



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, June 19, 2024

7:00 PM

Commission Chambers and Zoom.us

Webinar ID: 843 9584 5248

<https://us02web.zoom.us/j/84395845248>

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 by Pastor Michelle Barbaran, Vida Church

PLEDGE OF ALLEGIANCE

A. [ID 2024-215](#) MATTHEW JOHNSON, MARGATE RESIDENT

1) PRESENTATION(S)

A. [ID 2024-203](#) MARGATE FIRE DEPARTMENT ALS COMPETITION - 1ST PLACE

Representatives from the Fire Department's Advance Life Support (ALS) team spoke on this Item.

JAY, a representative from the local Bengali community highlighted their local news outlet's third anniversary, AV 24 News, and requested the blessing of the Mayor to prosper with their news and media business.

MAYOR TOMMY RUZZANO on behalf of the City thanked Jay.

COMMISSIONER ANTHONY N. CAGGIANO discussed the cricket tournament.

MAYOR RUZZANO asked for CONSENSUS to move 8)A ID 2024-206 after Public Discussion.

CONSENSUS was given.

MAYOR RUZZANO invited Mr. Donohoo to speak on Item 1) B.

- B. [ID 2024-209](#) PARADISE GARDENS IV - NEW HOA RULES PRESENTED BY JOHN DONOHOO

JOHN H. DONOHOO, 735 NW 73 TER, PARADISE GARDENS IV, discussed changes to the Homeowners Association (HOA) policy which pertained to House Bills that Florida State Governor Ronald DeSantis signed into law. He advised that they were expansive and said that virtually, every aspect of their business had to go online which concerned him. He informed that they were going to coordinate and schedule free training classes for those who were interested in participating. He also referenced new Florida Statute 723.075 which deals with the ability of community associations to enforce their covenants, in particular, relating to parking. He left his business cards if anyone needed assistance and that he would schedule training classes in September.

MAYOR RUZZANO spoke on this Item.

ATHLETES OF THE MONTH

- C. [ID 2024-184](#) SOFTBALL: ELLA MAJOR, 8 YEARS OLD (CITY OF MARGATE YOUTH SOFTBALL)

EMPLOYEE RECOGNITION FOR YEARS OF SERVICE

- D. [ID 2024-178](#) DENISE P. STEELE, ACTIVITIES SPECIALIST - SENIOR CENTER - 40 YEARS
LAURA J. JEDREY, OFFICE SPECIALIST - POLICE DEPARTMENT - 35 YEARS
ROMAN FAYER, POLICE OFFICER - POLICE DEPARTMENT - 20 YEARS
ANDREW J. IRELAN, POLICE OFFICER - POLICE DEPARTMENT - 20 YEARS
JOHN R. BAILLIE, BATTALION CHIEF - FIRE DEPARTMENT - 20 YEARS
DREW R. GERMANN, POLICE OFFICER - POLICE DEPARTMENT - 15 YEARS
WILLIAM SNYDER, POLICE LIEUTENANT - POLICE DEPARTMENT - 15 YEARS
UTRA NARINE-MARAJ, OFFICE SPECIALIST II - DEVELOPMENT SERVICES - 10 YEARS
JENNIFER M. JOHNSON, CITY CLERK - CITY CLERK - 10 YEARS
JAMES FRIEDLANDER, POLICE OFFICER - POLICE DEPARTMENT - 10 YEARS
DHURVA J. HAVLIK, POLICE OFFICER - POLICE DEPARTMENT - 5 YEARS
DIANA L. MAGLOCCO, POLICE OFFICER - POLICE DEPARTMENT - 5 YEARS
JAKE BROWNING, UTILITY TECH - ENVIRONMENTAL AND ENGINEERING SERVICES - 5 YEARS

PROCLAMATION(S)

- E. [ID 2024-207](#) CARIBBEAN AMERICAN HERITAGE MONTH - JUNE, 2024 (presented to Garfield Reid, Margate Resident)
- GARFIELD REID, 540 SW 62 AVE, thanked the City for this accolade and spoke on this Item.

2) PUBLIC DISCUSSION

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

ELSA J. SANCHEZ, 6930 NW 15TH STREET, discussed the new rules with the HoA and said it was important to gain the City's support and sought guidance.

