MINUTES
City of Cocoa
Regular Meeting of The City Council

March 11, 2020

A Regular City Council Meeting was held on Wednesday, March 11, 2020, in Cocoa City Hall, in City Council Chambers, located at 65 Stone Street, in Cocoa, Florida, 32922, as publicly noticed.

I. Opening Matters:

Mayor Williams called the meeting to order at 6:03 p.m.

Chief Lamm provided the invocation and Councilmember Boisvert led the assembly in the Pledge of Allegiance to the Flag of the United States of America.

The City Clerk took the roll.

PRESENT:	Jake Williams, Jr.	Mayor
	James Goins	Deputy Mayor
	Don Boisvert	Councilmember
	Lorraine Koss	Councilmember
	Brenda Warner	Councilmember
	Anthony Garganese	City Attorney
	John A. Titkanich, Jr.	City Manager
	Matt Fuhrer	Assistant City Manager
	Carie Shealy	City Clerk

OTHER STAFF MEMBERS PRESENT:

Tammy Gemmati, Administrative Services Director; Jack Walsh, Utilities Director; Nancy Bunt, Community Services Director; Michael Cantaloupe, Chief of Police; Jonathan Lamm, Fire Chief; Bryant Smith, Public Works Director; Rebecca Bowman, Finance Director; Gail Bantugan, Leisure Services Manager; LeShawn Hinton, Helpdesk Support Tech; Sharon Brantley, IT Intern; Lora Howell, Deputy Finance Director; Charlene Neuterman, Deputy Community Services Director; Gary Palmer, Public Works Facilities Manager; Samantha Senger, Public Relations Specialist/Assistant to the City Manager; Dodie Selig, Planning Manager; Lt. Ondo, Cocoa Police Department; Brian Green, WFO Mechanic II;

David Roe, WFO Mechanic II; Bryan Slingsby, Certified Operator; James McPeak, Utility Mechanic; and Heath Hancher, Purchasing Manager.

II. Approval Of Agenda And Minutes:

1. **Agenda:** Regular Meeting of March 11, 2020 (20-143)

2. **Minutes:** Regular Meeting of January 8, 2020 (20-144)
Special Meeting of January 30, 2020 (20-145)

City Manager Titkanich requested that the agenda be amended to add an item under Council Business, which would be Item VIII.2, regarding a Resolution relating the Coronavirus (COVID-19) and the FOM.

* **MOTION by Councilmember Boisvert; Seconded by Deputy Mayor Goins, to approve the agenda with amendments for the Regular meeting of March 11, 2020.**

AYES: Williams, Goins, Boisvert, Koss, Warner

THE MOTION CARRIED UNANIMOUSLY (5-0)

* **MOTION by Deputy Mayor Goins; Seconded by Councilmember Koss, to approve the Minutes of the Regular meeting of January 8, 2020 and the Special meeting of January 30, 2020 as written.**

AYES: Williams, Goins, Boisvert, Koss, Warner

THE MOTION CARRIED UNANIMOUSLY (5-0)

III. Awards and Presentations:

1. Presentation to Councilmember Warner for her completion of the Florida League of Cities Institute for Elected Municipal Officials IV (IEMO IV). (20-146). (Mayor Williams)

Mayor Williams presented Councilmember Warner with a certificate of completion for the Florida League of Cities Institute for Elected Municipal Officials IV.

2. Presentation by Dr. Ben Brotemarkle with the Brevard Museum of History and Natural Science. (20-147). (Councilmember Koss)

Dr. Brotemarkle introduced himself as the Executive Director of the Brevard Museum of History and Natural Science and provided a presentation[1] on the museum.

He provided a brief history on the museum, explaining that it was incorporated in 1969.

The museum has published several books and he explained in detail the educational opportunities as well as other events that go on at the museum.

About ten thousand kids come through the museum each year and he mentioned one of their most popular exhibits which is the Windover exhibit.

Dr. Brotemarkle believes that the museum is a wonderful resource but museums are not self-sustaining. They have used the Taylor Trust for many years but that is now depleted. They are applying for grants which could take years. They are requesting that the City consider a multi-year agreement for three years at $50,000 per year. This would be about half of their budget and would help sustain them until they can procure other support.

Councilmember Koss advised that the museum was in District 4 and she could see that area being an academic district in the future with the college, Adult Educational facility on Clearlake Road, the planetarium, the museum, and the Solar Energy Center.

Councilmember Koss mentioned that she would set up a date to visit the museum to see what it is all about. She further pointed out that Dr. Brotemarkle will be interviewing Jewel Collins tomorrow morning. Dr. Brotemarkle added that he along with two other board members would be helping with the interviews.

Ms. Tracy Moore, a museum board member, reiterated what Dr. Brotemarkle said and stressed the importance of the museum in Brevard County. This is an opportunity to showcase Brevard County. She has enjoyed the time that she has spent working with the museum. It would be a shame if the support ended for the museum, not only in Brevard County, but for the state as well.

IV. Delegations:

Tammy Eastburn, 6695 Corto Road, Cocoa, distributed information to Council. She mentioned that she was sure that Council had been informed of her termination after almost thirty-two years of dedicated service. Ms. Eastburn provided a copy of her performance evaluation that was given to her on February

[1] EXHIBIT A: Brevard Museum of History & Natural Science Presentation

27, 2020, along with her previous evaluation submitted by her previous manager which was denied by the Finance Director. She stated that what they had in front of them was a classic example of retaliation and retribution at the highest level and an amount of abusive power that she has never seen before with the City of Cocoa. All of this was done under the direction of the City Manager.

She noted that the Purchasing Manager was hired six months ago with no municipal experience. Within these six months he has had bid protests and terminated a thirty-one year veteran. The citizens and bidders of Cocoa need to be paying close attention to purchasing.

Ms. Eastburn felt that her termination hearing was unjust and humiliating. She was not allowed legal counsel per the City's personnel handbook so she had to represent herself. Under the leadership of the City Manager, two new unions have evolved, and unions are brought in because of poor management. She and others have attempted to join unions but have been denied. She believed that this was why arbitration was critical.

Ms. Eastburn noted that this hearing was in order to defend herself and to have witnesses but eighty percent of her questions were shut down by the City Manager. She advised that she asked the Purchasing Manager why he took creepy pictures which was sexual harassment and why he directed her to use post it notes on specific types of emails.

In the City Manager's strategic planning, he has gone from a three-person department to many under him. He gets rid of employees who love their job and follow city policy. Employees now know the extent and level of dishonesty and unethical choices these executive team members will go to in order to protect the City Manager and some of his executive staff. She finds it horrifying and knows many talented employees who have been instructed to resign under certain circumstances. They followed policies and asked questions about things going on and not part of the City policy. They did so because they care and for this they were forced out.

Ms. Eastburn requested that Council not renew the City Manager's contract, to look into the wrong-doings on the third floor, such as why cash is never balanced, and why things are changing in purchasing starting with transparency, excessive sole-sources, and why the FOM was removed from the website.

Ms. Eastburn advised that they knew she was going out and was in the FRS Drop and will now loose over $200,000 in Drop money.

Anita Gibson, 451 Stone St., Cocoa, pleaded for the implementation of a cold case unit. She pointed out that she has been in contact with the Chief and Detective Columbo and asked if there was a budget for a unit in Cocoa and Brevard County. Residents need to know that something is being done.

Councilmember Warner noted that the Sheriff's office does have a cold case unit and asked if she had talked to him. She noted she has only talked to Chief Cantaloupe. Councilmember Warner assured Ms. Gibson that they would go together to meet with the Sheriff.

V. Reports:

Jennifer Riggs, 1629 Indian River Drive, Chairperson of the Sustainability Advisory Committee announced that the committee has completed its draft plan which represents over 800 hours of volunteer time. She advised that if anyone had any questions when reviewing the plan she would be happy to help answer them.

Mr. Smith noted that the annual resurfacing would begin this month and they would do the milling in April.

He mentioned that the City worked with the Church of Viera and the cleanup of Fern and Prospect Park went very well. Volunteers with Publix are going to do cleanup at Bracco Pond as well.

Ms. Bowman mentioned that the annual audit is underway and the statements will be issued at the end of April.

City Manager Titkanich read the attached statement[2] into the record, pursuant to his employment contract.

Mayor Williams asked if a motion needed to be made to not automatically renew the City Manager's contract. In response, City Attorney Garganese stated that he did not believe that they needed to do anything. He recalls that pursuant to his contract, he needed to express that he does not seek renewal, which he has done, and so it will just expire September 30, 2020.

Deputy Mayor Goins congratulated Mr. Smith and Public Works as they did an awesome job with cleanup from Rosa L. Jones to Endeavor Elementary. There were a lot of people from outside of the community helping. He felt that as a City something should be done for the Church of Viera. He reiterated his thanks to Public Works.

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[2] EXHIBIT B: Statement read by City Manager John Titkanich, Jr.

Councilmember Warner thought it would be nice to implement a program to recognize all of the churches who volunteer and do things for the City.

