



City of Margate

5790 Margate Boulevard
Margate, FL 33063
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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, January 18, 2023

7:00 PM

Commission Chambers and Zoom.us

Webinar ID: 826 8393 3587

<https://us02web.zoom.us/j/82683933587>

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)

A. [ID 2022-512](#)

2022 HOLIDAY DECORATING CONTEST WINNERS

1ST PLACE- JEFF THORPE, 7601 NW 23RD STREET (\$100 VISA GIFT CARD)

2ND PLACE- SHAZIM ALI, 7610 NW 23RD STREET (\$50 VISA GIFT CARD)

3RD PLACE- ELENA EACKER, 7665 NW 22ND STREET (\$25 VISA GIFT CARD)

ELENA EACKER, 7665 NW 22ND STREET, spoke on this matter.

MR. ALI, 7610 NW 23RD STREET, spoke on this matter.

The City Commission gave CONSENSUS to more Item 6) D. above Public Discussion.

6) RESOLUTION(S)

D. [ID 2022-519](#)

RESOLUTION - APPROVING DEVELOPMENT AGREEMENT WITH SIFI NETWORKS MARGATE, LLC FOR CITY-WIDE FIBER NETWORK SYSTEM; PROVIDING FOR LICENSE TO INSTALL THE SYSTEM IN THE PUBLIC WAY; PROVIDING FOR CONSTRUCTION; PROVIDING FOR LOCATION OF FACILITIES, SHELTERS, AND CABINETS; PROVIDING FOR TERM,

TERMINATION, PERMITTING, COSTS, AND INVOICING; APPROVING CITY MANAGER TO EXECUTE MANAGED SERVICES AGREEMENT FOR FIBER OPTIC CABLE CONNECTIONS TO CITY DESIGNATED LOCATIONS; PROVIDING FOR EFFECTIVE DATE.

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

CITY MANAGER, CALE CURTIS, provided an update on this Item since Mr. Bradshaw's attendance last October, where he gave a presentation on the opportunity of providing the City, gigabit and broadband fiber network from Sifi Networks. He highlighted the importance that there were a number of neighborhoods that did not have access to high-speed internet that was being proposed.

MAYOR ANTHONY N. CAGGIANO recapped on City Manager Curtis' comments:

- There would be speeds up to 40 times faster;
- With a locked in guaranteed price for the next 20 years;
- It would be saving the City money; and
- Every street and home in Margate would have access to it.

COMMISSIONER ANTONIO V. ARSERIO questioned if they offered complimentary internet or reduced costs on the Sifi Networks agreement for low-income families.

CITY MANAGER CURTIS explained that they would identify the area for Sifi Network that would provide a subsidized rate.

PRESIDENT OF SIFI NETWORKS, SCOTT BRADSHAW, introduced himself.

VICE MAYOR TOMMY RUZZANO repeated that he was not a fan of big companies coming into this City and making money on the residents back without being offered anything monetarily. He questioned what the internet rates would be.

SIFI NETWORKS PRESIDENT BRADSHAW responded to Vice Mayor Ruzzano's question.

VICE MAYOR RUZZANO continued to ask questions pertaining to Sifi Networks.

COMMISSIONER ARLENE R. SCHWARTZ said that similar to the Vice Mayor Ruzzano, she had some trepidation and explained her understanding of the Sifi Network agreement.

SIFI NETWORKS PRESIDENT BRADSHAW responded to Commissioner Schwartz's questions.

Discussion ensued.

RICHARD ZUCCHINI, 380 LAKEWOOD CIRCLE E, #B, explained that he was currently negotiating with a number of providers to bring in fiber optic to the Margate community and raised two questions pertaining to the same.

PRESIDENT OF SIFI NETWORKS BRADSHAW responded to Mr. Zucchini's questions.

JONATHAN A. KRALJIC, 7357 FLORES WAY, was in favor of this Item.