JULIE JONES wished everybody a happy Juneteenth. She thanked the City Commission and the City Manager in allowing their Interim Chief of Police (CoP) to do his job and congratulated Acting Major Druzbiak on his promotion.

M. J. DUFF, 7305 NW 8TH COURT, questioned if somebody could do a study on 8th Court pertaining to speeding and also made reference to the future of the golf course.

VICE MAYOR ARLENE R. SCHWARTZ, responded to M. J. Duff's comments by saying that Interim CoP Palma heard him loud and clear.

ACTING MAJOR MICHAEL DRUZHBIK said that he wanted to attend in person but thanked the City for their support and for everything they have done and putting Interim CoP Palma behind the helm.

JONATHAN A. KRALJIC, 7357 FLORES WAY, questioned why the City did not show the members of the public who make comment at meetings. He was surprised that the City was opened on a federal holiday and said that they should recognize Juneteenth in the future and observe it by closing City offices and not holding public meetings.

8) DISCUSSION AND POSSIBLE ACTION

- A. [ID 2024-206](#) DISCUSSION AND POSSIBLE ACTION - POLICE CHIEF

This Item was heard before Item 3) Commission Comments.

MAYOR RUZZANO explained that he asked for this Item to be put on the Agenda and said that they have been looking for an external candidate for a new CoP which he had now asked to be paused and sought opinion from the City Commission. He said that after discussions with the headhunter, he believed he had the person he was looking for. He perceived Interim CoP Palma was a good guy and different to those in the past. He said that he wanted Interim CoP Palma to be made permanent. He questioned the City Manager's working relationship with Interim CoP Palma.

CITY MANAGER CALE CURTIS confirmed that things were going great with Interim CoP Palma and would recommend him.

Discussion ensued.

COMMISSIONER CAGGIANO said for many years, that he was a huge fan of Interim

CoP Palma but at the last few meetings, discussions have ensued on either joining forces with Broward Sheriff's Office (BSO) or looking for an external candidate. He did not have a problem with pausing the search for an external candidate but would not like to vote on making Interim CoP Palma anything other than Interim for three – six months just in case the majority wanted to go to BSO. He believed that going to BSO was a horror and at this point, was something he did not want to do.

Discussion ensued.

COMMISSIONER ANTONIO V. ARSERIO said his thoughts were similar to Commissioner Caggiano. He liked Interim CoP Palma but indicated that he was concerned about any potential complaints that could arise if he was made permanent. He was open to suspending the search, give the Interim CoP Palma a chance of three – six months but said that although he was not sold on joining BSO, he wanted to do his due diligence by looking at all the options including seeking a price for their services and if they were going to consider it, now was the time. He said that they could put in the contract with BSO that they want Interim CoP Palma to be the Captain. He also advised that whilst there was a current investigation on the Police Department, they should make that play out until the City Commission makes their final decision.

COMMISSIONER JOANNE SIMONE referenced that the City had already spent money and questioned City Manager Curtis for a status update.

CITY MANAGER CURTIS informed that they completed task one and a little of task two but they were not that far along and last Friday, they just received a draft brochure. He confirmed that the position had not gone live and they were not in receipt of any candidates.

COMMISSIONER SIMONE explained that at her Agenda Review last Monday, she learned about this item and did not have time to really digest it. She had been a proponent of looking for an external candidate and thought that Interim CoP Palma, who was tasked with cleaning up the department, had done an excellent job. She indicated that Interim CoP Palma's actions demonstrated that he was up to the job but she was unsure that she was ready to make any decision tonight and confirmed that she would be able to make a decision within three – six months.

VICE MAYOR SCHWARTZ made a promise less than three months ago to a packed house that they would not promote from within and indicated that it was too soon. She expressed that less than three months was difficult to make a determination in suspending for an external candidate. She was in receipt of resumes of very competent candidates from a third party. She said that if they vote to suspend, they would still be owing money to some people and did not know what the legal implications may be.

