MINUTES

CITY OF COCOA
REGULAR MEETING OF THE CITY COUNCIL

MARCH 8, 2016

A regular meeting of the Cocoa City Council was held on Tuesday, March 8, 2016, in City Council Chambers, located at 65 Stone Street, in Cocoa, Florida as publicly noticed.

I. OPENING MATTERS:

Mayor Parrish called the meeting to order at 6:02 pm.

Councilman Blake provided the invocation and Mayor Parrish led the assembly in the Pledge of Allegiance to the Flag of the United States of America.

The Assistant City Clerk took the roll.

PRESENT:	Henry U. Parrish III	Mayor
	Don Boisvert	Deputy Mayor
	Michael C. Blake	Councilman
	Brenda Warner	Councilwoman
	Anthony Garganese	City Attorney
	Matt Fuhrer	Assistant City Manager
	John Titkanich	City Manager
	Angela Ferguson	Assistant City Clerk
ABSENT:	Tyler Furbish	Councilman

STAFF MEMBERS PRESENT:

Jack Walsh, Utilities Director; Teri Butler, Finance Director; Mike Cantaloupe, Chief of Police; Ed Wegerif, Public Works Director; Steve Belden, Community Services Director; Tammy Gemmati, Administrative Services Director; Gene Prince, Fire Chief; Jonathan Lamm, Deputy Fire Chief; and Chris Perry, Desktop Support Specialist.

II. APPROVAL OF AGENDA AND MINUTES:

1. Agenda: Regular Meeting of March 8, 2016 (16-71)
2. Minutes: (a)Regular Meeting of February 9, 2016 (16-72)
   (b)Town Hall Meeting of February 16, 2016 (16-73)

- **MOTION by Deputy Mayor Boisvert; Seconded by Councilman Blake, to approve the Agenda for the regular meeting of March 8, 2016, the Minutes for the Regular meeting of February 9, 2016 and the Town Hall Meeting of February 16, 2016 as presented.**

  AYES: Parrish, Boisvert, Blake, Warner

  THE MOTION CARRIED UNANIMOUSLY (4-0)

III. AWARDS AND PRESENTATIONS:

None.

IV. DELEGATIONS:

Lawrence Sinclair, 1052 Mitchell Street, advised he was still working on 507 N. Georgia has been cleaned up and hopefully by the next Council meeting he will have something to report but stated it would not be demolished. He advised that 409 N. Fiske Blvd is completely rehabbed and will be a rental property for a family of six from North Carolina that he brought to the area like Council had mentioned they'd like to see. He confirmed there are about three homes he is working on.

Paul Kamus, 16 Olive Street, briefly mentioned that he reviewed the Cocoa Connection newsletter and that it contained great news inside and that he received his calendar. He expressed his appreciation for the work and service that the city provides. He spoke about the prayer breakfast that he attended on Friday and advised it was great to see Councilwoman Warner there. He spoke about his former elementary school principal, James. J. Clark and understood the opposition that he experienced as an educator trying to impress on students his acceptance of God and Jesus as his savior. He advised he is here to speak from his heart. He commended the City's work on the wooded area on South Fiske south of the fire station that was cleaned up. He mentioned that at the August District 2 meeting he had asked for the City to install two new booster reels on the

pumper truck. He had an opportunity to show the Mayor and Councilman Furbish the benefits of the pumper truck. Mr. Kamus asked Council on the status of his request.

Chief Prince noted that when the booster reels were first mentioned, the trucks were already designed and that there were other issues that came about. It came down to a cost factor as the reels were fairly expensive; therefore, it was decided to leave it alone.

Mr. Kamus summed up his statement that if when things don't go the way he would like that he goes to prayer. He expressed his hope that the City will find a way to come up with the funding.

V. CONSENT AGENDA:

1. Approve participation in a Cooperative Purchase Agreement for Cured in Place Pipe Lining, to line various sizes and lengths of drainage pipes on Rosa L. Jones, E. Sherwood Circle, London Blvd., S. Sherwood Circle, and Michigan Ave., and Rice Dr., utilizing Polk County Bid #14-227 which was awarded April 14, 2014 and to authorize a purchase order to Layne Inliner LLC. (16-67). (Public Works Director)

- **MOTION by Councilman Blake; Seconded by Deputy Mayor Boisvert, to approve the Consent agenda.**

AYES: Parrish, Boisvert, Blake, Warner

THE MOTION CARRIED UNANIMOUSLY (4-0)

VI. PUBLIC HEARINGS:

1. Ordinance No. 04-2016/1st Reading: Changing the zoning map designation of one (1) parcel of property containing ± acres from RU-2-15 (Multiple Family Residential) to C-G (General Commercial). (16-68). (Community Services Director)

Attorney Garganese read the Ordinance into the record by title only, as follows, advising this is the first reading of the ordinance.