NINA CULVER, Margate homeowner, said that after speaking to the residents on her street, they were in complete favor for any and all utilities going underground to prevent it being a hazard to their homes.

This carried by the following vote:

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

2) PUBLIC DISCUSSION

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

MR. KRALJIC discussed the City Commission's meeting schedule for 2023 and read a statement with his concerns pertaining to organizing two meetings on the same date.

JULIE JONES praised the City Assistant Manager Vignola pertaining to a personal matter.

MR. ZUCCHINI provided City Clerk Johnson with a handout pertaining to Palm Lakes Golf course to distribute to the City Commission and he discussed the same.

MS. CULVER read a statement Margate's hierarchy of municipality functions.

3) COMMISSION COMMENTS

COMMISSIONER ARSERIO believed that 2023 was going to be a good year and he looked forward to seeing what it would bring to the City. He advised that a couple of the City Commissioners would be visiting Tallahassee to lobby to Margate's State Legislators for appropriations and other issues that were important to the City.

VICE MAYOR RUZZANO said it was nice to be back. He referenced Mr. Kraljic and spoke about the back to back meetings.

CITY MANAGER CURTIS explained that the City Commission approved a meeting schedule which contained five back-to-back meetings for 2023.

Discussion ensued on the back-to-back meetings and to reintroduce Zoom at City Commission meetings.

MAYOR CAGGIANO wished everybody a happy, healthy and prosperous New Year. He referenced memorial sites and hoped that drivers paid more attention on the road.

COMMISSIONER SCHWARTZ, wished everybody a happy and healthy New Year. She congratulated Parks and Recreation winning the City's Deck the Halls Competition and remarked on their creativity.

COMMISSIONER JOANNE SIMONE welcomed everybody back and hoped that 2023 would be prosperous for everyone. She requested to have a Sign Code Workshop and sought feedback on the draft Ordinance for Airbnbs.

4) CITY MANAGER'S REPORT

CITY MANAGER CURTIS recognized and congratulated the Finance Department on receiving for the 34th consecutive year, the Government Finance Officers Association Certificate of Achievement for Excellence in Financial Reporting Program. He also congratulated Parks and Recreation for winning the City's Deck the Halls Competition. He approved over \$1,300,000 for the Property Improvement Grant Program (PIP) to the residents. He advised that the City had a little revenue left and if they had any more applications that were here, they would consider reopening the PIP but would advise the City Commission accordingly. He wished everybody a Happy New Year.

VICE MAYOR RUZZANO had a question about the PIP pertaining to the date of when the approved applicants had to use the grant.

CITY MANAGER CURTIS believed that he may have put a parameter in there which he would look into.

Discussion ensued.

INTERIM CITY ATTORNEY, DAVID N. TOLCES, wished everybody a Happy New Year.

5) CONSENT AGENDA

Items listed under Consent Agenda are viewed to be routine and the recommendation will be enacted by one motion in the form listed below. If discussion is desired by the Commission, the item(s) will be removed from the Consent Agenda and will be considered separately.

- A. [ID 2022-483](#) MOTION - APPROVAL OF CITY COMMISSION MINUTES: NOVEMBER 16, 2022 REGULAR CITY COMMISSION MEETING, NOVEMBER 22, 2022 SPECIAL CITY COMMISSION MEETING, DECEMBER 7, 2022 REGULAR CITY COMMISSION MEETING AT 6:30 PM AND DECEMBER 7, 2022 REGULAR CITY COMMISSION MEETING AT 7:00 PM

Approval of the Consent Agenda

A motion was made by Commissioner Simone, seconded by Commissioner Arserio, 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

- B. [ID 2022-515](#) ~~RESOLUTION APPROVING FIRST AMENDMENT TO THE AGREEMENT BETWEEN BROWARD COUNTY AND CITY OF MARGATE FOR THE LEASING OF CATHERINE K. YOUNG LIBRARY; PROVIDING FOR REINSTATEMENT OF LEASE, RETROACTIVE APPLICATION OF ADDITIONAL EXTENSION TERM OF FIVE (5) ONE (1) YEAR PERIODS, AND TERMINATION RIGHTS; PROVIDING FOR EFFECTIVE DATE.~~

6) RESOLUTION(S) CONTINUED

- A. [ID 2022-484](#) A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, APPROVING

RULES OF PROCEDURE AT MARGATE CITY COMMISSION MEETINGS FOR 2022-23.