Deputy Mayor Goins spoke about the Michael C. Blake neighborhood and encouraged Council to look at affordable housing within the City. There are a lot of vacant lots in this area and asked for monies to be dedicated to affordable housing.

Mayor Williams advised that he has been talking with two developers who want to come to the city to do affordable housing. They are not ready to speak with staff at this time but explained a little about what the developers were proposing.

City Manager Titkanich explained that the subdivision has been subdivided and the Diamond Square CRA has appropriated funds to make the lots ready, so that costs can be offset. He further explained certain provisions in bond covenants in relation to affordable housing and economic development within the City.

Deputy Mayor Goins was aware that sometimes government takes a long time and does not want this issue to go on for two or three years. City Manager Titkanich assured him that staff understood and would work on this, however, the Diamond Square CRA has just been reconstituted.

Deputy Mayor Goins was aware that there are a lot of changes and Council cares about everyone. There will be some trying times ahead with a lot of transition. He reiterated his appreciation of everyone.

Councilmember Koss agreed that there would be challenges ahead but wanted to move forward positively. She noted that they Joe Lee Smith Center would be opening soon and on April 11th there would be a field trip to the Wells Built Museum in Orlando.

She mentioned that she spoke at the "Women's Right to Vote" event at Cocoa High School and the Cocoa High School chorus performed. It was a great event. The chorus just came back from a regional competition where they advanced to the State level. There is a lot of great talent.

Cambridge Elementary are the chess champions and they have agreed to teach Council how to play. On March 27th they will be celebrated with a pizza party at the Porcher House from 4-6 p.m. Councilmember Koss further explained the significance of having this at the Porcher House.

Lastly, she spoke in detail about an article relating to plastics and provided the article to the Clerk to make copies for Council. She has a model resolution from Satellite Beach and asked for a consensus among Council to have staff bring

back a resolution in regards to getting rid of plastic straws. The resolution would apply to events held by the City.

IT WAS A CONSENSUS AMONG COUNCIL TO HAVE STAFF BRING A RESOLUTION BACK.

Deputy Mayor Goins announced that the Emma Jewel Charter Academy Odyssey of the Mind club placed third place at the Space Coast Competition and made it to State so they are raising funds to compete at the Orange County Convention Center.

Mayor Williams thanked City Manager Titkanich for his service and when he looks at Fern Meadows and Adamson Creek he knows that he played a vital role in those developments as well as in other areas that he helped with.

He thanked Assistant City Manager Fuhrer, Public Works, and the Police Department for the cleanup that was done at the graveyard.

Mayor Williams questioned the status on the Lien Amnesty Program and the mobile vendors and would like for that information to be brought back to Council.

He spoke of his attendance at the Black History Event at Cocoa High School and provided an update on Cocoa High's girls basketball team, as well as Eastern Florida State College's men's basketball team.

He attended the Soul Food Regalia at Eastern Florida State College and was the celebrity guest chef at Emma Jewel Charter School, along with the Chief of Police. They spoke about perseverance. Emma Jewel's Black History program was phenomenal as well. Carl "CJ Harris" Herriott received the Community Pioneer Award.

Mayor Williams spoke about an NAACP Leadership Event that he attended this past Saturday with others in the county. It was a nice event.

Lastly, he received a tour of the Crying Monk which is a really nice facility and he mentioned that the Red Eye Rugby Team will be brought in to do a presentation at the next Council meeting.

Deputy Mayor Goins announced that on March 21, 2020 from 11 am until 2 pm there is a "Spring Break Family Picnic" and it is in regards to the 2020 Census. There will be free food, bounce houses, games, face painting, etc. The Census is very important and some do not understand what the census is. He urged all to fill out post cards that are received in the mail. Additionally, there are yard signs available if anyone would like one for their yard.

City Manager Titkanich stressed the importance of census counts, as this can affect funding from the federal level. He urged everyone to take the time to fill this information out as it is only about nine questions.

Mayor Williams added that Emma Jewel men's youth basketball team won the championship as well.

Mayor Williams spoke about the possibility of going back to a Tuesday night Council meeting. He feels that Wednesday's interfere with a lot. Councilmember Warner agreed that Tuesday was better.

Mayor Williams would also like all to consider bringing back the Beautification Board.

VI. Consent Agenda:

None.

VII. Public Hearings:

None.

VIII. Council Business:

1. Consideration of a Donation Application for Cocoa Youth Athletics "Building Tiger Nation" project in the amount of $1,000. (20-150). (Administrative Services Director)

* **MOTION by Councilmember Warner; Seconded by Deputy Mayor Goins, to approve the donation application for Cocoa Youth Athletics "Building Tiger Nation" project in the amount of $1,000.**

AYES: Williams, Goins, Boisvert, Koss, Warner

THE MOTION CARRIED UNANIMOUSLY (5-0)

2. Resolution to declare an exception to the purchasing policy due to the Coronavirus.

City Manager read the Resolution, by title only, into the record.

RESOLUTION NO. 2020-125

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA, DECLARING AN EXCEPTION TO THE FINANCIAL OPERATIONS MANUAL

PURCHASING POLICY DUE TO CORONAVIRUS AND POSSIBLE AFFECTS TO CITY OF COCOA OPERATIONS; PROVIDING FOR REPEAL OF PRIOR INCONSISTENT RESOLUTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

City Manager Titkanich advised that there has been a staff working group which has met and Chief Lamm has been participating in Brevard EOC. Ms. Senger has also been in the Brevard County Public Information networks. He mentioned that we are focusing on being here, operational, and able to provide municipal services. To date, there have been twenty-one Florida residents infected with the virus and two Florida deaths. They are currently monitoring a little over 1200 more people. He encouraged all that if you feel symptoms to call the Department of Health to report or reach out to 211.

City administration has been identifying staff that might have an elevated risk such as first responders, community services, or those might come in contact more with the public. Information Technology is looking at telecommuting possibilities as well for employees so that operations can be maintained.

Additionally, all facility departments will be responsible for their own trash pickup in order to free custodial time to sanitize and clean locations and there was a moratorium for work related airline travel that has been implemented.

City Manager Titkanich further noted that he has authorized the lease and purchase of handwashing stations to be placed in public places and Public Relations has been doing public service announcements and videos on ways to pay bills and how to avoid getting someone infected.

Staff will continue to participate in meetings with Brevard County and Finance has developed a project number in case of future federal funding.

This resolution lifts purchasing authority.

Mayor Williams mentioned that he was on a call today with the White House for a briefing and they have been working closely with the Florida Department of Emergency Management. They are encouraging all to buy local.

* **MOTION by Councilmember Boisvert; Seconded by Councilmember Warner, to approve the Resolution.**

AYES: Williams, Goins, Boisvert, Koss, Warner

THE MOTION CARRIED UNANIMOUSLY (5-0)

City Manager Titkanich added that the City would follow the direction from the Governor. All other cities are doing the same. There are a lot of decisions to be made and they would come back to Council when this all is figured out. This is a staff effort and staff is working hard to ensure the continuity and continuous operations of the City.

IX. City Business:

1. Approve a Water Service Agreement/Interlocal Agreement between the City of Cocoa and the City of Cocoa Beach to Provide Water Service to Cocoa Beach Customers. (20-107). (Utilities Director)

Mr. Walsh advised that the City has franchise agreements with a couple of different cities and this one expired about two years ago. All attorneys have reviewed this agreement.

* **MOTION by Councilmember Boisvert; Seconded by Deputy Mayor Goins, to approve the Water Service Agreement/Interlocal Agreement between the City of Cocoa and the City of Cocoa Beach to Provide Water Service to Cocoa Beach Customers.**

AYES: Williams, Goins, Boisvert, Koss, Warner

THE MOTION CARRIED UNANIMOUSLY (5-0)

2. Approve a Second Addendum to the Binding Development Agreement between the City of Cocoa, Florida and The Cocoa Grand, LLC and its successors to extend various permitting deadlines and to allow for certain tree removal activities prior to site plan approval, provided that certain security is provided to the City. (20-118). (Community Services Director)

Ms. Bunt provided information and gave a brief history and timeline of the development. The first addendum was approved in 2019.

She pointed out that a security bond would be provided with the tree removal, as it was a total of 326 trees.

* **MOTION by Deputy Mayor Goins; Seconded by Councilmember Warner, to approve the Second Addendum to the Binding Development Agreement between the City of Cocoa, Florida and The Cocoa Grand, LLC and its successors to extend various permitting deadlines and to allow for certain tree removal activities prior to site plan approval, provided that certain security is provided to the City.**

AYES: Williams, Goins, Boisvert, Koss, Warner

THE MOTION CARRIED UNANIMOUSLY (5-0)

3. Approval to apply for a Florida Inland Navigation District (FIND) Grant for two important projects along the waterfront: reconstruction of the boat ramps at Lee Wenner Park and dredge the waterfront area at the boat ramps, the T-Dock, and day slips. (20-140). (Community Services Director)

Ms. Bunt reminded Council that at the Cocoa CRA meeting prior to this meeting they approved this in the event they receive the FIND grants and she explained what the projects would entail.