CITY MANAGER CURTIS said that he made the Recruiter aware of the Agenda item but indicated that the monies owed could be between \$4,000 - \$6,000. He confirmed that they would not have to move forward with the full contract and that the Recruiter would be fine with them just stopping. He was unsure of the property rights of the brochure and said that the time period provided by the City Commission, he did not believe that the Recruiter would ask to return to the beginning if the City wanted to resume his service.

Discussion ensued on the contract.

COMMISSIONER SIMONE questioned that if they suspended the search, was the headhunter willing to pick it up within three – six months and work with the City again.

CITY MANAGER CURTIS said that he had a good working relationship with the

Recruiter and said that assuming he was not overloaded at that time, repeated that he would resume the work.

COMMISSIONER ARSERIO said if they were to continue the search, what would be the time line with implementation. He questioned what was the harm in continuing to search and encouraging Interim CoP Palma to apply and if they want, they could select him then and questioned whether there was any obligation that they had to choose one of those candidates.

MAYOR RUZZANO explained that he was unhappy with the feedback from the City Commission.

Discussion ensued.

A motion was made by Commissioner Caggiano, seconded by Commissioner Arserio, to suspend search/process for looking for a new Chief of Police (CoP) for three months to give the Interim CoP an opportunity to continue, should be discussed.

COMMISSIONER ARSERIO advised that he would vote to suspend the search for three months but by no means was it a promise to Interim CoP Palma as he needed to conduct some research.

Discussion ensued.

POLICE OFFICER TONY CARECCIA, said that it was a fractured Police Department and he did not agree with putting this Item on hold for three months. He was in favor of making Interim CoP Palma's position permanent and that he needed support.

TRACY VAN WINKLE, 1020 SW 61ST AVENUE, spoke in favor of permanently appointing Interim CoP Palma in his current position.

POLICE SERGEANT, MARY CRABTREE, gave a perspective from the Police side and said that everyone she knew was in support of Interim CoP Palma. She said that if the City decides to go to BSO, they would lose that small town feel with the Margate Police Department which she believed should be taken into consideration.

MS. JONES apologized about previously making a mistake and referenced that morale was up in the Police Department and that they should give Interim CoP Palma the job.

POLICE OFFICER, VONLEY D. WILLIAMS, explained that they should strongly consider appointing Mr. Palma as CoP and said that they should also give him the tools to convince younger people to come here.

MS. SANCHEZ said that based on what she had heard and seen from the support of Police Officers at this meeting, she thought that Interim CoP Palma was doing a good job.

MR. DONOHOO discussed team work which he indicated was an integral part of making a good department.

MAYOR RUZZANO continued to discuss his support of making Interim CoP Palma's position permanent.

A motion to amend was made by Mayor Ruzzano to make Mr. Palma Chief of Police.

CITY ATTORNEY TOLCES said that the motion was not necessarily consistent with the previous one so it could not be amended.

Discussion ensued.

VICE MAYOR SCHWARTZ explained that it was unfortunate that if someone did not agree or had questions, they were demonized. She was not aware that this Item was intended to discuss making the Interim CoP Palma's position permanent. She also indicated that if Interim CoP Palma was aware, he should have reported some of the previous problems in the Police Department to the City Manager's attention.

Discussion ensued.

POLICE LIEUTENANT, LORI HOFER, discussed the infighting within the City Commission which she said made it difficult for the Police Department. She referenced that the City Commission would be killing succession within the Police Department if they decide to recruit externally. She explained that she fully supported Interim CoP Palma's position being made permanent and that the Police Department also supported him and hoped that the City Commission did likewise.

VICE MAYOR SCHWARTZ responded to Police Lieutenant Hofer's comments and referenced the Sunshine Law.

POLICE LIEUTENANT WILLIAM SNYDER advised that the City Commission should speak to him or members of the Police Department and spoke in support of making Interim CoP Palma's position permanent.