MAYOR CAGGIANO distributed the Rules and Procedure to the City Commission and asked for the differences to be highlighted. He indicated that there was some misinformation and asked for a recess.

Discussion ensued.

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

Discussion ensued.

MR. KRALJIC read a statement as to when he believed the last Rules of Procedure was adopted (on 27 January 2021) under Mayor Schwartz. He opposed the proposed change of the Rules of Procedures.

Discussion ensued on Mr. Kraljic's comments.

MS. CULVER informed that no one mentioned Mayor Caggiano in her community group of approximately 9,000 Margate residents.

Discussion ensued.

COMMISSIONER SIMONE advised that residents could always contact her or any of the other City Commission if they wanted to speak on the Consent Agenda or have an Item pulled for discussion.

MR. ZUCCHINI explained that he did not believe that it specifically pertained to the language of the Rules of Procedure but more so on the situation of who the presiding officer was.

INTERIM CITY ATTORNEY TOLCES explained that the purpose of the Consent Agenda was simply to approve more ministerial matters that may come before the City Commission or Items that were non-controversial.

The motion carried by the following vote:

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

B. [ID 2022-485](#) A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, APPROVING RULES OF CONDUCT AT MARGATE CITY COMMISSION MEETINGS FOR 2022-23.

A motion was made by Commissioner Schwartz, seconded by Commissioner Arserio, that this Resolution, should be discussed.

CITY MANAGER CURTIS informed that there was one change to 2) D. where Public Discussion was being changed to Public Comments.

MR. KRALJIC had a question on this Item.

Discussion ensued.

MR. ZUCCHINI had a question on the Rules of Conduct.

Discussion ensued.

DONNA L. FELLOWS, 6108 NW 9TH COURT, preferred to keep it as Public Comments.

The motion carried as follows:

Yes: 4 - Commissioner Arserio, Mayor Caggiano, Commissioner Schwartz and Commissioner Simone

No: 1 - Vice Mayor Ruzzano

- C. [ID 2022-507](#) A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, APPROVING WAIVING OF BIDDING FOR PURCHASE AND INSTALL OF AN 800MHZ REPEATER AND ANTENNA SYSTEM FROM SIGNAL COMMUNICATIONS, L.L.C. FOR THE CITY OF MARGATE AT 5785 PARK DRIVE, MARGATE, FL; PROVIDING FOR PURCHASE OF EQUIPMENT, SERVICES AND MOTOROLA PARTS NOT TO EXCEED \$285,000.

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

INTERIM CITY ATTORNEY TOLCES advised that there was also a budget amendment included in the Resolution.

CITY MANAGER CURTIS advised that the large radio tower by Fire Station 18 had been decommissioned, taken offline and had served as a lightening rod for the last few years. He explained that approximately 18 months ago, the City had an opportunity to purchase additional radio licenses through the Federal Communications Commission (FCC) and instead of removing the tower, they would prefer to re-energize it. He continued to highlight the multi-purposes of the radio tower and what it could be used for.

A question and answer session ensued between the City staff and the City Commission.

The motion carried as follows:

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

7) DISCUSSION AND POSSIBLE ACTION

A. [ID 2022-508](#) DISCUSSION AND POSSIBLE ACTION - PROPERTY REGISTRATION FEES - CONDOMINIUMS

CITY MANAGER CURTIS explained that approximately 18 months ago, the City Commission implemented a property registration program that all rentals including family, duplexes, triplexes and condominiums that were considered rentals would be required to register that property, obtain an inspection and also pay an annual fee for registrations and inspections. He advised that the annual fee of \$225 was consistent regardless of the rental property type whether that was single family, duplex, triplex or condominium. He said that after implementing this program, the City had received a few concerns and complaints regarding the fee structure for condominiums. He recalled discussing the fee element at a previous Workshop in April 2022 and CONSENSUS from the City Commission was to take a look at the fee structure and determine whether it was adequate. He continued to discuss the different fee types. He advised that this Item was really here for discussion and sought direction from the City Commission if they wished to alter or provide direction to bring back a Resolution to change the registration fee.