* **MOTION by Councilmember Boisvert; Seconded by Councilmember Koss, for Approval to apply for a Florida Inland Navigation District (FIND) Grant for two important projects along the waterfront: reconstruction of the boat ramps at Lee Wenner Park and dredge the waterfront area at the boat ramps, the T-Dock, and day slips.**

AYES: Williams, Goins, Boisvert, Koss, Warner

THE MOTION CARRIED UNANIMOUSLY (5-0)

4. Approve an Interlocal Agreement (ILA) between the City of Cocoa and the City of Cape Canaveral to Identify and Share Common Costs Associated with the Design, Permitting, Bidding, and Installation of the Cocoa Utilities Project and Cape Canaveral Thurm Boulevard Project under a Unified Joint Project. (20-83). (Utilities Director)

* **MOTION by Councilmember Koss; Seconded by Councilmember Warner, to approve an Interlocal Agreement (ILA) between the City of Cocoa and the City of Cape Canaveral to Identify and Share Common Costs Associated with the Design, Permitting, Bidding, and Installation of the Cocoa Utilities Project and Cape Canaveral Thurm Boulevard Project under a Unified Joint Project.**

AYES: Williams, Goins, Boisvert, Koss, Warner

THE MOTION CARRIED UNANIMOUSLY (5-0)

5. Review the obligation contained in the Lakeside Palms West Binding Development Agreement, dated February 11, 2019, recorded in Brevard County Official Records Book 8384, Page 2900, to obtain final site plan, floodplain development permit and preliminary subdivision approval within 12 months of the Effective Date and provide direction regarding a possible extension of the deadline or declaration of default. (20-142). (Community Services Director)

Ms. Bunt presented this item and provided a background and timeline on this project. She noted it was an 89-lot subdivision.

The developer has requested an extension for one year on the development agreement and staff is recommending a twelve-month extension.

* **MOTION by Councilmember Boisvert; Seconded by Councilmember Warner, to extend the Development Agreement for twelve months.**

AYES: Williams, Goins, Boisvert, Koss, Warner

THE MOTION CARRIED UNANIMOUSLY (5-0)

Multi-Year Contracts:

X. Informational Agenda:

1. City Council's performance evaluation of City Manager from November 2018 to December 2019. No action required. (20-136). (City Manager)

XI. Adjournment:

* **MOTION by Councilmember Boisvert; Seconded by Deputy Mayor Goins, to adjourn the Regular meeting of March 11, 2020.**

AYES: Williams, Goins, Boisvert, Koss, Warner

THE MOTION CARRIED UNANIMOUSLY (5-0)

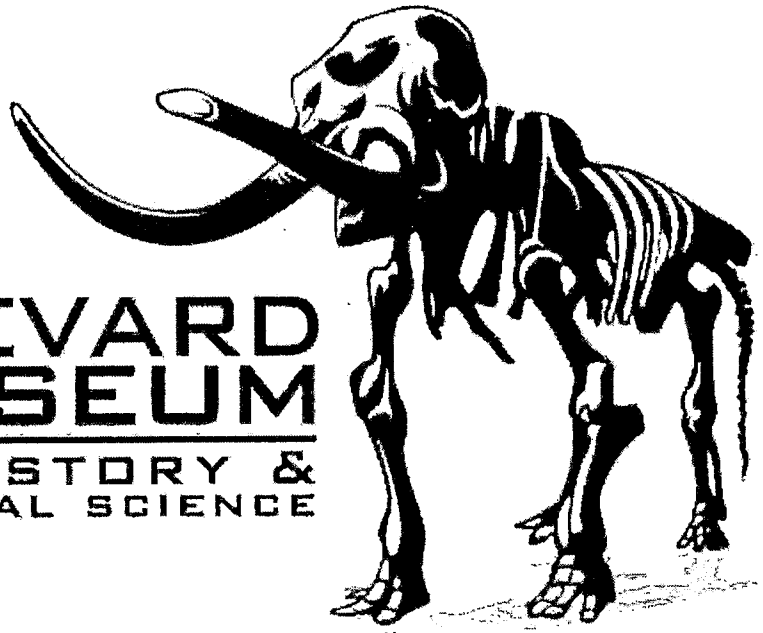
The meeting adjourned at 7:31 p.m.

Jake Williams, Jr., Mayor

ATTEST:

Carie Shealy, MMC, City Clerk

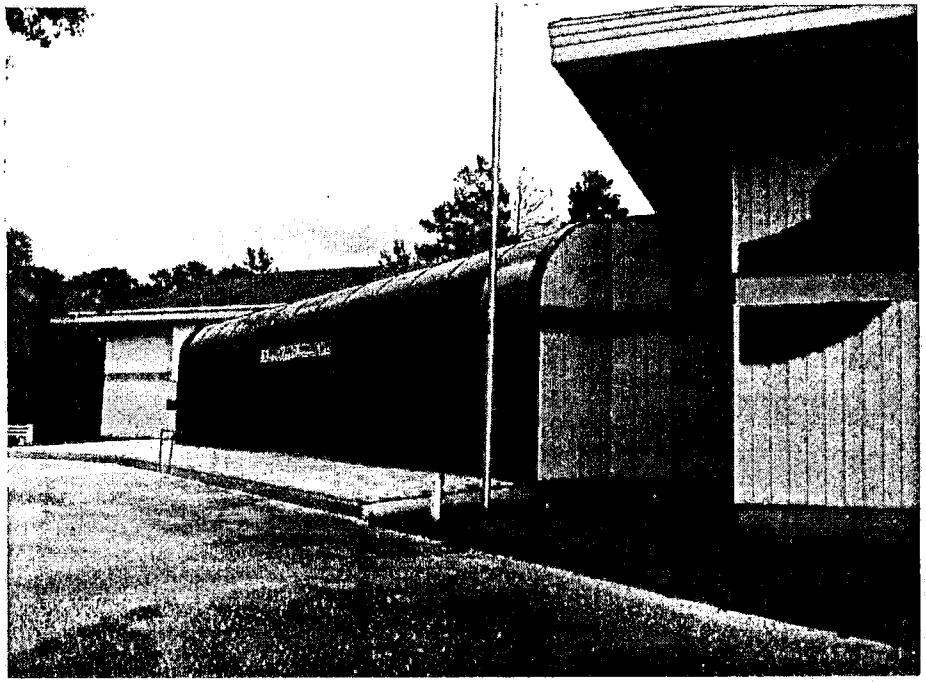
BREVARD MUSEUM OF HISTORY AND NATURAL SCIENCE