COMMISSIONER SIMONE felt that she was being attacked at this meeting. She explained that the Agenda Item was to suspend the search for the CoP but no indication of hiring anybody and referenced that there was a lack of communication. She informed that she wanted to speak to the ranking file and explained of her difficulties trying to contact Brian Chevres but conversed with Major Banatte and Interim CoP Palma but wanted to speak to more staff members who previously commented on former CoP Galaska. She advised that she did not have a problem with suspending the recruitment of the CoP but she wanted to hear from the Police Department as she valued their opinion/whose voice was important. She repeated that although it was not on the Agenda to hire at this meeting, she was willing to do that as she heard from the employees in the Police Department that stood behind Interim CoP Palma to which she concurred. She heard from two female Police Officers who said that things had changed for the better.

MAYOR RUZZANO explained that he took 100% responsibility for the misunderstanding and said that he asked for this Item to be placed on the Agenda as written and was unaware of the conversation the rest of the City Commission had with the City Manager.

VICE MAYOR SCHWARTZ explained that she was specifically informed that they would not be discussing hiring anybody tonight.

Discussion ensued.

COMMISSIONER ARSERIO said that although there was miscommunication, he was not going to play the blame game. He explained that it was critically important to follow the chain of command in day to day operations in the Police Department which he indicated may not have previously occurred. He said that suspending the search was a step in the right direction, especially if they wanted to see Interim CoP Palma in that position. He believed that he was accessible and indicated that he was one of the most vocal pertaining to the former CoP. He also addressed some of the comments made by members of the Police Department. He said that if he knew that this Agenda Item was going to be making a decision on hiring, he would have contacted more people. He trusted the views and recommendation from the Police Department and would consider hiring Interim CoP Palma and advised that the next step in the process was to devise a contract should a motion arise and pass. He said that he would continue to talk to people and if he heard different to what was said at this meeting, he would have time to change his mind.

CITY ATTORNEY TOLCES explained that there had been a general CONSENSUS to suspend the search and suggested to proceed with the first motion and then they can move onto the next issue.

The original motion carried by the following vote:

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

A motion was made by Commissioner Arserio, seconded by Commissioner Simone, to direct the City Attorney and the City Manager to possibly negotiate a contract with Interim Chief of Police Palma to bring back to the City Commission at their next meeting.

MAYOR RUZZANO apologized to the City Commission and City Manager on how this Agenda Item was presented.

The motion carried as follows:

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

CITY ATTORNEY TOLCES explained the motion and that the City would negotiate a contract with the Interim CoP Palma to bring back to the City Commission at their next meeting for the position of Chief of Police.

MAYOR RUZZANO thanked everyone for attending and relaying comments.

3) COMMISSION COMMENTS

This Item was heard after Item 8) A. 2024-206

COMMISSIONER CAGGIANO distributed correspondence from Vietnamese members who he had previously met with and explained that they had fought with the Americans in the Vietnam War. He explained that they would like to install a Vietnam War Memorial Item in Veterans' Park and sought advice whether it was worth their time before raising money.

COMMISSIONER ARSERIO explained that at face value, he had no problem with that proposal. He asked for CONSENSUS for either City Attorney Tolces or City Manager Curtis to vet the organization before agreeing.

Discussion ensued.

COMMISSIONER CAGGIANO referenced Margate being a veteran friendly City and said that this would be another way of honoring them in the City. He discussed the importance of Juneteenth and hoped everyone had a Happy Father's Day.

COMMISSIONER SIMONE reminded people not to forget the significance of Juneteenth. She thanked Public Works Director, Batista and his wonderful crew, referenced the flood issues in neighboring cities and counties and said that they were very fortunate to live in Margate. She also thanked Department of Environmental and Engineering Services (DEES) Director Keyser and referenced the Water Treatment Plant and drinking water. She reminded residents not to put things down the storm drains. She congratulated Clerk Coordinator Viveros for obtaining the title, Florida Certified Records Manager, thanked City Clerk Johnson on her 10 year anniversary and said that she had done an outstanding job since her predecessor left. She also thanked the tremendous Fire Department and their ALS team for taking first place. She informed that the Finance Department received the Distinguished Budget Presentation Award and congratulated the Multi-Media team in the City Manager's Office who won their third Telly Award for their videos highlighting their businesses. She highlighted the July 4th Parade and the Fireworks event and she advised that veterans could request free yard signs so the City could continue to honor their service that they did for their country.