ORDINANCE 04-2016

AN ORDINANCE OF THE CITY COUNCIL OF COCOA, BREVARD COUNTY, FLORIDA, CHANGING THE ZONING MAP DESIGNATION OF ONE (1) PARCEL OF REAL PROPRTY TOTALING 1.77 ACRES, MORE OR LESS, GENERALLY LOCATED ON THE EAST SIDE OF CLEARLAKE ROAD, APPROXIMATELY 250 FEET SOUTH OF THE CLEARLAKE/UNIVERSITY BOULEVARD INTERSECTION, COCOA, FLORIDA, MORE PARTICULARILY DEPICTED ON EXHIBIT "A" ATTACHED HERETO, FROM RU-2-15 (MULTIPLE FAMILY DWELLING) TO C-G (GENERAL COMMERCIAL); PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, SEVERABILITY, AND AN EFFECTIVE DATE.

Mr. Belden indicated this ordinance is for the Clearlake Isles project that Council previously approved. It would divide the property into 2 parcels, the back parcel being for the elderly housing project and the front of the property will be commercial piece for future development. The property is currently being marketed. The property is currently zoned RU 215 and the zoning needed to be changed for the front portion to general commercial (GC) zoning designation as indicated by Attorney Garganese. He asked Council if there were any questions.

Mayor Parrish opened the hearing to the public. There being no response, the public portion of the hearing was closed.

- **MOTION by Deputy Mayor Boisvert; Seconded by Councilwoman Warner, to approve Ordinance N. 04-2016 on first reading.**

AYES: Parrish, Boisvert, Blake, Warner

THE MOTION CARRIED UNANIMOUSLY (4-0)

1. Ordinance No. 03-2016/1st Reading: Amending Appendix A, Zoning, to define craft breweries and to allow craft breweries with a bar/lounge area as an accessory use in the C-C (Core Commercial) zoning district. (16-69). (Community Services Director)

Attorney Garganese read the Ordinance into the record, by title only, as follows, advising this is the first reading of the ordinance.

ORDINANCE NO. 03-2016

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COCOA, BREVARD COUNTY, FLORIDA; AMENDING APPENDIX A, ZONING, OF THE CITY CODE TO DEFINE CRAFT BREWERIES AND TO ALLOW CRAFT BREWERIES, WITH A BAR AND/OR LOUNGE AREA AS AN ACCESSORY USE, IN THE C-C ZONING DISTRICT; PROVIDING FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCES AND RESOLUTIONS, SEVERABILITY, INCORPORATION INTO THE CODE, AND AN EFFECTIVE DATE.

Mr. Belden provided background on the ordinance and advised that the applicant was here tonight. Christopher Hughes, owner of The Dirty Oar, 2310 Papaya Place, Merritt Island, came before him with the request. The applicant has a specific location which he would like to operate, and it is secured at this time.

He advised this is a special exception use in the code and any other proposed craft brewery in the future would have to go before the Board of Adjustment.

This exception includes the outside production of beer only, the bar and lounge area should not exceed 50% of the total square footage of the establishment, they may only serve beer and wine, no other alcohol consumption shall be permitted on site, and materials and supplies shall be stored in an enclosed structure.

Councilman Blake asked the location of the brewery. In response, Mr. Belden s stated that the proposed location is 331 W. King Street, the orange building next to Norman's Grill.

Councilwoman Warner mentioned it was in the location that Rocket City Retro formally occupied.

Councilman Blake indicated he was aware of other similar businesses that served alcohol in that building and he knows that there is no doubt that they will be good, respectable neighbors.

Mr. Belden assured Council that other conditions could also be imposed to protect surrounding properties if need be.

Mayor Parrish opened the hearing to the public. There being no response, the public portion of the hearing was closed.