DR. BEN BROTEMARKLE
EXECUTIVE DIRECTOR
FLORIDA HISTORICAL SOCIETY

EXHIBIT A: Brevard Museum of History & Natural Science Presentation

BREVARD MUSEUM
OF HISTORY & NATURAL SCIENCE



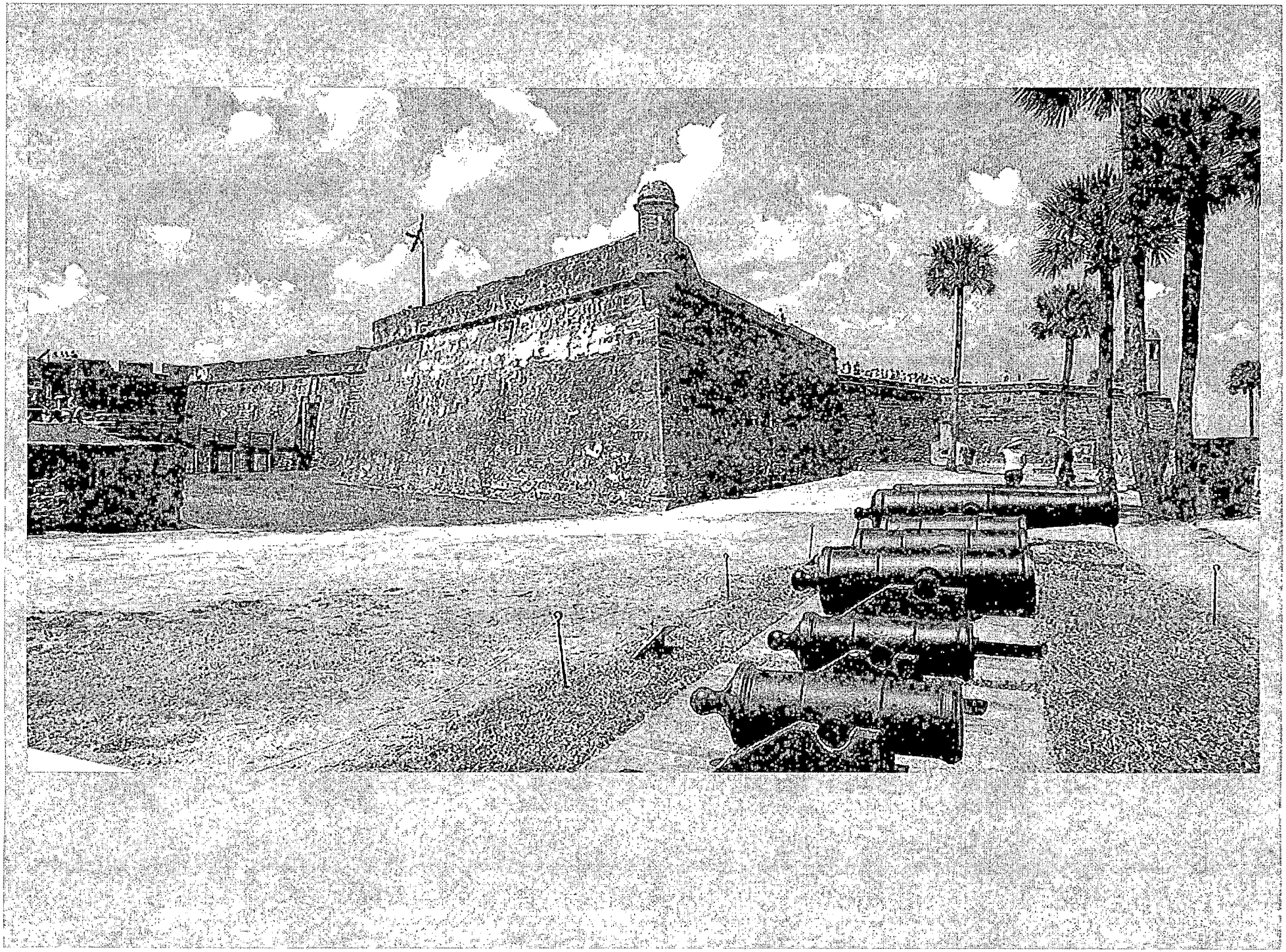
1969: BREVARD MUSEUM INCORPORATED

1973: BREVARD COUNTY SCHOOLS PROVIDES PORTABLE BUILDING

1975: GRACE AND ALBERT TAYLOR TRUST ALLOWS CONSTRUCTION, OTHER CONTRIBUTORS INCLUDE JUNIOR SERVICE LEAGUE OF COCOA-TITUSVILLE, COMMUNITY WOMEN'S CLUB OF COCOA, MERRITT ISLAND WOMEN'S CLUB

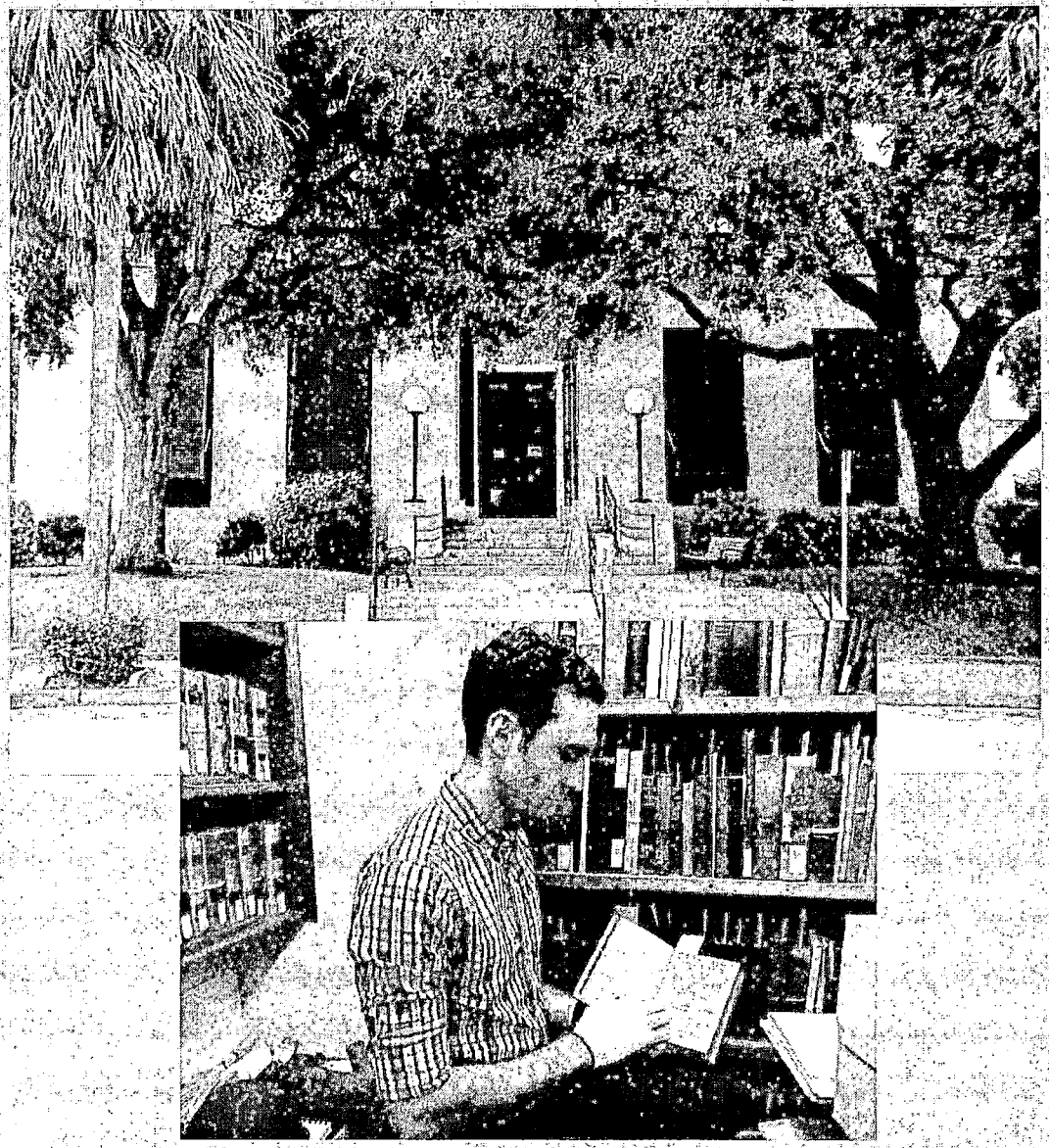
2014: OWNERSHIP TRANSFERRED TO FLORIDA HISTORICAL SOCIETY

[redacted] [redacted] [redacted]

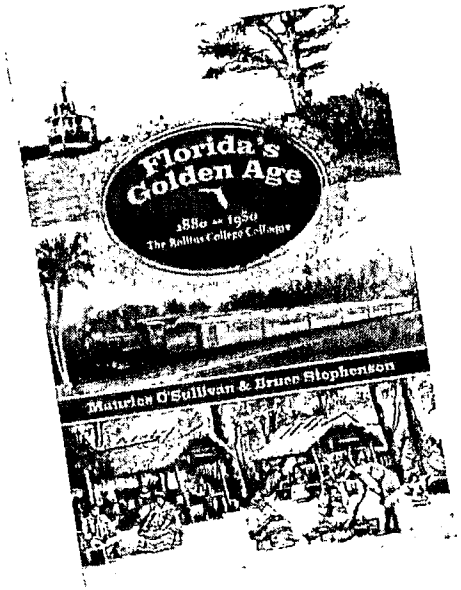


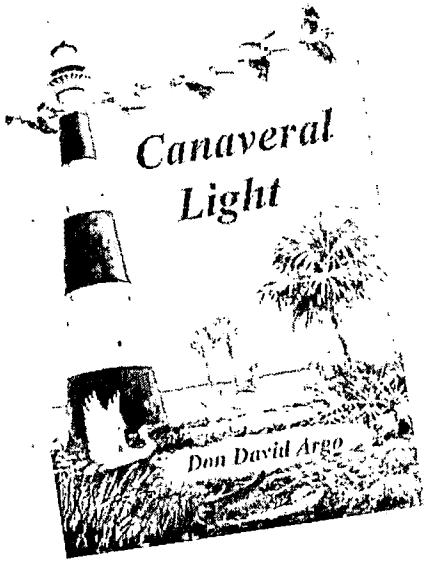
THE LIBRARY OF FLORIDA HISTORY

- Thousands of rare and out-of-print books
- Documents and maps dating from the 1500s
- Historic photographs and postcards