COMMISSIONER ARSERIO thanked City Clerk Johnson for her 10 years of service and said it had been a seamless transition from her predecessor. He commended the media team and spoke of the department's transition since he first came into office. He recognized Juneteenth and said that everyone should celebrate it and that the City should do some sort of observation. He would like to see the City observe Juneteenth as a holiday in the future. He discussed proactively having sandbag events and questioned if this could be organized prior to when a storm was 24 hours away from the City. He also questioned the City Commission if there was any objection to proactively organizing a sandbag event.

CITY MANAGER CURTIS indicated that there was nothing that held the City back from doing sandbag events.

Discussion ensued on sandbags.

COMMISSIONER CAGGIANO did not have a problem but hoped that they would be used correctly as he was concerned that if there was a storm, the City would say that they have already distributed the sandbags so a clear message would need to be implemented of its intentions.

Discussion ensued.

COMMISSIONER ARSERIO referenced the HoA laws and explained that those changes were necessary and long overdue.

VICE MAYOR SCHWARTZ indicated that the three City Commissioners had already discussed Juneteenth, the Telly Awards and on congratulating the Fire Department and she also congratulated City Clerk Johnson. She questioned if the City Commission received a letter from Coral Bay resident, John Hall, with his request to see if there was a problem hiring an off-duty Code Enforcement or Police Officers to enforce the City's laws within the Community Development Districts (CDD). She had discussed this issue with City Attorney Tolces who was going to review it. She had no problem with this on the provision that it was legal, that she would like to see some of the City's rules enforced on their time and Coral Bay utilized their reported \$30,000 budget. She said not to forget the 4th of July event.

COMMISSIONER ARSERIO said it was a good idea by Mr. Hall which he had no problem with but as long as it was off duty and that they were paying for it. He believed that Code Compliance should be more pro-active in that community and she also said that they needed to support the violations that they submit.

Discussion ensued on Code Compliance.

MAYOR RUZZANO wished everybody a Happy Juneteenth. He congratulated City Clerk Johnson and said that she was doing a good job. He paid tribute to one of his top five baseball players, Willie May, who passed away yesterday. He discussed his attendance at a new, family run, El Coqui Bakery, in Ace Plaza and wished them the best. He questioned the status of the Florida Panthers.

Discussion ensued on the pastry and the hockey.

4) CITY MANAGER'S REPORT

COMMISSIONER ARSERIO questioned the recent fire in the parking lot at Calypso Cove and was disappointed that there would be a further delay with the reopening. He would be open to temporarily exploring leaving elements out of the restructure and safely doing some measures in the hope that the facility could reopen.

CITY MANAGER CURTIS did not suspect any foul play pertaining to the fire. He explained that they did not have a timeline on the replacement slides. He advised that all the old stuff was dismantled and gone. He advised that it was not a complete loss of the new equipment and most of the damage was to the slide tubes and confirmed that the facility was insured by the City. He informed that they were still running their swim lessons, aquatic programming and Summer Camps at Calypso Cove.

Discussion ensued on Calypso Cove and the City's insurance.

PARKS AND RECREATION (P&R) DIRECTOR, MICHAEL A. JONES, confirmed that the City already purchased and paid for the materials directly from the manufacturer which saved them a lot of money to do it that way. He explained that they owed that vendor 100% of the materials that were delivered as they were satisfactory which were stored in the parking lot and it was there for the contractor to install which was supposed to be this week. He said that the good news was that the insurance was covering the restorations of the parking lot, that City staff were not involved and that the asphalt would be inspected. He advised that they would consider some sort of plan to get the residents in that facility as soon as possible and commended City Manager Curtis for his advice. He continued to outline how they were adhering to the safety protocols to protect their property.