- **MOTION by Councilman Blake; Seconded by Deputy Mayor Boisvert, to approve the first reading of Ordinance No. 03-2016.**

  AYES: Parrish, Boisvert, Blake, Warner

  THE MOTION CARRIED UNANIMOUSLY (4-0)

VII. COUNCIL BUSINESS:

1. Approve the Appointment of David H. Jollay as a Regular member of the Utilities Advisory Board through November, 2017. (16-75). (Administrative Services Director)

- **MOTION to by Councilwoman Warner; Seconded by Deputy Mayor Boisvert, to approve the appointment of David H. Jollay as a Regular member of the Utilities Advisory Board through November, 2017.**

  AYES: Parrish, Boisvert, Blake, Warner

  THE MOTION CARRIED UNANIMOUSLY (4-0)

Council welcomed Mr. Jollay and thanked him for coming.

Mayor Parrish stopped the meeting to apologize to Mr. Lanni for not seeing his delegation card and allowed him to speak.

Ed Lanni, 939 N. Indian River Drive, Cocoa, mentioned a couple of meetings ago, Councilman Furbish spoke about the homeless, veterans included. He said that while he was at the park, he noticed about thirteen homeless sitting around and it hit home for him, as he was homeless once in New York and knows what it was like. He stopped to talk to a vet in front of his house, and gave him a bike that was later stolen and noted he replaced that one as well.

He wanted to know if there was something that the City could do. He thought perhaps going to an owner and asking for space for the homeless which would give them a place to sleep, bath, get them to work, etc., instead of them being in front of the library. There is something that could be done and wants it taken into consideration. He referenced the building next to Norman's Bar and Grill as a possible location.

Mayor Parrish agreed it was a problem.

2. Consideration of a Code Enforcement Lien Reduction for the property located at 809 Washington Street, CE 14-571, owner Pedro Mendoza. (16-76). (Community Services Director)

Mr. Belden advised that a Code Enforcement Board hearing was held on November 20, 2014, the board found the owner, US Bank NA, in violation of the following: Section 6-1001(g), Accessory Structure (fence); Section 6-1003(m), Windows.

The board provided the owner sufficient time to correct the violations. Consistent with the Code Enforcement Board's order, a lien was recorded against the property effective December 5, 2014 for $ 50 per day until compliance was achieved on December 4, 2015. The total of the lien is $18,200 and the current owner wants the lien reduced to $3,200.

Staff recommended to the Code Enforcement Board at the February 18, 2015 meeting to reduce the lien to $1820. The Board unanimously agreed to reduce the lien to $1820. Staff recommends that Council follow the Code Enforcement Board's recommendation and reduce the lien to $1820, 10% of the total amount of the lien.

- **MOTION by Councilwoman Warner; Seconded by Councilman Blake, to approve the reduction of the Code Enforcement Lien (14-571) for 809 Washington Street to $1820.**

AYES: Parrish, Boisvert, Blake, Warner

THE MOTION CARRIED UNANIMOUSLY (4-0)

3. Consideration of a Code Enforcement Lien Reduction for the property located at 1040 Willow Lane, CE 11-208, owner Ventures Trust 2013-I-NH. (16-77). (Community Services Director)

Mr. Belden advised that a Code Enforcement Board a public hearing was held on May 19, 2011. The board found the owner, Country Wide Home Loans, in violation of the following: Section 6-1001(g), Accessory Structure; Section 6-1003(b), Protective Treatment.

The board provided the owner sufficient time to correct the violations. Consistent with the Code Enforcement Board's order, a lien was recorded against the property effective June 20, 2011, and ran for $ 100 per day and ran from June 20, 2011 until compliance was achieved on August 31, 2012. The current owner, Venture's Trust 2013 is requesting the lien to forgive the lien.

Staff recommended to the Code Enforcement Board reduce the lien to $500 at the February 18, 2015 meeting. The board unanimously agreed to reduce the lien to $500. Staff recommends that Council follow the Code Enforcement Board's recommendation and reduce the lien to $500.

Councilman Blake inquired if the $500 would cover administrative costs and fees.

Mr. Belden responded in the affirmative.