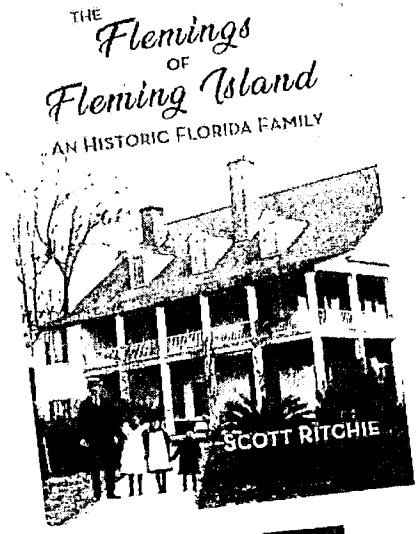


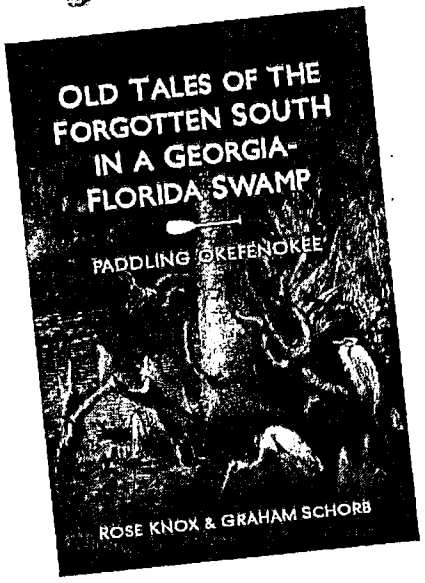
THE FLORIDA HISTORICAL SOCIETY PRESS



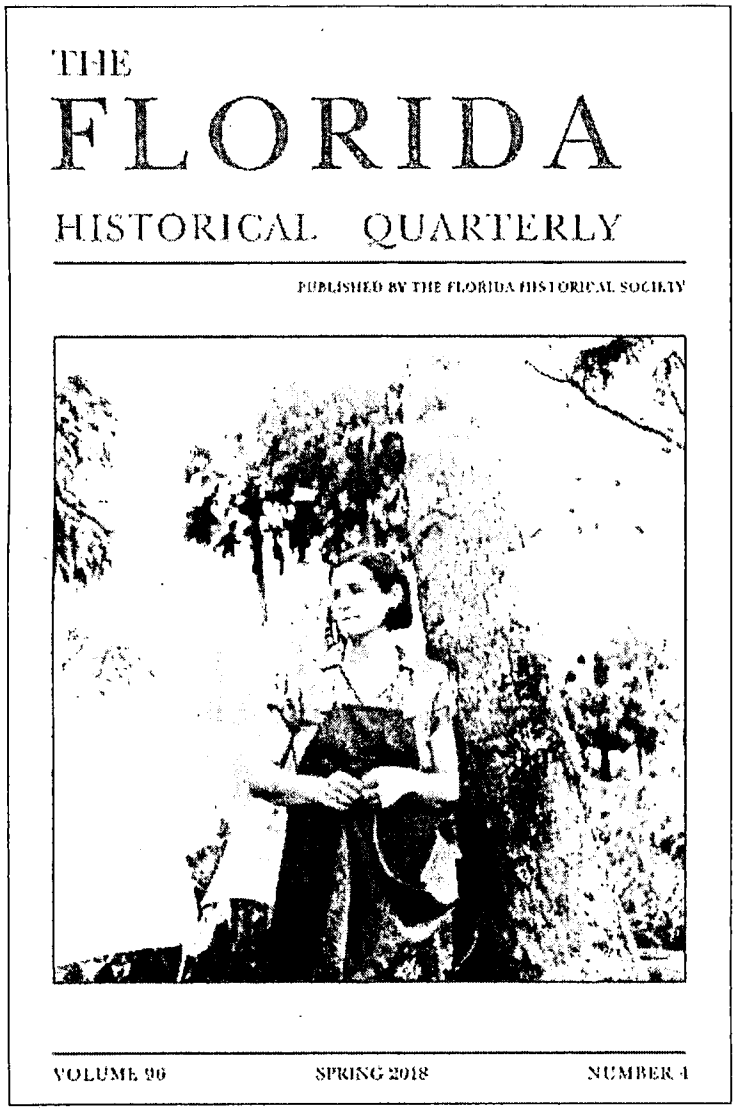


- Publishes at least five books per year
- Publishes novels as well as non-fiction books
- Reprints historically significant works
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THE HISTORIC ROSSETTER HOUSE MUSEUM AND GARDENS





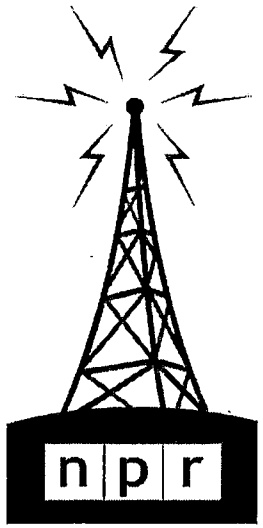
CELEBRATING MORE THAN A DECADE ON THE AIR!