COMMISSIONER ARSERIO initially was a fan of it when they were discussing this Ordinance but he voted "no" on the Item after concerns from residents over the fee structure. He explained that he would support making an adjustment such as devising a reduced fee schedule for condominiums and apartments owners.

Discussion ensued on whether \$125 would be a fair number.

VICE MAYOR RUZZANO indicated that when he originally voted on this Item, he did not know that it was going to be on condos or townhomes. He did not believe that people would homestead the apartments or townhomes that they owned in Margate. He would prefer to see that whole number eliminated for the condominiums, duplexes and townhomes and suggested that those who had paid should be duly reimbursed. He heard that this was a nightmare for condominium and townhomes owners and he thought that they were just going to pick up the Code violations on the homes.

COMMISSIONER SIMONE initially thought that this program was for single-family homes only. She agreed with the condominium owners after listening to their views and questioned why they should pay the full amount when they were not responsible for the upkeep of the grounds, which was one of this Item's key objectives. She was in favor of also lowering the fee to something that was equitable for everybody to pay for the cost of having this program. She highlighted that Code Enforcement did not visit these homes or were not responsible for their property.

COMMISSIONER SCHWARTZ clarified the votes on the Second Reading. She believed that everyone should not be eliminated and referenced the potential danger of placing BBQs outside of condominiums which the respective boards should have seen. She indicated that the residents at condominiums should not be putting BBQs outside when there were neighbors above or below and believed that there was a need for inspection but suggested that the fees could be lowered for condominiums.

MAYOR CAGGIANO advised that the City Manager had his direction and asked whether he would be bringing it to a future meeting with his recommendations.

CITY MANAGER CURTIS said that the level of CONSENSUS he received from the City Commission was to lower the fee of the \$225 Property Registration Fee for Condominiums/Townhouses and to put this back on a future Agenda for a fee amendment where he would make a recommendation thereafter.

MR. ZUCCHINI believed that the condos should be charged something but at a lower fee. He questioned whether Aztec was a condominium regime or a homeowners association (HOA).

Discussion ensued on Aztec RV Resort.

TRACY VAN WINKLE, 1020 SW 61ST AVENUE, spoke on behalf of a condominium owner who initially thought that the \$225 was a big scam. She indicated that the condominium owner rented her property and paid maintenance fees which recently increased. She also provided her comments and suggestions on the program.

ANGELA JENKINS, 6340 NW 9 ST, echoed the sentiments of Ms. Van Winkle and believed that it was a scam with the condominiums. She questioned what they were paying for and what type of inspection the City was performing as assessments were already being carried out and their maintenance fees were increased annually.

INTERIM CITY ATTORNEY TOLCES responded to Ms. Jenkins comments.

STEPHEN T. FLETT, 6340 NW 9 ST, provided a breakdown of what fees he paid at his condominium and said that there were no BBQs on the property and he did not believe that they had to pay for anything.

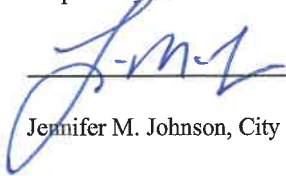
MAYOR CAGGIANO closed the meeting by wishing everybody a Happy New Year and a safe return home.

ADJOURNMENT

There being no further business, the meeting adjourned at 8:57 pm.

Respectfully submitted.

Transcribed by Salene E. Edwards



Jennifer M. Johnson, City Clerk

Date: 2/17/2023

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.

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- 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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