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 2024-193](#) A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, AUTHORIZING THE ADMINISTRATION TO NEGOTIATE A DESIGN/BUILD AGREEMENT WITH THE TOP RANKED FIRM, PRIMORIS ENERGY SERVICES CORPORATION, PURSUANT TO REQUEST FOR QUALIFICATIONS (RFQ) 2024-008 - DESIGN/BUILD FOR WEST WASTEWATER TREATMENT PLANT (WWTP) UPGRADES FOR THE DEPARTMENT OF ENVIRONMENTAL & ENGINEERING SERVICES; PROVIDING FOR AN EFFECTIVE DATE

APPROVED

- B. [ID 2024-196](#) A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, APPROVING THE UNITY OF TITLE FOR THE PROPERTY LOCATED AT 6630 NW 9TH STREET, MARGATE, FL 33069, UPON WHICH THE CITY'S WEST WASTEWATER TREATMENT PLANT IS SITUATED; PROVIDING FOR THE CONSOLIDATION OF FOUR SEPARATE PARCELS INTO A SINGLE TITLE TO FACILITATE THE PERMITTING PROCESS FOR WASTEWATER TREATMENT PLANT UPGRADES AND EXPANSION; PROVIDING FOR AN EFFECTIVE DATE

APPROVED

Approval of the Consent Agenda

A motion was made by Vice Mayor Schwartz, seconded by Commissioner Simone, 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

Meeting went into Recess.

Meeting Reconvened.

6) RESOLUTION(S)

- A. [ID 2024-186](#) APPROVE AND ACCEPT THE FIRST AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF MARGATE AND BROWARD COUNTY FOR BROWARD COUNTY TO PROVIDE STAFF SERVICES IN CONNECTION WITH HEARINGS BEFORE THE UNSAFE STRUCTURES BOARD

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

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

COMMISSIONER ARSERIO commended the City and Broward County pertaining to intervening on unsafe structures and discussed a property opposite Calypso Cove.

Discussion ensued.

- B. [ID 2024-197](#) A RESOLUTION OF THE CITY OF MARGATE FLORIDA, APPROVING AN INCREASED STAFFING LEVEL FOR THE PARKS AND RECREATION DEPARTMENT/ RECREATION DIVISION, INCLUDING THE APPROVAL OF ADDITION POSITIONS OF ONE (1) FULL TIME RECREATION COORDINATOR AND THREE (3) FULL TIME RECREATION ATTENDANTS

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

MAYOR RUZZANO indicated that this Item was positive as that P&R required more help. He told P&R Director Jones that he had a good crew.

This carried by the following vote:

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

7) ORDINANCE(S) - FIRST READING

- A. [ID 2024-192](#) 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

A motion was made by Commissioner Arserio, seconded by Vice Mayor Schwartz, that this Ordinance, First Reading, should be discussed:

COMMISSIONER ARSERIO informed that he asked for this Item to be brought up several months ago and said that they were approached by companies of this concept at the League of Cities' Annual Conference. He explained that the school zone speed cameras was simply an Ordinance that could be implemented if they choose to at a later time. He was a fan of this Ordinance and initially, he wanted Margate to be the

first in Broward County to do this but now, would prefer to see the process play out. He believed that there was a need for some type of school zone speeding enforcement due to his feedback from the public. He said that due to the demand of the Police Department, they could not be present at schools every day in terms of enforcing the school zones, the cameras could potentially capture 50 cars speeding. He discussed educating the public and the type of cameras that would be used. He said that as the cameras were provided by the company, it would not cost the City anything although they would have to hire a Police Officer or a certified employee in-house to review the footage but the incoming revenue would far exceed what it would cost to hire somebody. He said that if a ticket was issued, the City would receive a large portion of it. He did not consider bringing in companies to compare if they did not have an Ordinance in place.

COMMISSIONER SIMONE explained that she thought it was premature, was not a fan of these cameras and would not like to see them in her City as she thought it was a "gotcha." She voiced her concerns about a driver who may have been caught for a one-time infraction which she did not believe in. She also did not believe that this Ordinance had to do with safety and that it was a money-maker for these companies and would be voting against this. She said that when the time arose and the City Commission decide that they wanted to go for these cameras, then they should do an Ordinance at that time.

VICE MAYOR SCHWARTZ referenced a presentation in North Lauderdale when she attended the NorthWest Council of Elected Officials where it was reported that they caught drivers speeding at 71 miles per hour by Morrow Elementary School. She said that the red light camera monies were distributed to different organizations but there were no points added to the Driver's License.

Discussion ensued.