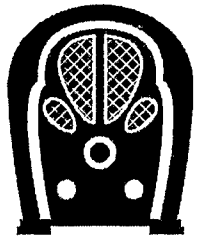
FLORIDA FRONTIERS

THE WEEKLY RADIO MAGAZINE OF

THE FLORIDA HISTORICAL SOCIETY



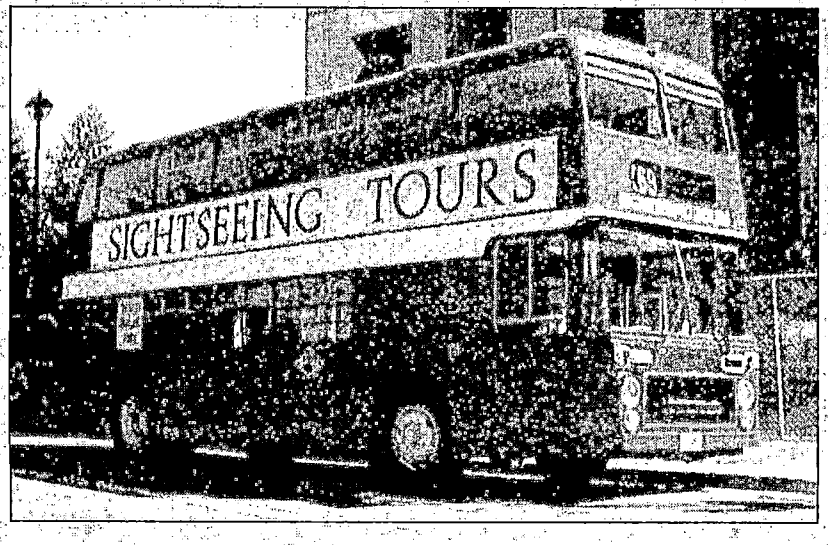




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WORLD
FOOD PROGRAMME

FHS ANNUAL MEETING & SYMPOSIUM



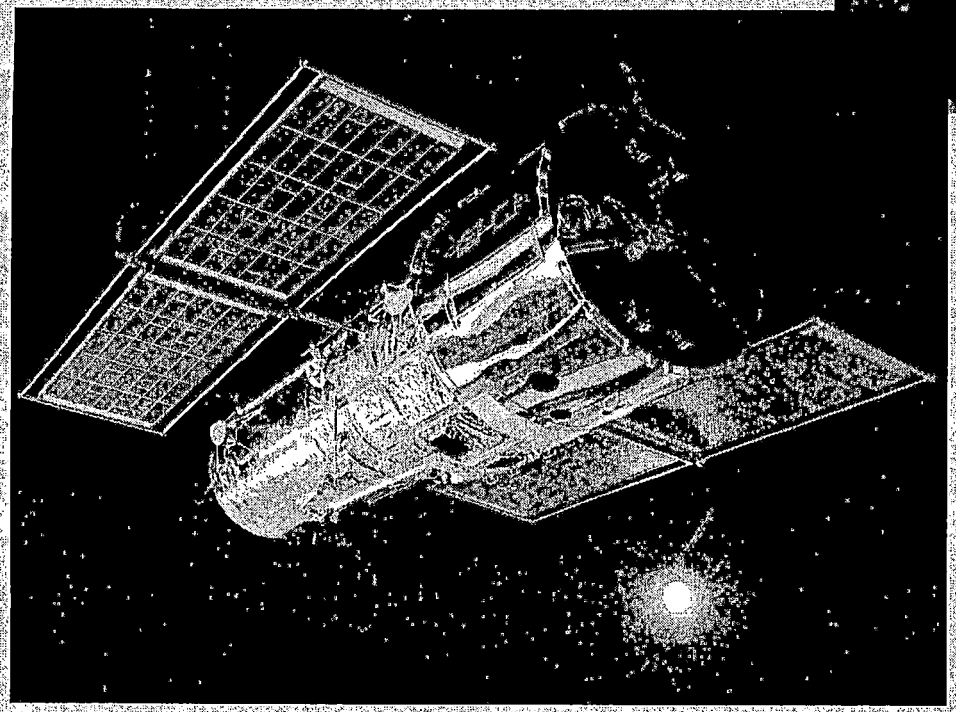


