school. He firmly believed that if they implemented the cameras, it would reduce speeding in schools, pay for the crossing guards, generate a additional revenue and that they should pass the Ordinance and be "posed and ready" and see what other cities do.

VICE MAYOR SCHWARTZ explained the problems with the speed zone where she lived off of Atlantic Boulevard. She explained the advice provided by City Manager Curtis to either vote for it and put it on hold for six months to which she had no problem with or the City Commission could table it for six months and conduct workshops which she indicated was two of the same. She was interested to see what some of the neighboring cities were doing and did not have a problem putting it on hold.

Discussion ensued.

COMMISSIONER SIMONE questioned why the City needed to be "posed and ready" as she said that if they liked what the other cities did, they could always bring back the Ordinance, interview the companies and move from there. She confirmed that she was not in favor of this Ordinance and would vote no.

COMMISSIONER ARSERIO explained that the reason why he wanted to be "posed and ready" was that there was a lot of work to do which would allow sufficient time for staff to do the research.

Discussion ensued.

MAYOR RUZZANO concurred with Commissioner Simone's comments and could not understand the rush for this Item. He indicated that if this Ordinance was voted upon, it may give the misconception that it was going to be put in place. He disagreed with comments made by Commissioner Arserio and explained that it did not make any sense to pass this now. He believed that the cameras were not going to help safety and indicated that it was more to do with the revenue the City would receive and referenced 400 social media comments received. He also stated that a report received from the Police Department said that it would not help safety.

Discussion ensued.

COMMISSIONER CAGGIANO thought it was amazing that they were justifying speeding.

Discussion ensued.

A motion was made by Commissioner Caggiano, seconded by Commissioner Arserio, that this Ordinance, Second Reading, should be approved.

MR. ZUCCHINI disagreed with the characterization that this Ordinance was a money grab and continued to talk in favor of the same.

MS. VAN WINKLE provided comments disagreeing with this Ordinance.

MS. FELLOWS said that they should recruit more Officers instead of cameras.

MR. KRALJIC read a statement pertaining to this Ordinance and advised the City Commission to vote no.

MS. SANCHEZ explained that she did not believe the cameras would help and said that a solution would be for a Police Officer to be present.

LAUREN BERACHA, 6950 NW 14TH PLACE, said that she had done her own research and did not believe that cameras were the answer. She repeated her concerns about the speeding on Margate Boulevard.

JULI VAN DER MEULEN, 2913 NW 68 LN., explained that it was her belief that the cameras were a waste as it was not about safety.

COMMISSIONER ARSERIO explained that people needed to be educated on the law, how the cameras operated. He explained that it was a state law that they could not charge more than \$100 and that it had to be in a school zone and advised that there had to be a certain amount of signage.

Discussion ensued.

The motion failed by the following vote:

Yes: 2 - Commissioner Caggiano and Commissioner Arserio

No: 3 - Commissioner Simone, Vice Mayor Schwartz and Mayor Ruzzano

VICE MAYOR SCHWARTZ wanted to table the Item.

Discussion ensued on the motion.

A motion to table for six months was made by Vice Mayor Schwartz, to bring it back to allow for Workshops.

CITY ATTORNEY TOLCES advised that if Vice Mayor Schwartz wanted to bring back this Ordinance, she had to make a motion to reconsider.

A motion to reconsider was made by Vice Mayor Schwartz, seconded by Commissioner Caggiano.

COMMISSIONER SIMONE questioned why Vice Mayor Schwartz wanted a Workshop.

Discussion ensued.

VICE MAYOR SCHWARTZ said that they did not have a clue how it worked anywhere else and said that this was not about money.

Discussion ensued.

MAJOR KEVIN STRANSKY explained that the majority of his career was in traffic and believed that the only way to change behavior is placing a Officer in School Zones. He said that there was speeding everywhere and he indicated it was difficult to resolve in Broward County. He would prefer staffing levels be increased as the City's Traffic Unit had decreased and that they also covered for the School Resource Officers (SRO), fleet issues and road patrol. He said that if the City Commission wanted Traffic Officers assigned exclusively to the School Zones from the first day of school, he would make sure it happened. He outlined the reasons why he did not want the cameras to replace staff and suggested having the Workshop where all four companies could present. He advised that this program was going to be very labor intensive which would result in plenty of violations and that the City would have to hire somebody.

Discussion ensued between the City Commission and Major Stransky.

The motion to bring back the Ordinance carried as follows:

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

No: 2 - Commissioner Simone and Mayor Ruzzano

A motion was made by Commissioner Arserio, seconded by Commissioner Caggiano, to approve the Ordinance and make it effective in six months to January 3, 2025.

Discussion ensued on the motion or tabling this Item.

A motion was made by Vice Mayor Schwartz, seconded by Mayor Ruzzano, to table this Item for nine months to April 2025.

Discussion ensued.

The motion to table approved by the following vote:

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

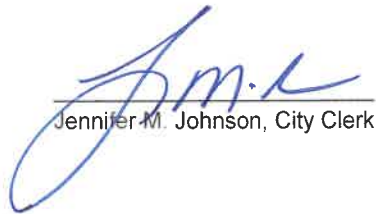
No: 1 - Commissioner Caggiano

ADJOURNMENT

There being no further business, the meeting adjourned at 9:36pm.

Respectfully submitted,

Transcribed by Salene E. Edwards



Jennifer M. Johnson, City Clerk

Date: 8/22/2024

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: 817 4650 3664 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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