- **Motion by Deputy Mayor Boisvert; Seconded by Councilwoman Warner, to approve the reduction the Code Enforcement Lien (11-208) for 1040 Willow Lane to $500.**

AYES: Parrish, Boisvert, Blake, Warner

THE MOTION CARRIED UNANIMOUSLY (4-0)

VIII. CITY BUSINESS:

1. Approve Task Order 2016-14 with Jobear Contracting, Inc. for the West Point Drive Manhole Replacement and Victor Road Sewer Repair, Project No. WS1412; to Approve a Resolution amending the FY 2016 budget. (16-45). (Utilities Director)

Mr. Walsh introduced the item.

- **Motion by Councilman Blake; Seconded by Deputy Mayor Boisvert, to approve the item.**

AYES: Parrish, Boisvert, Blake, Warner

THE MOTION CARRIED UNANIMOUSLY (4-0)

MULTI-YEAR CONTRACTS:

None.

IX. INFORMATIONAL AGENDA:

1. New local business tax receipts. (16-81). (Community Services Director)

X. REPORTS:

Mr. Wegerif provided an update to Council on the TPO, the Citizens Advisory Committee, and the Technical Advisory Committee meetings that were held on Monday morning. There were two items on the agenda that were related to Cocoa: the All Aboard Florida station location, and the Clearlake Road project were both approved to go to the TPO board Thursday morning. The City put forth four locations, along with a fifth joint location with Rockledge, in regards to the All Aboard Florida project. They were: Rosa L. Jones Avenue, Plaza Parkway, South of Michigan, a location behind Walmart south of SR 528, and one location north of SR 528.

Mayor Parrish asked what the number one location was.

In response, Mr. Wegerif advised that preferred location per the consultant was the location behind Walmart.

Mr. Wegerif noted that on Saturday morning TPO staff met with the All Board Florida President and recommended putting forth three preferred locations, not one. The Cocoa/ Rockledge location, and the two north and south of 528.

Mayor Parrish asked if Council approved that. Mr. Wegerif indicated that they had, and advised that there was a lot of discussion on it and a couple of nay votes from the Citizen Advisory committee members from Melbourne.

Mayor Parrish indicated that he knew of a campaign in Melbourne to vote against it.

Deputy Mayor Boisvert asked if they could expect anything regarding this at the TPO board on Thursday, and in response, Mr. Wegerif indicated that further discussion probably would occur.

Mr. Wegerif reiterated that the purpose of the study was to recommend locations for All Aboard Florida and that there would be a meeting Thursday for final recommendation. Mr. Wegerif, Councilwoman Warner, and City Manager Titkanich confirmed they would be in attendance. Councilwoman Warner would be serving as backup.

Mr. Wegerif confirmed that the meeting would be held in the Posey Conference Room at the Health Department in Viera.

Mayor Parrish voiced his concern regarding Melbourne's campaign to bring the train to their city and highlighted the Space Center and the Port He wants to make sure everyone is aware of that.

Mr. Wegerif asserted that based on the CAC and the TAC recommendations were that the train station will be in Cocoa.

Mayor Parrish wanted to make sure that Cocoa is represented at the meeting.

Mr. Wegerif reported that at the same meeting, the recommended build alternative for Clearlake Road was approved to go to the board.

In regards to All Aboard Florida, Mayor Parrish felt that Site 3 was the site.

Mr. Wegerif expressed this was a big deal and either way, there is good access to all sites.

Councilman Blake agreed.

Mr. Wegerif reported that Peachtree Street is coming along. The curbing and gutters are being finished, and the pavement recycling is coming along. He indicated the end is in sight.

Councilman Blake asked if the Diamond in the Square emblem would be on the street sign.

In response, Mr. Wegerif stated that Diamond in the Square would be at the sign location of Fiske Boulevard and Peachtree Street. .

Councilman Blake asked about the existing lights and if they would be enhancing the wattage for better vision.

Mr. Wegerif indicated yes, and that there is a proposal in with FPL to remove the old lights and put up new white LED lights. The lights would be maintained by FPL for their life.

Chief Cantaloupe apologized for not having a report at the Council meeting lately due to some inconsistencies in crimes stats. They have been working on correcting them.

He informed Council of the Breakfast with the Chief event at 8 am Thursday, at the Civic Center and asked all to come if availability permitted.

Chief Prince provided an update on the progress of the fire station designs and mentioned that everyone at ADG is hard at work. A future report will be forthcoming.