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BREVARD
MUSEUM
OF HISTORY &
NATURAL SCIENCE

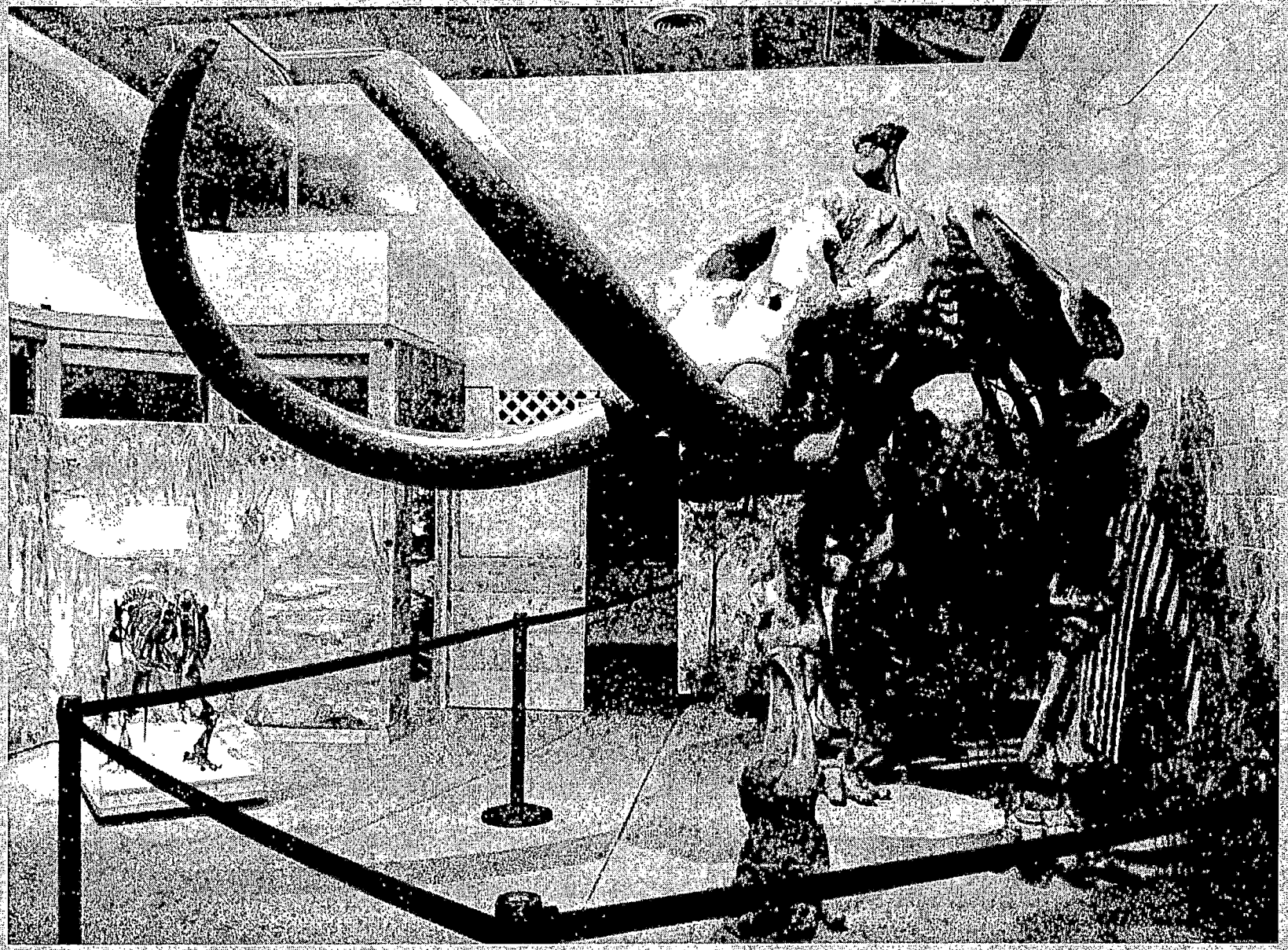




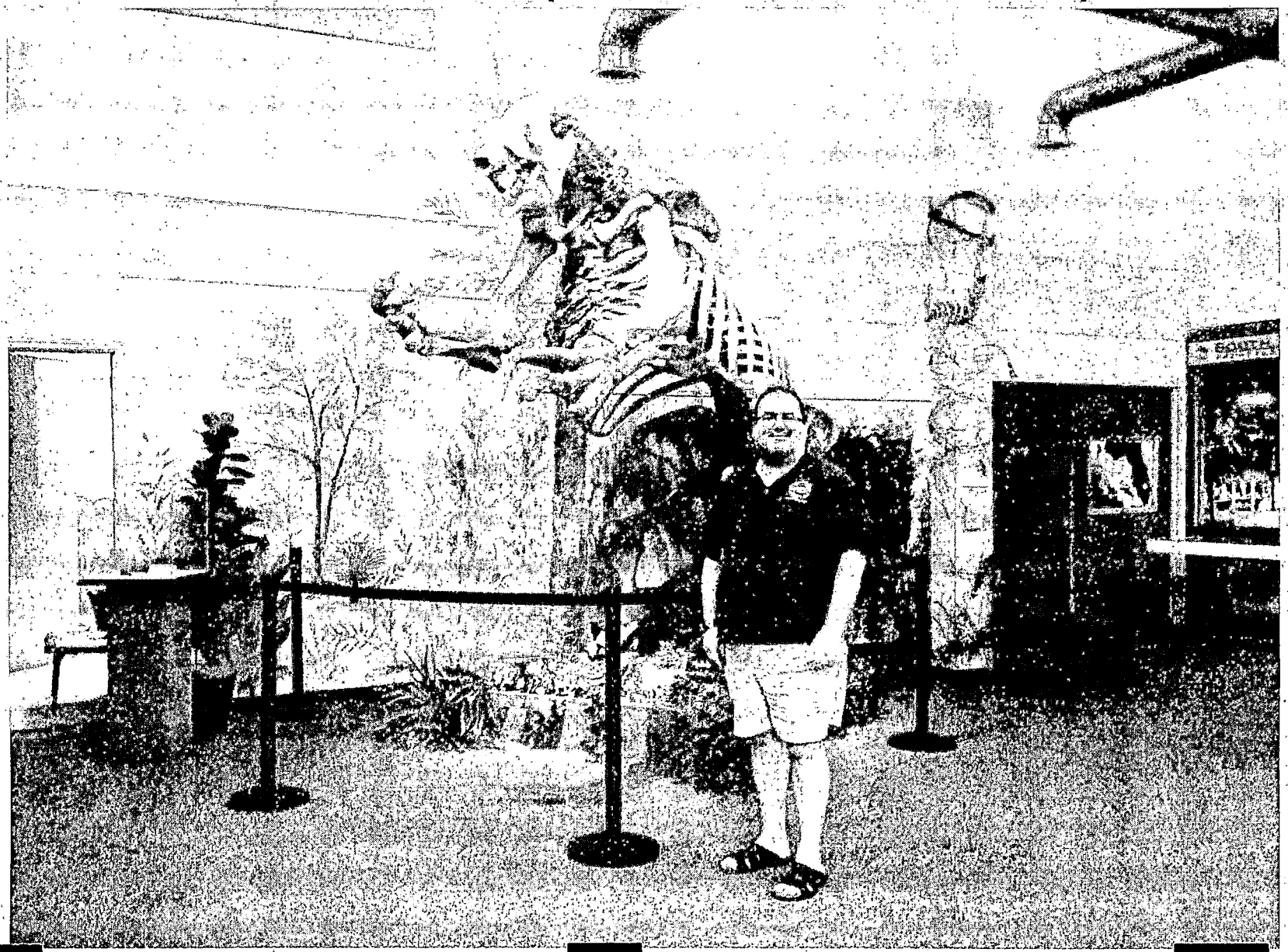




MASTODON SKELETON

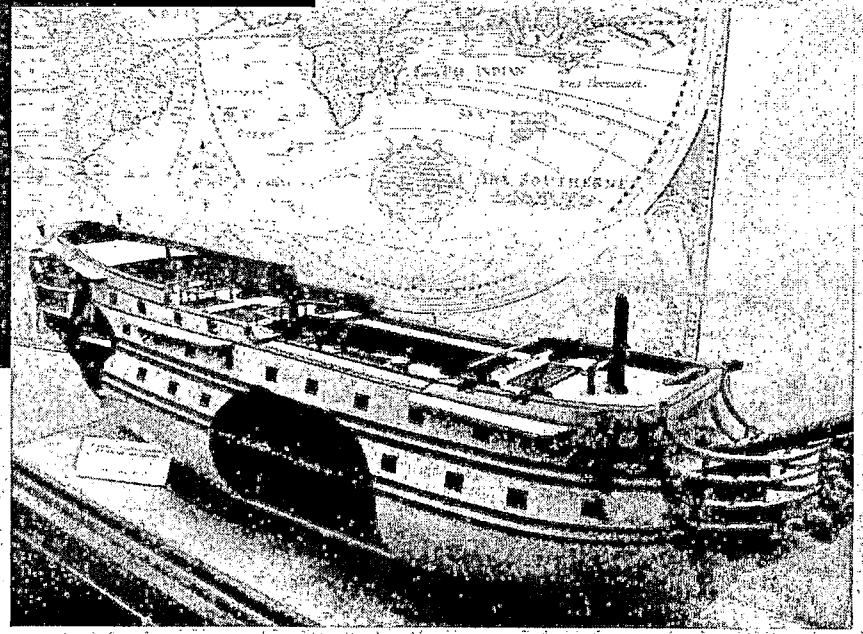


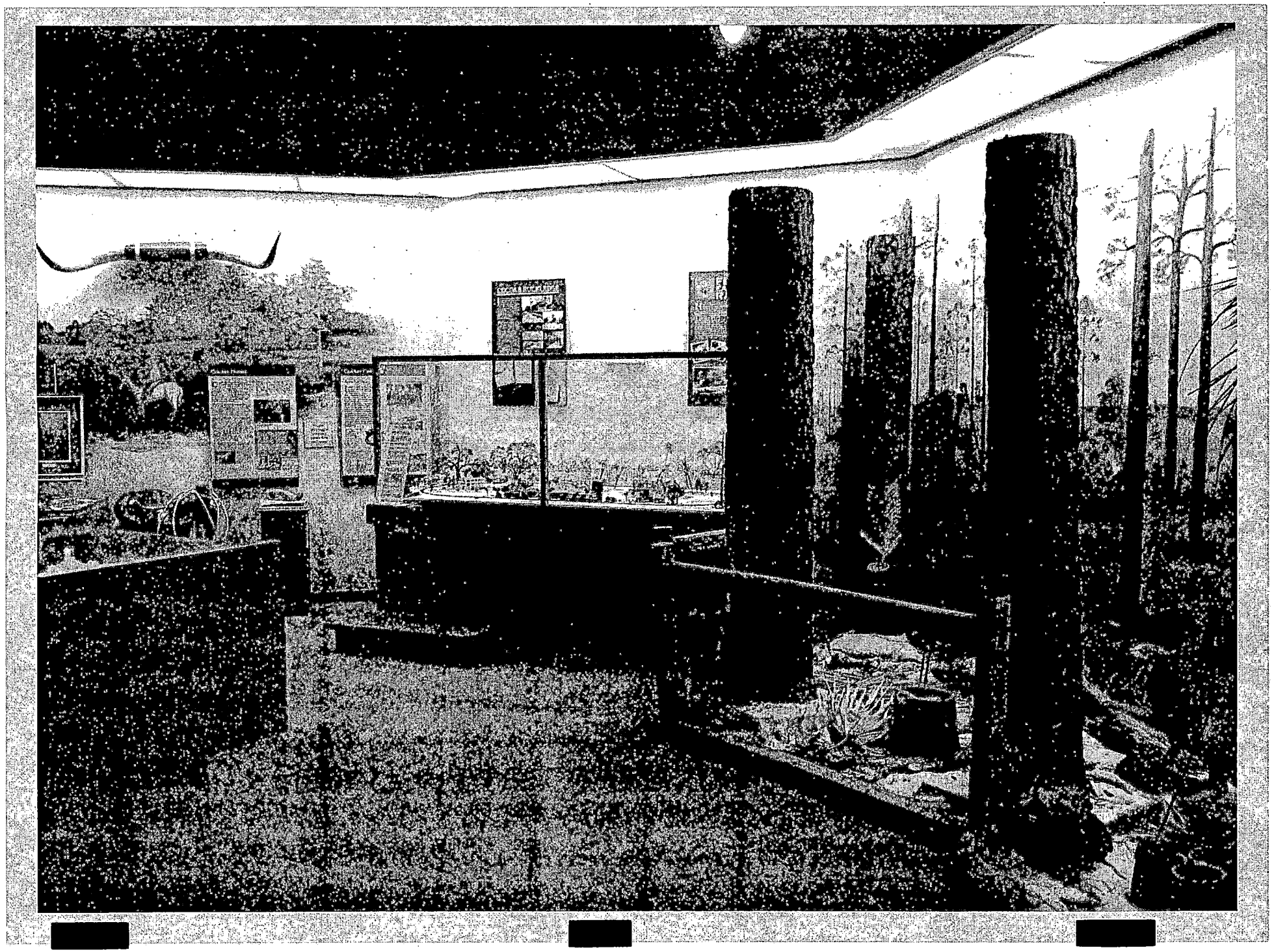
GIANT SLOTH (BACKGROUND, LEFT)