MAYOR RUZZANO received almost 400 comments via social media and said that approximately eight people were in favor of this Ordinance which differed to other opinions. He explained that he looked at it as a money grab but believed it was more about the awareness than the speeding and said that it could generate thousands of tickets per day. He suggested putting more Police as well as installing more lights to highlight that it was a school zone which he thought would be the way forward. He concurred with Commissioner Simone and believed that this was too premature. He confirmed that he was not going to approve this Item and that it could be addressed at a later date once other cities had utilized it.

CITY MANAGER CURTIS understood that the City could not use the cameras for active surveillance but they could be reviewed for incidents that were subsequent to the cameras being placed and gather evidence from them but he was unsure if the cameras ran for 24 hours. He said that the study illustrated thousands of speeders per day and the majority of those were while school was in session not during the school zone.

Discussion ensued including the use of cameras and social media comments.

TRACY VAN WINKLE, 1020 SW 61ST AVENUE, questioned whether camera polls were installed by the schools zones. She said in the past, they used to park empty Police cars on Atlantic and Southgate Boulevards which she believed would slow down the speeding. She said that the street lights in Margate needed to be checked as they were all off. She indicated that installing cameras by the schools would be ineffective and advised to utilize the Police Department or hire more recruits.

RICHARD ZUCCHINI, 380 LAKEWOOD CIRCLE E, #B, voiced his opinion on the

thread of comments and whether this Item was a money grab. He said that there were cameras set up around the City that were license plate readers. He suggested that the City Commission could look into additional signage with flashing lights. He believed that this was an important issue and recommended the City Commission to vote in favor of this Item.

MAYOR RUZZANO responded to Mr. Zucchini's comments.

MR. KRALJIC read a statement against the installation of speed cameras.

MS. SANCHEZ read a statement stating that the safety of their children was always the priority but did not believe that cameras were more effective than a Police Officer and she would rather give her money to a Police Department.

VICE MAYOR SCHWARTZ agreed with everything everyone said but highlighted the statistics including that there had been at least 20, if not, more accidents, near Atlantic Boulevard at approximately 2:30pm before kids came out of school. She did not have a problem allowing for the First Reading to go that far but did not believe in necessarily agreeing to a five year contract and referenced an out-clause.

COMMISSIONER ARSERIO said that it did not stop the Police Department from being present but indicated that it was a high call City where there was no guarantee that they could be there every morning. He said that some of the companies who he had spoken to, there were not that many repeat offenders. He advised that if they did want a company, they would be looking at the contracts as their systems were different.

COMMISSIONER SIMONE indicated that the decision appeared to have already been made and that the discussion had gone off-topic from the Ordinance.

Discussion ensued including whether there were any lights that were insinuating a school zone heading towards La Granja Restaurant and having Police presence.

A motion was made by Mayor Ruzzano, seconded by Commissioner Simone, that this Ordinance, First Reading, should be tabled until June 2025. This failed by the following vote:

Yes: 2 - Commissioner Simone and Mayor Ruzzano

No: 3 - Commissioner Caggiano, Commissioner Arserio and Vice Mayor Schwartz

Discussion ensued.

A motion was made by Mayor Ruzzano, to table this Ordinance for three months. This failed for a lack of second.

CITY ATTORNEY TOLCES provided instructions on setting a motion.

Discussion ensued.

The original motion carried by the following vote:

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

No: 2 - Commissioner Simone and Mayor Ruzzano

ADJOURNMENT

There being no further business, the meeting adjourned at 10:37pm.

Respectfully submitted,

Transcribed by Salene E. Edwards



Jennifer M. Johnson, City Clerk

Date: 7/8/2024

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: 843 9584 5248 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:

Go to www.margatefl.com

Go to "Agendas & Minutes" > Find the respective meeting date and click "Agenda Summary" to view the agenda items and see the Zoom meeting information

ALTERNATE OPTION FOR VIEWING AND LISTENING TO THE MEETING THROUGH ZOOM.US

Instructions:

Topic: "Margate Regular City Commission Meeting"

Enter the following link to join the webinar: <https://us02web.zoom.us/j/84395845248>

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Dial (for higher quality, dial a number based on your current location):

US: +1 312 626 6799 or +1 929 205 6099