Mr. Walsh spoke of the recent issues regarding water quality in Flint, Michigan and that Ms. Martinez and Ms. Senger had compiled a video in which he addressed citizen concerns about water safety in a general, non-technical way. He thanked Ms. Martinez and Ms. Senger for their work and advised that a link to the video can be found on the City's webpage.

Ms. Gemmati reported that the current employment opportunities are located on the City website and that persons can call or come into City Hall if they needed assistance completing the online application.

City Manager Titkanich informed Council of the recent acquisition of the trailer park property. He also reported that the legislative session ends March 11 and two of the three city requests are included in the budget that will be presented to the Governor.

Mayor Parrish asked how long the Governor has to approve the items.

City Manager Titkanich responded around thirty days but he would seek confirmation.

City Manager Titkanich announced that a Utilities Workshop would be held March 30 and an Executive Work Session would be held immediately following.

City Manager Titkanich polled Council regarding a start time of 5:30 p.m. for the meeting.

It was a CONSENSUS that the meeting would be held at 5:30 p.m.

City Manager Titkanich indicated he had received an e-mail from Space Coast Women in Defense announcing $1000 scholarship opportunities for female high school graduates and undergraduates in the STEM fields. He advised Ms. Senger will link it on the website to increase the opportunities for the students in Cocoa.

Councilwoman Warner relayed that the YMCA fundraiser breakfast on Friday was great, the speaker was great, and there was a wonderful turn out of community leaders. She indicated as usual, Leroy Darby did fabulous as the MC as he had done in the past.

Councilman Blake reported that he and Mayor Parrish had the opportunity to attend the baseball grand opening season at Stradley Park. Bob Weigel, Little League President had a park named in his honor. A great time was had with an excellent turn out, and everyone looked great. He stated that if you dress for success you will act successful.

Councilman Blake mentioned he attended an event at the Black History Project at the Crowne Plaza where General Cotton of Patrick Air Force was present. He further noted that he was also attended an Omega Psi Phi event in which Palm Bay Mayor William Capote was the speaker. In addition, he attended an event hosted by Debra Dukes at Provost Park with the Mayor and noted there will be future events discussed for the park and asked for citizens to be involved.

Councilman Blake inquired about the sidewalk that runs east and west at Berkshire and indicated that there is no continuation of the sidewalk intersecting with U.S. 1 so it should be addressed.

In response, Mr. Wegerif said that he had been exchanging emails with the FDOT contractor on this issue and that the contractor had turned adversarial and is not authorizing any extra work until the U.S. 1 job finishes and then it can be revisited to see if it was feasible. Further, he indicated that it may not be possible to extend the sidewalk on the north side due to the slope but they will look at it.

Councilman Blake expressed its importance and stressed it was a safety issue.

Mr. Wegerif offered some alternatives such as ending the sidewalk and a pedestrian crosswalk on the south side and a retaining wall.

Councilman Blake asked for collaboration with the homeowners and Mr. Wegerif said it would be in FDOT's hands at the moment.

Councilman Blake advised to be fair and equitable and that a sidewalk would be appreciated.

In response, Mr. Wegerif, said it would be looked at.

In closing, Councilman Blake wished Councilman Furbish well, welcomed his father home from the hospital and to buy local, spend local, and keep it local.

Mayor Parrish said the Little League opening day had a great turn out, that he was watching the legislative agenda closely, and that he walked Lake Drive with the County Commissioner on Friday and relayed that he was also in favor of improving sidewalks, lights etc. He indicated that there may be something in the County's October budget for the improvements.

Lastly, he spoke of Lee Wenner Park being the Port of Cocoa and that Cocoa has the County's support and mentioned that the All Aboard Florida meeting on Thursday should be great. He asked that the citizens of Cocoa, especially longtime residents, to help promote the city, stay positive, and to bring their concerns to him. He advised Cocoa has great assets, a great location, the best people and to look for great things in the future.

XI. ADJOURNMENT.

- **MOTION by Deputy Mayor Boisvert; Seconded by Councilman Blake, to Adjourn the Regular meeting of March 8, 2016.**

AYES: Parrish, Boisvert, Blake, Warner

THE MOTION CARRIED UNANIMOUSLY (4-0)

The meeting adjourned at 6:53 p.m.

Henry U. Parrish III, Mayor

Respectfully Submitted,



Carie Shealy, City Clerk
(Transcribed by Angela Ferguson, Assistant City Clerk)