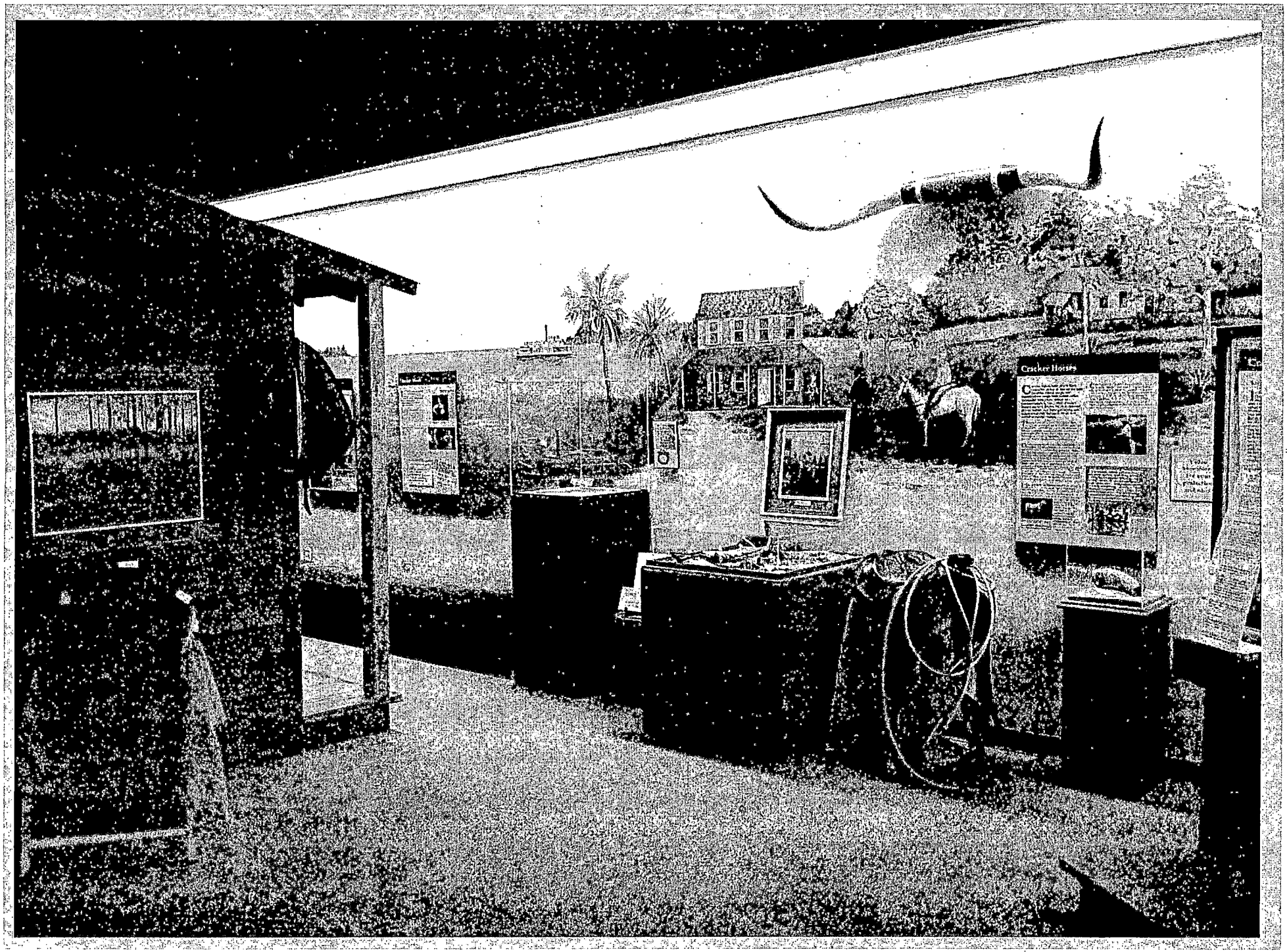


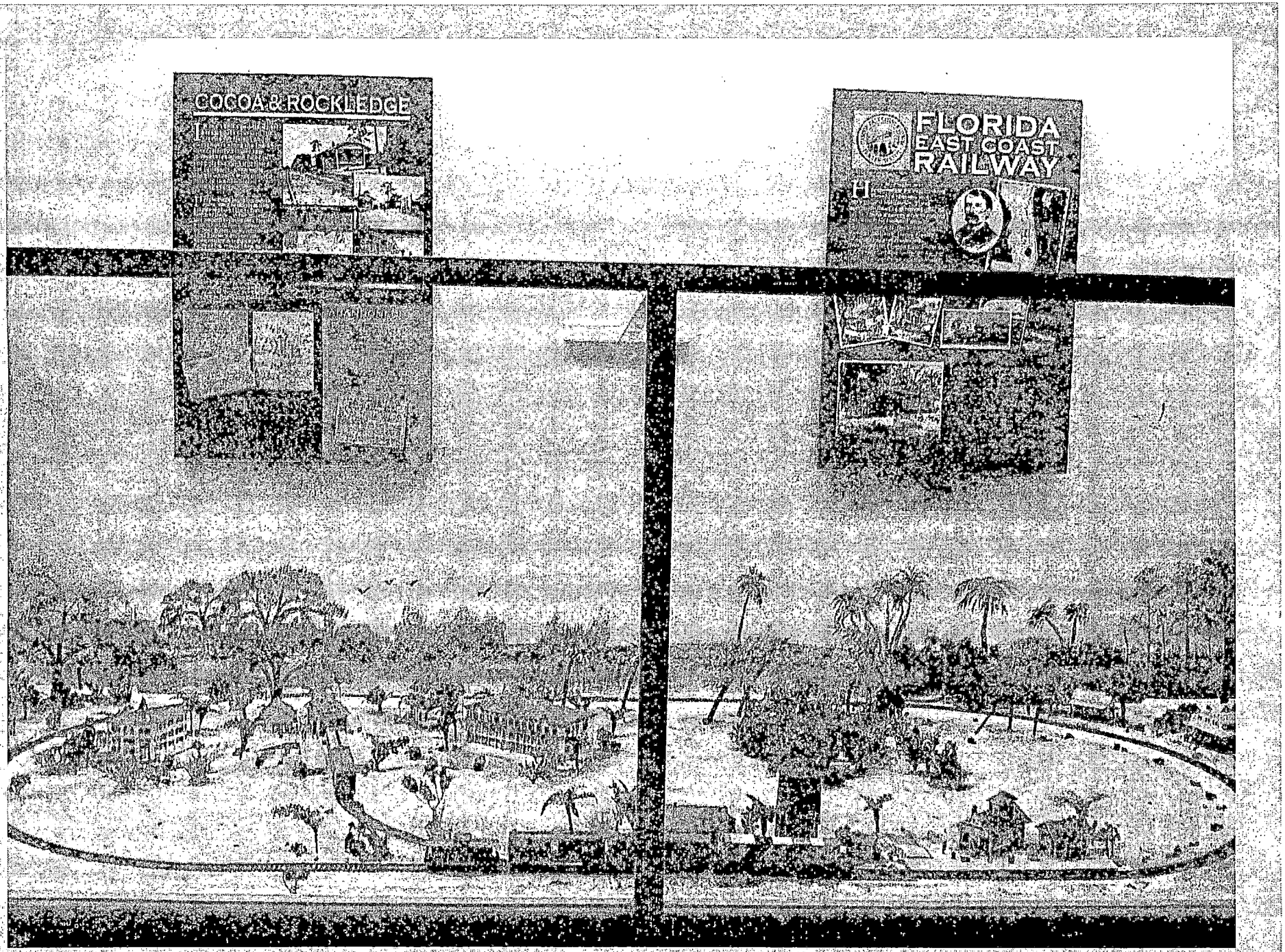
SPANISH COLONIAL EXHIBIT

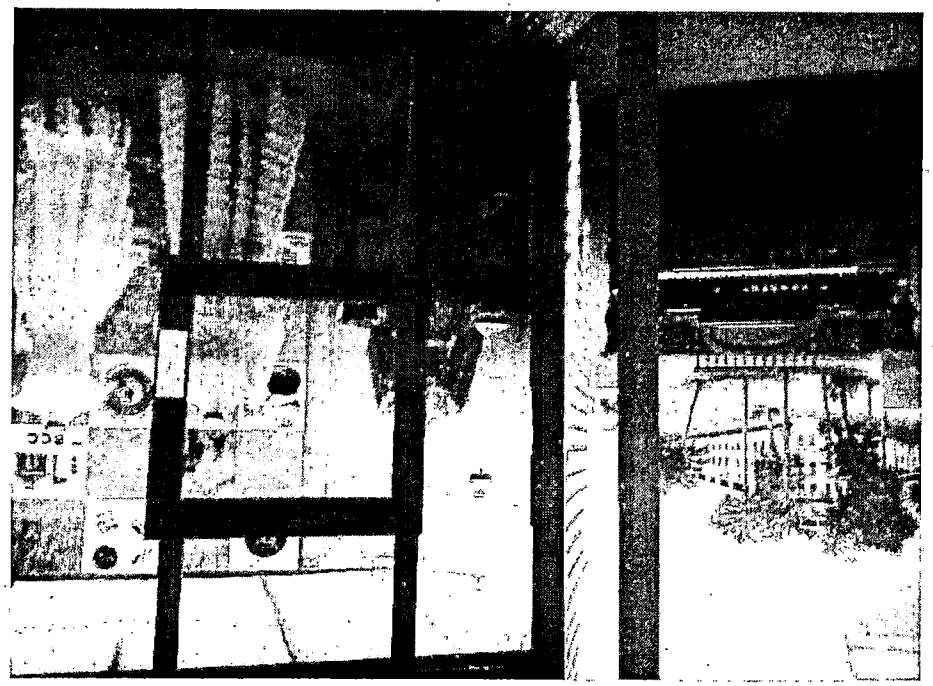


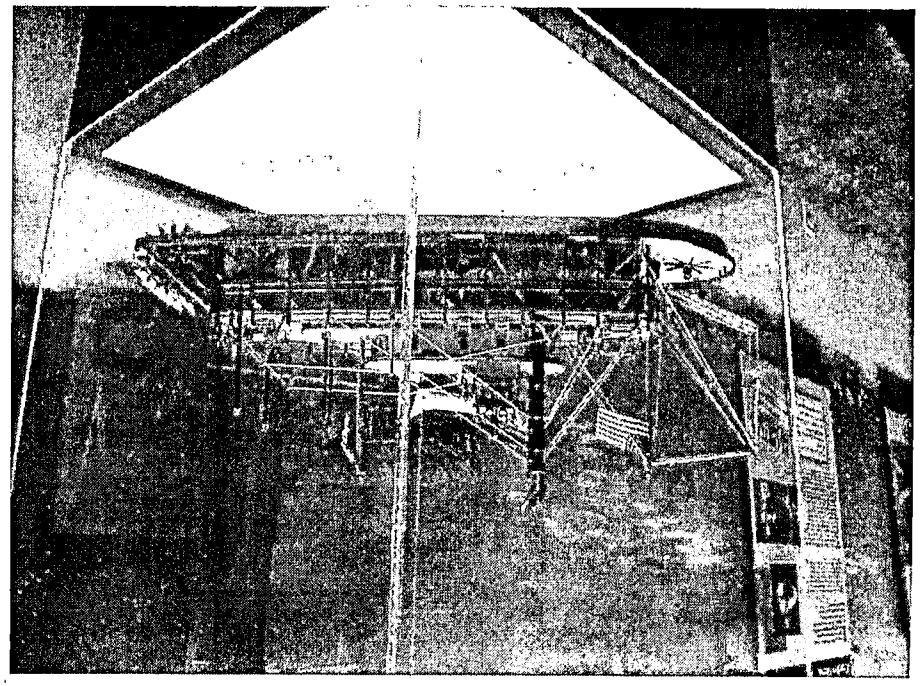


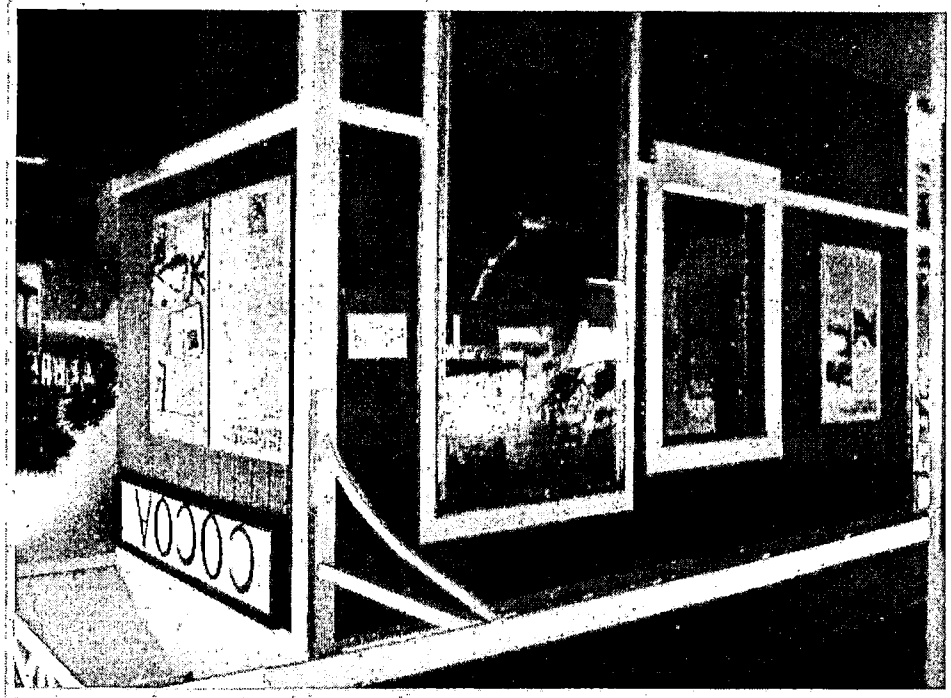



Cracker Horses


COCOA & ROCKLEDGE
FLORIDA
EAST COAST
RAILWAY






COCOA

